



From Pariah to Partner

The US Integrated Reform Mission in Burma

2009 to 2015



UNITED STATES
INSTITUTE OF PEACE
Making Peace Possible

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Executive Summary

This is one of three case studies that the US Institute of Peace (USIP) developed to explore how the US Defense, Development, and Diplomatic (3D) communities can effectively collaborate and coordinate to respond to complex crises in fragile states. The case studies document efforts and draw lessons from where US government leaders believe deepening crises were staved off through collaborative inter-agency engagement.

Case Background

Burma is an example of a state transitioning to democratic governance after decades of military rule and unresolved ethnic conflicts. Disaster-prone and strategically located, Burma has attracted attention from Western and Eastern countries vying for influence within its borders.

In the wake of the 2007 Saffron Revolution, catastrophic Cyclone Nargis in 2008, and a subsequent constitutional referendum, elements within Burma's ruling military junta began to consider having closer ties with the United States. Despite the junta's human rights abuses and undemocratic actions, in 2009 the United States began to open the door to engagement with Burma to foster the country's political and economic transition. This step had national security implications, because Burma is strategically located between China and India, and was developing closer military ties to North Korea, making Burma a nuclear proliferation risk.

The Complex Crisis	US Objectives	Applicability of Lessons
<p><i>The crisis was shaped by the following interacting challenges:</i></p> <ul style="list-style-type: none"> • <i>State fragility:</i> a frayed relationship between government and citizens • <i>Ethnic conflict and discrimination</i> • <i>Natural disaster</i> • <i>Regional dynamics:</i> investment by China, participation in Association of Southeast Asian Nations (ASEAN), and a military relationship with North Korea 	<p><i>The United States focused on three objectives:</i></p> <ul style="list-style-type: none"> • Foster <i>political change</i> and economic liberalization • Install respect for <i>human rights</i> • Promote <i>peace and national reconciliation</i> 	<p><i>Lessons from Burma may best apply to circumstances in which:</i></p> <ul style="list-style-type: none"> • A <i>political transition</i> is brewing • <i>Local will</i> for change exists • The <i>security environment</i> is permissive • The military has expressed the <i>desire to reduce its role in government</i> • The United States is <i>transitioning from a policy of nonengagement</i>

The US Defense, Development, and Diplomatic Response

Prior to 2009, the US government did not engage with Burma, instead sanctioning its leaders in an attempt to force regime change. Following a 2009 State Department policy review, the United States adopted a policy of "Action for Action," responding to Burmese reforms with economic assistance, sanctions relief, senior leader engagement, and other forms of calibrated positive reinforcement. Although security sector assistance remained limited in light of the Burmese military's involvement in politics and ongoing human rights abuses, the appointment of an ambassador and USAID mission director, and the launch of new programs and engagements (such as the jointly sponsored 3D Human Rights Dialogues featuring civilian and military officials) moved the relationship forward. The groundwork for success was laid by effective strategic planning both at home, through the use of a special representative and policy coordinator for Burma, and later in the field, through the creation of an integrated embassy process that set, communicated, and periodically reevaluated priorities. Close collaboration with Congress paved the way for more discretionary funding for the mission. Equipped with purpose-fit authorities, US government actors were able to engage opportunistically—for example, by helping ethnic armed groups attend peace negotiations. Effective communication helped organize 3D support and monitoring of the country's 2015 elections, its freest and fairest ever.

Summary of Lessons from Burma

The case study review process yielded a series of lessons in three parts:

1. A **strategic planning process** that knitted together the 3Ds in Washington, D.C., and in the field
 2. An **“Action for Action”** approach that allowed the 3Ds to customize their programs and responses to Burmese reform efforts
 3. A deliberate focus on building **partnerships for progress**, including between the executive and legislative branches, between the 3Ds; between Washington, D.C., and the field; and between the United States and international partners
- The following table summarizes these approaches, as well as some key takeaways.

	What Was Done	How It Was Done	Lessons
Strategic Planning Process	State Department (State) policy review conducted.	Led by State and supported by Congress, the review recommended a dual-track approach to Burma, pairing carrots (increased engagement) with sticks (sanctions) to encourage reform.	<ul style="list-style-type: none"> ▪ Use <i>structured policy reviews</i> to initiate a <i>break from past policy</i> and build the case for change. ▪ Cast a <i>wide net of consultation</i> when developing a major policy change.
	Special representative and policy coordinator appointed.	The White House decided to fill the congressionally mandated position of special representative and policy coordinator for Burma to accept and reject offers of assistance to Burma.	<ul style="list-style-type: none"> ▪ Employ special representatives at <i>critical moments of policy inflection</i>—when extra focus is needed—and plan when to go back to normal operations. ▪ Empower the special representative with the <i>authority to say “no”</i> to US agencies.
	Field-based strategic planning process established.	3D leaders established an integrated planning process that included crosscutting strategic planning, the use of interagency policy working groups to support key initiatives, and ongoing reviews for recalibration.	<ul style="list-style-type: none"> ▪ Require <i>broadening 3D experiences</i> for personnel in the field and at home. ▪ <i>Coordinate from the field</i> to act responsively to events as they arise. ▪ Build an <i>inclusive, flexible strategic planning process</i> that considers all critical stakeholders and revisits goals periodically.
Action for Action	Sanctions and restrictions relaxed.	Sanctions were removed through a process of consultation in Washington, D.C., and in the field. An interagency Sanctions and Legal Processes Working Group considered when different sanctions could be removed.	<ul style="list-style-type: none"> ▪ In a trust-deficient environment, implement policy based on <i>what happens</i>, but <i>build options for what might happen</i>. ▪ Use sanctions as a <i>coercive tool with a path to removal</i>—not an all-or-nothing policy.
	Security sector and defense engagement explored.	Department of Defense (DOD) partnered with State in planning and messaging engagement. For example, Human Rights Dialogues featured military personnel delivering messages about civilian control.	<ul style="list-style-type: none"> ▪ Understand <i>all the stakeholders and their equities</i> early on (including NGOs). ▪ Consider where and how <i>DOD personnel can be strong messengers for civilian objectives</i>.
Partnerships for Progress	Partnership with Congress developed.	Consultation created congressional buy-in for new engagement with Burma to encourage reform. Controversies and discord arose when Congress felt it was given inadequate opportunity to offer input on policy changes.	<ul style="list-style-type: none"> ▪ The executive-legislative partnership <i>must be cultivated to provide the strategic flexibility</i> required. ▪ <i>Field leadership should shape itineraries</i> for congressional and staff trips to maximize their experience and impact.
	Purpose-fit authorities and resources deployed.	Burma was one of the few US missions globally given a budget with more discretionary funds than earmarked funds.	<ul style="list-style-type: none"> ▪ Enable authorities and carve-outs that <i>permit local adaptation</i> within a mutually acceptable framework. ▪ Look to the <i>executive branch as well as the legislative branch for flexibility</i> in funding.
	Effective communications used to bolster unity of effort.	The ambassador co-located all 3Ds at the embassy in Rangoon to facilitate trust, communicated directly with the White House and Congress, and used ad hoc international fora ahead of the 2015 elections.	<ul style="list-style-type: none"> ▪ Do not be afraid to <i>go outside tradition to build communications structures</i> that ensure alignment and create trust.

Glossary of Terms

ASEAN	Association of Southeast Asian Nations
BAWG	Burma Assistance Working Group
CODEL	congressional delegation
CSO	civil society organizations
DCM	deputy chief of mission
DOD	Department of Defense
EO	executive order
FY	fiscal year
GoB	government of Burma
hluttaw	Burmese parliament
ICS	Integrated Country Strategy
JADE Act	Tom Lantos Block Burmese Junta's Anti-Democratic Efforts Act of 2008
LMI	Lower Mekong Initiative
MD	USAID mission director
NLD	National League for Democracy
NSC	National Security Council
PACOM	US Pacific Command
SPDC	State Peace and Development Council
STAFFDEL	congressional staff delegation
State/DRL	State Department Bureau of Democracy, Human Rights, and Labor
State/EAP	State Department Bureau of East Asian and Pacific Affairs
Tatmadaw	Burmese military
UN	United Nations
USAID	United States Agency for International Development
USAID/OTI	USAID Office of Transition Initiatives
USDP	Union Solidarity and Development Party

Foreword: Who Should Read this Case Study and Why?

This is one of three case studies (Burma, Jordan, and the Lake Chad region) designed to examine how the United States (US) government defense, development, and diplomacy (3D) communities worked together to prevent or manage different types of complex crises in fragile states.

Burma is an example of a state transitioning to democratic governance from decades of military rule amid underlying ethnic (intercommunal) conflicts.¹ Disaster-prone and strategically located, Burma has attracted attention from Western and Eastern countries vying for influence within its borders.

One of the most common refrains about the US experience in Burma is that “Burma is unique.” In many ways, Burma’s history, complexity, geopolitical position, and singular political circumstances distinguish it from other contexts. But some lessons from US efforts in Burma from 2009 to 2015 to free political prisoners, to support free and fair elections, and to bring about national reconciliation may help inform efforts in other transitional environments. To that end, this case study explores the approaches and lessons from engagement with Burma that might be applied elsewhere.

The US 3D institutions had to innovate and constantly adjust what they did to seize and create windows of opportunity to facilitate Burma’s political and economic transition and to prevent a descent into civil war. At the same time, they had to adapt how they worked together.

US officials working in the following contexts might benefit from a careful study of Burma’s lessons: Egypt (where military leadership is currently the custodian of the state), Pakistan (where chronic tumult and a history of coups periodically thrusts the military into positions as “guarantor” of the nation’s stability), Sri Lanka and Tunisia (where political transitions are under way), Cuba (where the United States has leaned into a political opening), and even North Korea (one of the world’s last remaining authoritarian closed states).

At a minimum, lessons from this case study may apply in environments characterized by one or more of the following conditions:

- **A political transition is brewing:** The defining goal of US engagement with Burma has been fostering a democratic transition in a country emerging from decades of military rule. The military leadership stated its desire to reform and move toward democracy on a timetable of its choosing.
- **An authoritarian regime rules the government but has expressed a desire to leave:** There is no doubt that the Burmese military has played an outsize role in governing the country. Nevertheless, it saw itself as the protector of the people, not as a permanent fixture, and stated the desire and intention to remove itself from governing. In 2003, the Union Solidarity and Development Association—the Burmese military political party—put forth a seven-step “Roadmap to Discipline-Flourishing Democracy.” The document served as leverage for the United States to encourage reform on the basis of previously stated government of Burma (GoB) policy. There is a difference between military dictatorships where intractable rulers believe in their perpetual legitimacy and those where the military sees its role in governance as a temporary feature of society.
- **Local will for change exists:** A long history of political protest and vocal opposition to the military’s deals with China took a toll on Burma’s ruling generals. Popular movements, such as the 2007 Saffron Revolution, emerged, as did opposition to

extractive Chinese projects such as the Myitsone Dam on the Ayeyarwady River. That project would have brought thousands of Chinese into Burma to dam the river and export its power, benefitting the Chinese and enriching Burmese generals, but not helping average Burmese citizens. Furthermore, Burma was fatigued from violence. By 2009, cease-fire agreements between the GoB and ethnic armed groups were beginning to fray, offering the renewed threat of major violence and domestic instability. In addition to the leadership of an internationally known democracy activist, Aung San Suu Kyi, popular opposition to the military government inside the country and reformers within the government made change possible. Notably, although political exiles and refugee communities played an advocacy role from outside, they were not the primary actors in the reform process.

- **There is a committed, organized, and independent civil society:** Although many of Burma's civil society organizations (CSOs) were originally formed to meet social or humanitarian needs, they were able to take on a more political role during the transition, serving as valuable partners that the United States could engage and empower to sustain the reforms. This kind of situation cannot be assumed in other potential transition environments such as North Korea. Although many activists and reformers within Burma were in prison in 2009, the banned political party, the National League for Democracy (NLD), offered some degree of coherence and organization.
- **The security environment is permissive:** Although Burma has undergone years of ethnic conflict and violence in its many states and regions, the United States was able to enter and work in key areas. In particular, Burma's largest city—Rangoon—and capital—Naypidaw—were both fairly accessible, making US engagement possible.
- **The United States is proactively transitioning from a policy of nonengagement:** Policymakers initiated a “blank slate” approach from which they could plan and adapt. The United States reversed a decades-long policy of sanctions against and isolation of Burma to a transactional approach designed to build trust while coercing and rewarding progress.

This case study explores both what the United States did in Burma and how it did so, looking at some of the approaches—resources, authorities, structures, and processes—the US government employed to achieve its objectives.

About this Project

Some public servants are all too accustomed to dealing with crises, when both information and time are at a premium. In the throes of crisis, there is little opportunity for careful consideration or reflection, and civilian agencies rarely have readily available lessons that they can leverage in real time as a crisis unfolds. Complexity further challenges the response, as the interacting influences of a plethora of actors and events make it difficult to draw direct causal links between US actions and outcomes. Amid a steady drumbeat of crisis over the past decade, learning has not kept pace. The result is lost time, money, and even lives.

Although the Department of Defense (DOD) invests heavily in lessons processes, the Department of State (State) and the US Agency for International Development (USAID) have not as thoroughly institutionalized processes for identifying lessons and elevating them for agency leaders and personnel. This situation can be partially attributed to a lack of requisite resources, but it is also due to different organizational cultures.

About the 3Ds

This report refers extensively to defense, development, and diplomacy (3D) “communities.” Broadly, these communities may include international and partner-country civil society organizations (CSOs), partner-country institutions, and implementing partners that assist the US government in developing strategy and policy as well as executing programs that further US government goals. This project focuses on the actions of three primary US 3D institutions: the Department of Defense (defense), the US Agency for International Development (development), and the Department of State (diplomacy). This simplification is made for the benefit of the reader, and the authors acknowledge that these agencies’ respective capabilities may overlap in some programmatic areas.

This project, “3D Learning from Complex Crises,” seeks to help senior policymakers and working-level managers close this gap by identifying lessons from 3D coordination and collaboration efforts in such environments. To uncover these lessons, this project takes a case-based look at how the US government has made strides toward achieving a systemic approach to foreign policy and crisis response that “tackle[s] security, political, and capacity challenges in relationship to one another and not in isolation” by uniting the 3D toolkits in service to a common goal.² The project looks at both *what* the United States did in three crisis-stricken environments and *how* US actors cooperated and collaborated in order to do so.

It is important to note that these case studies are not evaluations; rather they document efforts and draw lessons where US government leaders believe deepening fragility and crises were staved off through collaborative inter-agency engagement. In many cases, policy and decision-making involved fierce debate; while the colorful discussions are not always presented, the stories underlying the lessons and presentation of facts are important to understanding the challenge of systematizing and aligning security, political, and capacity development efforts in fragile states. The authors have done their best to distill the key insights into applicable, replicable lessons.

The cases covered in this series—Burma, Jordan, and the Lake Chad region—offer three distinct snapshots of complex environments that involved actors, approaches, and tools from all 3Ds. Although many other organizations, processes, and toolkits were essential to US goals in these environments, the 3Ds were indispensable to the promulgation and execution of US foreign policy across all cases. This report is not designed to be comprehensive or exhaustive; as a narrative, retrospective case study, it tells a story in an effort to help current and future generations of US national security practitioners access important lessons from hard-earned experience in difficult circumstances. It attempts to synthesize many different perspectives about the periods and cases in question, and it does not claim to make judgments about the future. At a time of transition in the US government, as personnel and sources of institutional memory may change roles or move on, the practice of capturing lessons is especially important.

The authors hope that this process of discovery, and the written products that have emerged, will assist US government agencies in the crucial work of institutionalizing lesson capture and future learning.

Methodology

The three case studies in the series were selected following extensive consultations to identify where government leaders believed the 3Ds were working together in fragile environments more systematically and with greater effect. Each case study seeks to answer the following four guiding questions:

1. **What:** What did the United States do to further its goals and objectives in Burma?
2. **How:** What coordinated, cooperative, collaborative, or integrated 3D approaches did the United States employ to pursue these objectives? What actors, organizational structures, processes, mandates or authorities, and resources enabled defense, development, and diplomatic engagement to achieve more together than each can achieve alone?
3. **Why:** Why did the United States choose to pursue its aims in these ways? How can one recognize similar situations in which US 3D actors might benefit from employing similar approaches?
4. **So what:** Why is this topic worth studying? How can one recognize similarly complex situations in which US 3D actors might benefit from employing similar approaches?

This report draws from an extensive literature review of more than one hundred unclassified documents about Burma's complex political transition and US government involvement to help Burma navigate this pivotal time period from 2009 to 2015. These sources include official US government publications such as departmental websites, after-action reviews, departmental fact sheets, public laws, Congressional Research Service reports, congressional testimony, and Inspector General and Government Accountability Office reports. All materials reviewed were unclassified so that lessons identified could be shared broadly. Researchers also examined reports from nongovernmental and multilateral organizations, as well as third-party publications such as news and journal articles and think tank analysis. In addition to this extensive literature review, the authors conducted more than twenty-five consultations with former and present US government officials at both working (e.g., action officers) and senior (e.g., deputy assistant secretary and above) levels who had worked the Burma portfolio from across the 3D communities. This primary research was supported by a series of working-level workshops, as well as a "senior leader" session that tested, refined, and validated the report's overarching findings. All consultations were off the record, but the stories and lessons shared throughout this report reflect these experts' experiences and perspectives. A selected bibliography of key sources on this case is available at www.usip.org/3dlessons/Burma.

Understanding the Complex Environment in Burma

The Backdrop of Complexity

Complex environments are almost ubiquitously uncertain, unstable, and opaque.³ Whereas complicated environments feature testable, observable phenomena, complex environments have many unknowable features, making it difficult to discern clear causal relationships and rendering outcomes unpredictable and emergent.⁴ Complex environments make it difficult for policymakers or implementers to reach certainty or agreement about what is to be done, making planning and programming particularly challenging.⁵ Put simply, in complex environments, policies and programs often provoke unforeseen, unintended outcomes, whereby attempts to influence one aspect of a problem affect other dynamics in entirely unpredictable ways.

Complexity is a useful frame for thinking about US engagement in Burma, Jordan, and the Lake Chad region because of the plethora of actors and dynamics present in these cases that demanded an integrated, adaptive, and aligned US government approach. Additionally, complexity describes not only the operating environment in these locations, but also the nature of the US policymaking apparatus, a heterogeneous set of various (and sometimes competing) interests, processes, actors, and dynamics. This project does not attempt to map the full

Understanding the backdrop to crisis is essential to understanding what the United States did in Burma and why it chose to reverse a decades-long policy of nonengagement to support and promote the country's transition. As stated previously, Burma is an example of a state transitioning to democratic governance from decades of military rule amidst underlying ethnic conflicts. Disaster-prone and strategically located, Burma has attracted attention from Western and Eastern countries vying for influence within its borders (figure 1).

BURMA SNAPSHOT

IDPs

96,000 Kachin/Shan
120,000 Rakhine
200,000 South-east Burma

IDPs Data Source: UNHCR Feb 2016

USG HUMANITARIAN ASSISTANCE

Funding from...

USAID/DFP USAID/OFDA State/PRM

WFP
IOM
Metta Foundation
Solidarités
UNICEF
UNHCR

WFP
IOM
Metta Foundation
UNICEF
UNHCR

WFP
UNICEF
IOM
SCAUS
Solidarités
UNICEF
ZOA
UNHCR

NEIGHBORING COUNTRIES
IOM
NGO IPs
UNHCR

Data Source: USAID April 2017

LEGEND

○ Major cities
● Key Diplomatic & International Election Observations

Conflict
Affected by sporadic conflict

Ethnic Groups
Burman
Chin
Kachin
Karen
Mon-Khmer
Rakhine
Tai (Shan)
Other

Migration
Refugee camp
Refugee center
Internally displaced persons (IDPs)
Sea route to Malaysia (2015 crisis)
Refugee flows

*The following countries and entities contributed to the election monitoring effort: EU, Center for Global Rights, US-ANREP, Canada, Australia, Japan, New Zealand, and Switzerland

Ethnic Groups Data Source: GREG 2008
Migration Data Source: UNHCR 2015
Sources: OCHA, BBC, Noun Project

Map created 4.26.2017

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Factors of Complexity in Burma

- State fragility: A frayed relationship between state and citizen
- Ethnic conflict and discrimination
- Natural disasters
- Regional dynamics: Investment by China, participation in the Association for Southeast Asian Nations, military relationship with North Korea

State Fragility: A Frayed Relationship between State and Citizen

Burma ranked thirteenth on the list of the world's most fragile states in 2009, with an estimated 32.7 percent of its 57 million people living below the poverty line (as of 2007).⁶ Although by 2016 it had improved to twenty-sixth on the Fragile States Index, Burma has no shortage of legitimate political, development, and security needs.⁷ Burma's military, the *Tatmadaw*, has been heavily involved in governing the country since its independence in 1948. The Tatmadaw formally entrenched itself in domestic politics through the 2008 constitution, which guarantees the military 25 percent of the seats in the upper and lower houses of parliament (*bluttaw*) as well as autonomy over the Ministries of Defense, Border Affairs, and Home Affairs.⁸ The Tatmadaw also has a long history of informal political influence: it has heavily influenced major political parties, and it has owned many of the country's means of production, providing ample opportunities for corrupt business practices. For many years, the Tatmadaw governed by isolating Burma from the world, making the Tatmadaw an exceedingly difficult partner for Western governments to work with. The Tatmadaw has historically restricted freedom of the press and speech, arresting and prosecuting journalists it deemed too critical of its rule, as well as using violence against peaceful protestors, most notably in 1988 (during the 8888 Uprising) and 2007 (during the Saffron Revolution).⁹

Ethnic Conflict and Discrimination

Formally known as the Union of the Republic of Myanmar, Burma has long been a heterogeneous country that is a patchwork of 135 officially recognized ethnic groups aggregated into eight "major national ethnic races" (many more groups remain unrecognized).¹⁰ These groups are spread across a series of union territories (Naypidaw), regions (Ayeerwady, Bago, Magway, Mandalay, Sagaing, Tanintharyi, and Yangon), states (Chin, Kachin, Kayah, Kayin, Mon, Rakhine, and Shan), and zones and divisions with varying degrees of autonomy (see figure 2). Many of the different ethnic groups have armed militias that agitate for their own autonomy, if not total independence, thereby keeping the country in a perpetual state of violent conflict. An on-again, off-again process of peace negotiations between the Burmese government and the ethnic minority groups has produced uneven returns. The multiyear Nationwide Ceasefire Agreement negotiations, which the government prioritized beginning in 2011, had just eight signatories, far short of the desired participation of all fifteen armed groups invited.¹¹ The negotiation process has been riddled with claims of violations on both sides, giving way to periodic spates of violence. Despite many grievances that have been lodged against the Burmese government over the years, no group faces starker, more uniform discrimination than the Rohingya, a minority Muslim ethnic group residing primarily in Rakhine State. The Rohingya are widely disdained by the country's Buddhist majority and are denied basic rights. They face

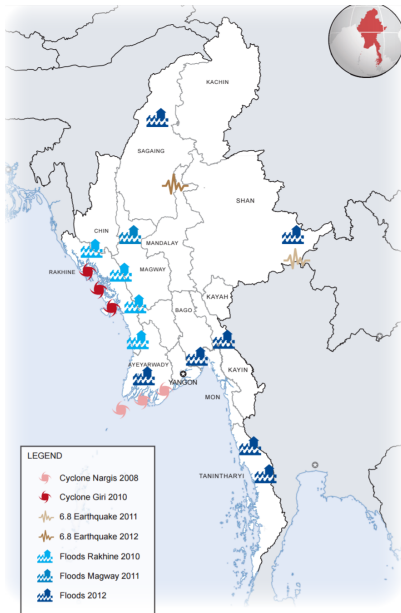
Figure 2. Ethnic conflict in Burma



Source: CentreLeftRight, Conflict Zones in Myanmar, image, <https://commons.wikimedia.org/w/index.php?curid=48610530>. Creative Commons License (CC BY-SA 4.0), <https://creativecommons.org/licenses/by-sa/4.0>.

malnutrition, poverty, weak infrastructure, restrictions on freedom of movement and procreation, and state-sponsored violence; there are some 140,000 internally displaced persons in Rakhine State today, and nearly 800,000 Rakhine are considered “stateless” because they lack citizenship rights or access to identity documents, rendering them disenfranchised.¹²

Figure 3. Natural disasters in Burma



Source: UN Office for the Coordination of Humanitarian Affairs, <https://roap.egnyte.com/dl/wNAfklqOB>.

Natural Disasters

Burma is the most natural disaster-prone country in Southeast Asia and was listed in the United Nations (UN) 2016 Global Climate Risk report as one of twenty countries in a “conflict-climate nexus,” which portends “a combination of severe environmental vulnerability along with pre-existing social fragility and weak institutions.”¹³ Burma has suffered natural disasters that have taxed the government to its core. For example, Cyclone Nargis in 2008 left hundreds of thousands of people displaced and impoverished, at the mercy of a government with little will or capacity to assist them in their recovery. Figure 3 shows the natural disasters that impacted the country from 2002 to 2012.

Regional Dynamics

Burma is a member of the Association of Southeast Asian Nations (ASEAN) and a regional priority for both China and the United States.

As they oppressed their people, Burma’s military rulers were spurned by the United States and other Western allies, driving Burma’s rulers toward neighbors willing to overlook, if not support, their actions. China provided economic investment, and North Korea offered military ties.

Beijing has long seen Burma as an important piece of its “Belt and Road” initiative to foster regional connectivity for economic growth, and has therefore supported military rule to preserve China’s hold on Burma’s extractive industries (such as mining).¹⁴ Chinese methods of investment have left Burma with a series of one-sided contracts that have enriched Burma’s ruling generals while bringing Chinese workers into the country to extract the country’s resources without investing in Burma’s people.

Additionally, Burma’s military leaders harbored grave fears of foreign invasion from Western countries (such as the United States), which led them to turn to one of the world’s other most reclusive nations, North Korea, for military assistance and collaboration. In late 2008, General Shwe Mann led a military delegation to North Korea to inspect military installations and sign a memorandum of understanding for military cooperation with the chief of general staff of the Korean People’s Army. A Burmese military official reported that the memorandum of understanding included commitments to conduct joint military operations and to collaborate on developing tunnels to house airplanes, ships, and military buildings in the two countries.¹⁵ Circumstantial evidence also pointed toward the Tatmadaw’s intention to acquire or develop nuclear capabilities.¹⁶

Burma’s desire to participate in ASEAN has historically created difficulties for the group’s other members. Although most ASEAN countries sought closer ties with the United States and other Western nations (to balance the influence of China), the United States was wary of participating fully in ASEAN fora alongside the human rights-violators of the Burmese junta. In 2006, when it was Burma’s turn to chair ASEAN, fellow members encouraged the junta to forego its rotation out of fear that the United States and other Western nations would boycott the ASEAN Regional Forum.¹⁷ In this way, Burma’s domestic troubles contributed to regional complexity.

This case study tells the story of how the United States operated in a bleak, complex landscape, working across bureaucratic silos to foster a political reform movement that put the country on a path toward improving many of its conditions.

The United States in Burma: Key Objectives and Accomplishments

Introduction: From Clenched Fist to Open Hand

On the chilly morning of Tuesday, January 20, 2009, Barack Obama stepped to a lectern atop Capitol Hill as the newly inaugurated president of the United States. Halfway around the world, people gathered late at night at the American Center in Rangoon to watch the swearing in of the new American president. A little over halfway through his twenty-minute inaugural address, the president's tone grew stern: "To those who cling to power through corruption and deceit and the silencing of dissent, know that you are on the wrong side of history," he said, as a murmur ran through the gathering in Rangoon, "but that we will extend a hand if you are willing to unclench your fist."¹⁸ Eyes flicked back and forth in the American Center in disbelief. "He's talking to us," they said. "He's talking about Burma."¹⁹

Just six years later, on the evening of November 8, 2015, millions of people sat transfixed by the images on their television screens. News reports showed footage of translucent ballot containers being rolled out in front of lines of Burmese, tightly grasping their registration slips, eager to cast their votes for Burma's hluttaw. As the electoral results trickled in, a new reality slowly emerged: the NLD, led by global democracy icon Aung San Suu Kyi, had outperformed even the most optimistic projections. For the United States, and in particular for the interagency country team in place in Rangoon, the scene was immensely gratifying and unbelievably humbling. Mary Robinson, a member of the Carter Center delegation to the elections, put it well:

When you see how much it means, and what a symbol it is of a people's courage and determination, it's very moving. I know for people who have lived and worked in this country and sought to have this day, it was moving to tears. That's very significant.²⁰

On one hand, this success was remarkable: in three years and with just over \$18 million in funding,²¹ the US government had played a critical role in helping Burma carry out its freest and fairest elections in a generation.²² On the other hand, this was not the first time the NLD had won power democratically in Burma. No US official, much less a Burmese citizen alive in 1990, could forget how the military refused to cede power following the NLD victory. Moreover, the 2015 elections were not without issue—they were not completely free or completely fair. Many questions remained. But Americans stationed in Rangoon couldn't help but wonder: what if the results did stand? The sobering realization of the immense responsibility now befalling the NLD and its revered leader was unmistakable: the NLD might finally move from opposition party to governing party. No matter what happened next, it was a new day in Burma.

How did Burma get here? What role did the United States play? These are a couple of the questions that this case study seeks to answer.

The Case for Engagement

Facilitating a peaceful democratic transition in Burma was in the US national interest from both a values-based and a national security perspective. The United States saw an opportunity to facilitate a political opening in a pariah state, to help the government become a more re-

sponsible partner that would not pose a threat to the Burmese people or to regional stability. A successful transition in Burma could send a clear message to other hostile countries that they too could benefit from democracy and that such a transition need not portend large-scale external intervention. Such a credible message could have lasting implications for US national security.

There were three primary drivers of US engagement in Burma:

- **US values:** The US government saw Burma as an opportunity to send a powerful message about how respect for human rights, the freedom of speech, and democratic processes could create opportunities for a bellicose, struggling country in an important region. US leaders worked with the GoB to cultivate a partner that would be respectful of human rights and that would respond to the will of its people.
- **“Pivot to Asia”:** As the Obama administration sought to rebalance US foreign policy to focus more on the Asia Pacific region, Burma’s geostrategic position in Southeast Asia presented an enticing opportunity for the United States to demonstrate the value of democratization versus a more authoritarian Chinese approach. Burma’s military linkages to the bombastic North Korean regime posed a nuclear proliferation risk, and the United States sought to stem proliferation. Additionally, the Obama administration’s desire to promote multilateral diplomacy in Asia put a premium on working with ASEAN. US-ASEAN ties had been complicated by Burma’s membership, because senior US leaders were wary of engaging with a body that permitted the participation of the human rights-abusing Burmese generals.
- **A message to pariah states:** Optimists in the Obama administration hoped that a new democracy in the region might serve as an example for other recalcitrant nations. Rather than scaring the regime into changing through threats of military force, US engagement was designed to demonstrate that closer ties with the United States and its allies could be in the interest of intractable countries—by spurring economic growth, international recognition, and generating electoral success for bold leaders.

Goals for Engagement

With the decision to reengage the GoB in 2009, the United States committed to fostering and supporting the reformist elements within Burmese society to move the country toward a more representative government that would reflect the will of its people. Thus, US engagement in Burma was, at its core, a mission of political reform, reflecting a longstanding commitment to democratization and human rights in an increasingly important region. This strategy was part of a broader regional strategy that sought to demonstrate the value of democratization and market liberalization in a part of the world that was torn between different models of governance. China was on one end of the spectrum, along with North Korea and Laos. US-aligned democracies such as Australia, New Zealand, and, to some extent, India and Singapore were on the other.

The United States pursued three interconnected, reinforcing policy goals in Burma in support of its interests:²³

- Foster political change and economic liberalization (e.g., credible democratic reform)
- Install a respect for human rights (e.g., immediate, unconditional release of political prisoners)

- Promote peace and national reconciliation (e.g., serious dialogue with the opposition and minority ethnic groups)

The United States had various objectives, including development, security, and diplomatic arrangements, beneath these umbrella goals, but it believed that these objectives would be enabled and furthered with a representative, legitimate government in place in Burma. Therefore, the transition from a military-led government to a democratically elected, civilian-majority government was the top priority. The United States took the position that there could be no democracy without peace, and no peace without democracy.

Early Days: From the Saffron Revolution to 2009's "Action for Action"

The Saffron Revolution: The United States Rediscovered Burma

In September 2007, Burma experienced its largest protests since the notorious 8888 Uprising. After the military junta unexpectedly raised fuel prices by up to 500 percent in August, thousands of people across the country took to the streets.²⁴ Some sources estimated that more than 100,000 Burmese citizens protested in Rangoon alone, in a moving show of unity against military oppression.²⁵ As the regime cracked down on the protestors, arresting peaceful demonstrators and firing warning shots into the crowds, monks, led by the All Burma Monks Alliance, joined the protests.

As the regime continued its show of force, arresting, killing, and torturing protestors, the mood of the US government was not so different from that of the *Economist*, which proclaimed, "if the world acts in concert, the violence should be the last spasm of a vicious regime in its death throes."²⁶ Indeed, the images emanating from the reclusive nation caught the attention of First Lady Laura Bush, who denounced the Burmese regime from the White House and requested frequent briefings on the latest state of affairs.²⁷ The US foreign policy apparatus began to kick into gear, striking up weekly National Security Council (NSC)-led meetings on Burma policy that helped US interagency players working on Burma get acquainted with one another. Believing that the Burmese regime was on the ropes as a result of the Saffron Revolution, the United States took the opportunity to deploy a member of USAID's Office of Transition Initiatives (USAID/OTI) to Burma to begin assessing the situation on the ground and to plan for contingencies.

Key Elements of US Sanctions on Burma

US policy toward Burma was long characterized by stifling sanctions designed to isolate the junta, including:

- The suspension of aid, including antinarcotics aid
- Opposition to new loans by international financial institutions
- A prohibition on US companies making new investments in Burma
- A ban on Burmese imports (especially precious stones and raw materials)
- A travel/visa ban for Burmese officials, restricting their travel to the United States
- A ban on US financial transactions with individuals and entities connected to the Burmese government
- A ban on the provision of financial services to Burmese individuals or entities

Source: Martin, "US Sanctions on Burma."

Cyclone Nargis and Initial Interactions

If the Saffron Revolution was a punch to the GoB from within, Cyclone Nargis was a gut punch from afar. In May 2008, the costliest cyclone in the history of the Indian Ocean made landfall in Burma. The cyclone left hundreds of thousands of people dead, and created more than \$10 billion in damages.²⁸

The GoB's lack of preparedness for the cyclone, its refusal to acknowledge the scope of the disaster, and its insufficient care for the victims attracted international outcry. On May 5, 2008, Laura Bush held a press conference at the White House calling on the junta to "allow unhindered access for international disaster experts and aid providers so that the Burmese people could receive much needed assistance in the wake of the devastating cyclone."²⁹

As pressure to assist victims mounted, the junta ultimately relented and began allowing international actors into the country to assist in relief and recovery efforts, bringing the 3Ds into the country in a meaningful way. DOD was represented by US Pacific Command (PACOM), which coordinated flights and controlled the airport; State was led on the ground by a chargé d'affaires who coordinated the operation from the embassy in Rangoon; and USAID participated via a small Office of Foreign Disaster Assistance Response Team, which sent a few people into the country to coordinate and deliver assistance. The US response totaled nearly \$85 million in relief and assistance to victims of the cyclone, who were without homes, food, water, and other necessities.³⁰ Although the response was far more limited than the 3Ds wished, the restrained humanitarian effort showed Burma's leaders that they need not fear that interaction with the United States and the Western world would be a Trojan horse for a regime change.

Nargis was viewed by many as a turning point for CSOs. Not only did the response result in more space for local CSOs to organize and provide social and humanitarian assistance, but it also led to an increase in the presence of international nongovernmental organizations (NGOs). Many of the organizations that would go on to play a critical role in Burma's transition had their roots in the Nargis response.

The United States used this opportunity to deliver assistance to demonstrate how democratic principles could work at the local level. Because the effort relied heavily on local Burmese for aid distribution and monitoring (namely, roughly three hundred Burmese who had been involved with the embassy's existing small grants program), the United States was able to influence distribution strategies. Burmese partners ensured that aid was distributed based on collective community decision-making processes, rather than on the whims of local party chiefs. The relief effort offered an opportunity for the US government to make limited progress toward promoting democracy without disturbing or antagonizing the ruling regime, and in doing so, helped empower reformers within the military who sought more interaction with the West and the United States.³¹

State Department-Led Policy Review

The subsequent 2008 US presidential election provided a moment for reflection and an opportunity to consider how the United States might build on the goodwill earned from the Nargis engagement. From February 2009 to September 2009, during the Obama administration's early days, the State Department led a policy review to examine US policy toward Burma, ultimately concluding that the United States should begin reaching out to the State Peace and Development Council (SPDC), Burma's military government, to assess opportunities for increased engagement.³² This recommendation was designed to test whether Burma's rulers were genuine in their stated desire to move toward democracy and greater respect for human rights.

Table 1. US assistance to Burma, 2005-2009

(thousands of dollars)

Account	FY2005	FY2006	FY2007	FY2008 Estimated	FY2009 Request
CSH	0	0	2,100	2,083	2,100
DA	0	0	0	717	0
ESF	7,936	10,890	10,890	12,895 ^a	13,750
Other ^b	4,000	3,000	3,000	3,000 ^a	—
Totals	11,936	13,890	15,990	18,695	15,850

Sources: US Department of State; USAID.

a. P.L. 110-161

b. Humanitarian assistance for displaced Burmese and host communities in Thailand through an unspecified account.

It was also meant to ascertain the opportunities available to make progress on international security issues, such as Burma's relationship to North Korea and its potential nuclear ambitions.

Although the review period involved quiet State Department outreach to the Burmese embassy in Washington, D.C., activity levels in Burma itself remained largely unchanged, which is to say, minimal. The US embassy was led by a chargé d'affaires, Larry Dinger, but had no ambassador or USAID mission director (MD), and virtually no military engagement beyond perfunctory meetings facilitated by the defense attaché.

Up until this time, USAID's Regional Development Mission—Asia was responsible for the majority of Burma-related assistance, which it received via an annual congressional earmark. The money was primarily for assisting refugees and political exiles in Thailand (through the Economic Support Fund money), with very little in-country health funding (through Child Survival and Health Programs Funds) or support to civil society (see Table 1 for funding levels).³³ The State Department also provided consistent support to refugees on the Thai-Burma border through the UN High Commissioner for Refugees and the Thailand Burma Border Consortium. Other programming was limited, given Burma's Tier 3 ranking (since 2001) from the State Department Office to Monitor and Combat Trafficking in Persons, which provided grounds for withholding nonhumanitarian assistance.³⁴ However, the United States was able to conduct some under-the-radar human rights, democracy, and governance-focused work. For example, beginning in 2001, the United States funded training for more than a thousand Burmese journalists across the border in Chiang Mai at the Burmese "J-School." These reporters broadcast reports into the country and around the world through outlets such as Radio Free Asia, the Democratic Voice of Burma, and other international media outlets.³⁵ There was also a small embassy-run program to build civil society capacity in Burma. The program's approximately \$50,000 budget was provided by the State Department's Bureau of Democracy, Human Rights, and Labor (State/DRL), and was used to make microgrants (\$2 to \$3,000) to civic-minded institutions such as small internet cafes and women's cooperatives. The grants were used to build organizational and communications skills among CSOs that could eventually be used for political activities.

Action for Action

As a result of the State Department review and the initial overtures to the GoB, the United States adopted a new policy of engagement based on the premise of "action for action" with

Spotlight: Political Prisoners

When the United States began to engage in 2011 with the GoB on the subject of political prisoners, it faced significant challenges. Given the lack of access to the country and its prisons, the State Department's Bureau of Democracy, Human Rights, and Labor (State/DRL) partnered with a third-party NGO, the Assistance Association for Political Prisoners, to build a list of political prisoners. In this way, when the 3Ds demanded the release of all political prisoners, they could be clear about who they meant. Mike Posner, assistant secretary of State/DRL, handed over the initial list of political prisoners to Burma's foreign minister at the UN General Assembly in September 2011, along with a request for an update on priority cases—primarily women and children. The United States was surprised when it received a response just a few weeks later with the updates, essentially opening a negotiating channel that would continue over the next two years, culminating in the release of the 1988 protestors in January 2012—protestors whom the GoB had once seen as an existential threat.

The United States succeeded in pushing Burma to release some 1,500 political prisoners. Each release was verified on the ground by US and partner staff. As evidence of the evolving relationship, the United States went from engaging the Foreign Ministry on these issues to communicating with the historically off-limits, military-controlled, more powerful Ministry of Home Affairs. Ultimately, the United States helped establish the joint Committee for Scrutinizing the Remaining Prisoners of Conscience, comprising the GoB, NGOs, and political prisoner representatives to conduct discussions about political prisoners internally.

Source: Interviews with various US officials.

Burma. The idea was for the United States to engage in tit-for-tat diplomacy, granting some concession—such as a visit, sanctions relief, or recognition for Burma in an international body—in exchange for steps taken by the SPDC to walk away from North Korea and toward democratization, market liberalization, respect for human rights, and national reconciliation (among other priorities). Although the policy left sanctions in place, it cleared the way for opportunistic engagement, moving from an all-or-nothing approach to a more pragmatic and incremental one. This decision allowed the 3Ds to use more of their toolkits in support of US goals and gave the US government leverage to negotiate by offering carrots in exchange for progress. Still, progress was slow, and very little new assistance took place in 2009 and early 2010.

Pivot Point: 2010 General Elections and Dissolution of the SPDC

In the lead-up to Burma's November 2010 general elections, it became clear that the elections would be neither free nor fair. The NLD announced its boycott early on, and democracy icon Aung San Suu Kyi did not participate. Nevertheless, the United States remained committed to opportunistic engagement based on the principles of the Action for Action policy. Initial interactions with senior Burmese leaders—including Senator Jim Webb's August 2009 visit, Assistant Secretary of State for East Asian and Pacific Affairs Kurt Campbell's visit in November 2009, and President Obama's brief encounter with Burmese Prime Minister Thein Sein at a November 2009 US-ASEAN summit—were relatively tense affairs focused on human rights and the rule of law.

The 2010 general elections brought a retired general, and nominal civilian, Thein Sein, to power, as ruling General Than Shwe agreed to step away peacefully. As he left office, Than

Shwe officially dissolved the SPDC, technically ending military rule and elevating the ostensibly civilian, but military-supported, Union Solidarity and Development Party (USDP). Although questions about the military's long-term commitment to the electoral process lingered, this moment was significant in that it brought to power a man who would turn out to be a serious reformer and a key player in Burma's transition. With a growing confidence in their ability to navigate a democratic process and eager to continue along their seven-step Roadmap to Discipline-flourishing Democracy, Thein Sein and the USDP released Aung San Suu Kyi from house arrest.³⁶ The USDP also made clear that Burma sought recognition and normalization in relations with the United States in the form of a confirmed ambassador and sanctions relief. The United States, in turn, continued to advocate for political reforms, market liberalization, progress on a peace process, and the end of human rights abuses.

The real prize the US government offered Burma during this time was attention from senior US officials. In response to Aung San Suu Kyi's release, President Obama appointed Derek Mitchell as the special representative and policy coordinator for Burma; historically vocal regime opponent Senator John McCain visited Burma in June, just a few short months after the election. Mitchell took his first trip to the country in September 2011, and Hillary Clinton became the first US secretary of state to visit the country in decades that November. These visits were significant victories for the Burmese regime, and the Action for Action policy continued through concrete reforms: Burma released 6,359 people from prison following Mitchell's visit, including 241 political prisoners.³⁷ Clinton announced that the United States would consider the exchange of ambassadors and would introduce new leadership development programs for Burmese citizens, such as the Young Southeast Asian Leaders Initiative, while she was in country. She also pledged aid for victims of Burma's internal conflict. In addition to the continued release of political prisoners, President Thein Sein signed the Law Relating to Peaceful Assembly and Peaceful Procession on December 2, 2011, allowing Burmese residents to hold protests, subject to the approval of local authorities.³⁸

The constructive steps taken by both sides culminated in a landmark November 2011 announcement that the NLD would participate in the 2012 parliamentary by-elections and that Aung San Suu Kyi herself would run. This announcement was a major step forward in the political transition, but the results of the election would propel the transition into a higher gear entirely.

Pivot Point: 2012 Parliamentary By-Elections

In April 2012, Burma held parliamentary by-elections that resulted in the first electoral victory for the NLD since 1990, including a seat for Aung San Suu Kyi. The NLD won forty-three of forty-five available seats, and the United States moved quickly to safeguard these gains by rewarding Burma for its progress and supporting reformers wherever possible.³⁹

Almost immediately following the military government's announcement that it would accept the election results, the United States announced five steps to support democracy and peace in Burma (see text box, next page) to help accelerate economic modernization and political reforms, including the nomination of an ambassador and the opening of a USAID mission in the country. These steps marked the advent of a more holistic US approach to Burma based on "principled engagement" that would engage more elements of Burmese society in the name of political and economic reform as well as national reconciliation. This strategy included working with the private sector, civil society, and ethnic minority groups. Ambassador Derek Mitchell arrived in June, followed by USAID MD Chris Milligan in Au-

Five Steps to Support and Foster Reform in Burma

1. Seek arrangement with Burma to exchange accredited ambassadors.
2. Establish an in-country USAID mission and normal United Nations Development Programme.
3. Relax restrictions on US NGOs supporting democracy, health care, and education in Burma.
4. Facilitate US travel for proreform officials.
5. Begin a targeted easing of the ban on exporting US financial services and investment to Burma.

Source: State Department press release, April 4, 2012.

gust. Shortly thereafter, the State Department, the human rights community, and the Department of Defense collaborated on the first Human Rights Dialogue. This convening featured Assistant Secretary of State for DRL Mike Posner and the commander of US Army Pacific, Lieutenant General (LTG) Frank Wiercinski, standing shoulder to shoulder to discuss the importance of the rule of law, the protection of human rights, and the military code of conduct.⁴⁰ At the same time, the embassy increased its staff to support civil society, advocate on behalf of remaining political prisoners, and continue to provide assistance to those in need.

The newly established USAID mission had an immediate impact in Burma, as it rapidly scaled up programs in all fourteen states and regions, enabling the United States to reach millions of people in efforts to sustain the political and economic transition. The USAID mission amplified US efforts to strengthen human rights, ensuring that everyday Burmese citizens were the primary beneficiaries of reform. Transition assistance was spearheaded by USAID/OTI, which established the Kann Let program to increase participation and inclusion in the reform and peace process and to address critical impediments to the transition. By 2015, with the full USAID mission staffed, the program focused in on supporting key stakeholders to engage in the peace process, reducing the drivers of intercommunal conflict, and facilitating public engagement in the reform process.⁴¹ On the military side, junior Burmese military officers were invited to observe the humanitarian assistance and disaster relief portion of the annual multilateral Cobra Gold military exercises, as well as to participate in workshops led by the Asia Pacific Center for Security Studies. Some were able to meet with US military personnel through Defense Institute for Legal Studies nonoperational, nonkinetic trainings.⁴²

In 2013, the country's on-again, off-again peace process reached a moment of ripe opportunity. Following a summit in Kachin State, many of the most prominent ethnic armed groups fighting the Burmese regime agreed to participate in a joint national cease-fire dialogue. Encouraged by President Thein Sein's uplifting message to participants (see text box, below), even the notoriously reticent Kachin agreed to participate in the talks.⁴³ To support this process, USAID/OTI sought and received a special authority from Congress to provide direct

President Thein Sein's Message to Ethnic Armed Group Summit at Liza (Kachin State)

"I believe that the unity among all national races could bring about greater success in realizing non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of sovereignty. And I wish the meeting may produce a fruitful result."

Source: Thein Sein, "President's message sent to ethnic armed groups meeting in Liza."

(nonlethal) assistance to the ethnic armed groups that were participating in the peace negotiations. This authority allowed USAID/OTI to support travel arrangements and lodging for the groups at discussions that culminated in the landmark, if imperfect, 2015 Nationwide Cease-fire Agreement, which was signed by eight of fifteen participating groups.⁴⁴ This agreement was the beginning of the reintegration of some of the many minority combatant groups into the country's political process.

Almost immediately after the 2012 elections, the United States turned its focus toward making the 2015 general elections freer and fairer. The US embassy was the locus of international coordination for this effort, and USAID was the lead international donor. After President Obama announced the US-Burma Partnership for Democracy, Peace, and Prosperity during his 2012 visit to Burma,⁴⁵ USAID Administrator Rajiv Shah announced a component, the Elections and Political Process Assistance Program, during his March 2013 trip, to “support the deepening of reforms in Burma, particularly the transition to a more democratic and inclusive political system.”⁴⁶ Eventually totaling \$18.1 million in Economic Support Fund money over three years, the program supported electoral administration, promoted voter education, provided parliamentary strengthening assistance, and supported political party development.⁴⁷ The funds went to partners such as the International Foundation for Electoral Systems to support the Union Election Commission and the Parliamentary Resource Center. The National Democratic Institute and the International Republican Institute performed activities such as digitizing 33 million voter names and ensuring that ballots were translated into dozens of languages and dialects, while the Carter Center supported the international election monitoring effort.⁴⁸ In total, the US government trained more than 7,300 political party members while working with more than 300 CSOs on voter education and observation.⁴⁹

Spotlight: Civil Society Support

Following the 2012 elections, Burmese CSOs approached USAID Burma MD Chris Milligan, as a donor representative of the Development Partners Working Committee (DPWC), an international steering committee of donor and UN agencies, to seek international feedback and assistance on the draft Law Relating to the Forming of Organizations making its way through parliament (*hluttaw*). They were concerned that this law placed significant restrictions on civil society, requiring CSOs to register with the government for permission to operate and placing them under military-influenced regulatory control.

The civil society leaders requested that the United States organize an international letter asking the *hluttaw* to slow down the process. DPWC members agreed to sign the letter, and then sent it to the speaker to request a delay in the proposed legislation.

After the United States delivered on this promise, civil society leaders asked if the United States could set up a workshop for parliamentarians and civil society leaders to better understand international standards for civil society. USAID supported this request with local Democracy and Governance and OTI resources and staff, and State/DRL funded an international expert who conducted the workshops. The effort culminated with various Burmese civil society leaders testifying before parliament; in June 2014, the *hluttaw* made amendments to the law that relaxed certain regulations and penalties. Although the law was not in full accordance with international standards, the inclusion of Burmese civil society in the process was an important step forward in the country's democratic transition.

Source: Interviews with various US officials in Burma between 2012 and 2014.

Pivot Point: 2015 General Elections and Burma's Blemishes

The substantial US and international effort supported a process that resulted in a remarkable landslide victory for the NLD in the November 2015 elections. The NLD captured 887 of the 1150 contested seats (77 percent), compared to just 117 (or 10 percent) for the military-aligned USDP.⁵⁰ Although the Tatmadaw was guaranteed 25 percent of the total seats in parliament per the 2008 constitution, the NLD now held enough seats to choose the president and establish a government, ushering in a new era in Burma.

As a result of the 2015 elections, the US mission in Burma changed significantly. The prevailing drive to pressure and entice the government to democratize gave way to a desire to support the democratically elected leaders of Burma to help them show how democracy can deliver. The Obama administration waived virtually all remaining economic sanctions on Burma and began the drive toward more normal, traditional relations.

Despite this progress, Burma's transition is far from complete. In many ways, the hard work is only just beginning. Increased ethnic violence and widespread discrimination against the Rohingya Muslims have given rise to reports of horrifying atrocities, such as the killing of more than 1,000 Rohingya in military crackdowns.⁵¹ Likewise, there are continuing reports of human rights abuses and the employment of child soldiers by the military. The continued constitutionally mandated military presence in political affairs also remains a cause for concern.

These challenges will require continued focus and creative engagement, as no single election will tame Burma's deep and abiding complexity. The hard work of democracy does not end with an election; nor should the United States abandon the values and human rights considerations it long advocated in Burma to the whims of repressive majoritarian rule.⁵² Burma's military rulers have been woefully unable to address such complex, longstanding issues. Therefore, although observers should be wary of calling Burma an unequivocal success, they should also consider whether the United States stands a better chance of making progress on these thorny challenges today, working with a largely representative, democratically elected government, than it did years ago, working with the repressive, unelected junta.

Unpacking the "How": Differentiating Elements of US Efforts in Burma

With an understanding of what the US government did in Burma, the report turns to the question of how it was done. This section presents an exploration of the approaches—resources, authorities, structures, and processes—employed in service to US objectives in Burma so readers can better understand what worked and why. This section discusses:

- **The strategic planning process** that knitted together the 3Ds in service to shared US priorities, through three interconnected stages: first, a State Department policy review process; second, the use of a special representative and policy coordinator; and third, a robust field-based iterative planning and prioritization process buttressed by effective communications.
- **The Action for Action approach** that allowed the 3Ds to adapt and customize their programs and responses to Burmese reform efforts.
- **A deliberate focus on building partnerships for progress** enabled by a web of effective communications processes, including between the executive and legislative branches to allow for more flexible resourcing and purpose-fit authorities; among

3Ds; between Washington, D.C., and the field; and between the United States and international partners.

The Strategic Planning Process

Overview

A comprehensive strategic planning process was essential to instilling the trust stateside, and the discipline abroad, that laid the groundwork for progress in Burma. Planning featured prominently from the moment the United States moved beyond a policy of sanctions and isolation to a more proactive approach to Burma. The US strategy laid down clear priorities while leaving significant room for operational flexibility. Leadership enforced the strategy with discipline; given the limited capacity of the GoB to absorb outside assistance, too much programming early on could have diverted focus and diluted progress on the most critical areas, threatening gains where they mattered most.

Beginning with the State Department policy review, continuing with the use of a special representative and policy coordinator, and culminating with an iterative, adaptive, field-based planning process, strategic planning provided clarity of intent with partners in Congress, in the White House, and across agencies and departments that reduced the need for micromanagement. This clarity was essential to securing more permissive authorities, unearmarked funds, funding for flexible accounts, and operational leeway for the 3Ds to adjust approaches as realities on the ground evolved.

The Evolution of Strategic Planning

Initial State Department Policy Review Yields a New Approach

Relevance to Goals: The seven-month State Department-led policy review process considered the ends, ways, and means of US policy in Burma. Virtually all stakeholders believed that the United States was pursuing the right goal: a more democratic, stable, and prosperous Burma that would not ally with regional sabre rattlers or seek to obtain nuclear weapons.⁵³ However, the State Department review concluded that to better encourage this peaceful political transition, the US government should pair incentives (co-optive techniques such as international recognition and high-level visits) with coercive tools (such as sanctions and restrictions) to empower local reformers to change the regime’s behavior.

How It Worked: Although the review was primarily conducted by the State Department, the tools of development and defense were carefully considered, and Congress played a role. The Senate and House each held hearings on the review in 2009. Senator John Kerry, chairman of the Senate Foreign Relations Committee, declared that he was “dissatisfied with where we are” and therefore wanted to make Burma policy a priority for the new administration.⁵⁴ Likewise, senior Republican aide Paul Grove, of the Senate Appropriations Subcommittee for Foreign Operations, visited the region to examine assistance efforts and see what more could be done.⁵⁵ The policy review itself engaged a number of Burmese and international partners. Kurt Campbell, the assistant secretary of State for East Asia and Pacific Affairs, noted that the review included extensive consultations “with Congress; with other governments in the region, particularly in Southeast Asia, but also with China and India; key stakeholders such as non-government organizations, business leaders, academics; and representatives of international

organizations.” The review consulted the NLD “and other democratic activists inside and out of Burma, and representatives from various ethnic groups.”⁵⁶ The director of the Office for Mainland Southeast Asia at the State Department, Stephen Blake, made a trip to Burma to conduct consultations and was received by Burma’s foreign minister, an unusually senior-level greeting for someone with the rank of office director.⁵⁷

On September 28, 2009, the State Department announced the new US dual-track approach toward Burma. Existing sanctions and pressures would remain in place, continuing tight restrictions on development and defense activities in the country. But the US government would also engage in direct dialogue with the SPDC, Burma’s ruling military junta, focusing on what the junta proclaimed was the shared goal of promoting democracy, economic reform, respect for human rights, and national reconciliation in Burma. In other words, the administration was open to working with the GoB if the barrier to a political transition was the GoB’s own capacity, not its willingness to change.

In the Action for Action approach, the 3Ds would use both carrots and sticks to bring about democratic change in Burma—including high-level diplomatic exchanges, new development assistance throughout the country, sanctions relief, and even some new military exchanges and dialogues. The process of arriving at this approach engaged not only the 3Ds, but also partners in Congress and the White House, to build trust and understanding of the strategic objectives (including political reform, respect for human rights, national reconciliation, and better international behavior—e.g., walking away from North Korea) that cleared the way for greater operational flexibility.

To design the day-to-day approach that aligned US 3D tools and capabilities with these objectives, the White House turned to a special representative and policy coordinator for Burma.

Lessons from the State Department Policy Review

- **Use structured policy reviews to initiate a break from past policy and build the case for change.** The pivot to engaging with Burma did not happen overnight. It was the result of a carefully considered review process that gave policymakers and stakeholders time to understand the rationale for a new approach and weigh in. Taking the time for a deliberative review gave the administration’s conclusions greater credibility, while demonstrating its commitment to the same values-based priorities that had guided previous US policy.
- **Cast a wide net of consultation when developing a major policy change.** Congress, the White House, the NGO community, and international partners were all consulted as part of the policy review. Although such consultation did not ensure complete agreement with the policy change, it did assist in building an understanding of the strategy and placate skeptics by giving them an opportunity to have their questions and concerns considered.

Special Representative and Policy Coordinator Takes the Reins

Relevance to Goals: As the Burmese regime demonstrated its willingness to engage under the Action for Action framework, the White House determined that the time was ripe to fill a position first created by Congress in the 2008 Tom Lantos Block Burmese Junta’s Anti-Democratic Efforts Act (the JADE Act): the position of special representative and policy

coordinator for Burma (referred to hereafter as the “special rep”). The need for such a position in this moment of transition was clear: as the political transition heated up, and as Burma became a clear priority of both the administration and Congress, more and more agencies, departments, bureaus, and offices wanted to be involved. A special rep was needed to serve as a “pit bull” in DC, guarding critical US priorities for Burma by considering all available policy and programming options to decide what was needed at what time.⁵⁸ Interagency coordination was essential: left alone, each agency or department had its own incentives to sell its tools, approaches, or programs. Although well meaning, collectively these programs might have overwhelmed local Burmese systems and distracted US personnel on the ground from a critical focus on the prioritized strategic objectives (e.g., taking staff time away from election planning to administer an agriculture program).⁵⁹

Role of the Special Representative and Policy Coordinator

As articulated in the Block Burmese JADE Act of 2008, the role of the special representative and policy coordinator was to:

- Promote a comprehensive international effort . . . designed to restore civilian democratic rule to Burma and address the urgent humanitarian needs of the Burmese people.
- Consult broadly . . . to coordinate policies toward Burma.
- Assist efforts by the United Nations special envoy to secure the release of all political prisoners in Burma and to promote dialogue between the SPDC and leaders of Burma’s democracy movement, including Aung San Suu Kyi.
- Consult with Congress on policies relevant to Burma and the future and welfare of all the Burmese people, including refugees.
- Coordinate the imposition of Burma sanctions within the United States and with the relevant international financial institutions.

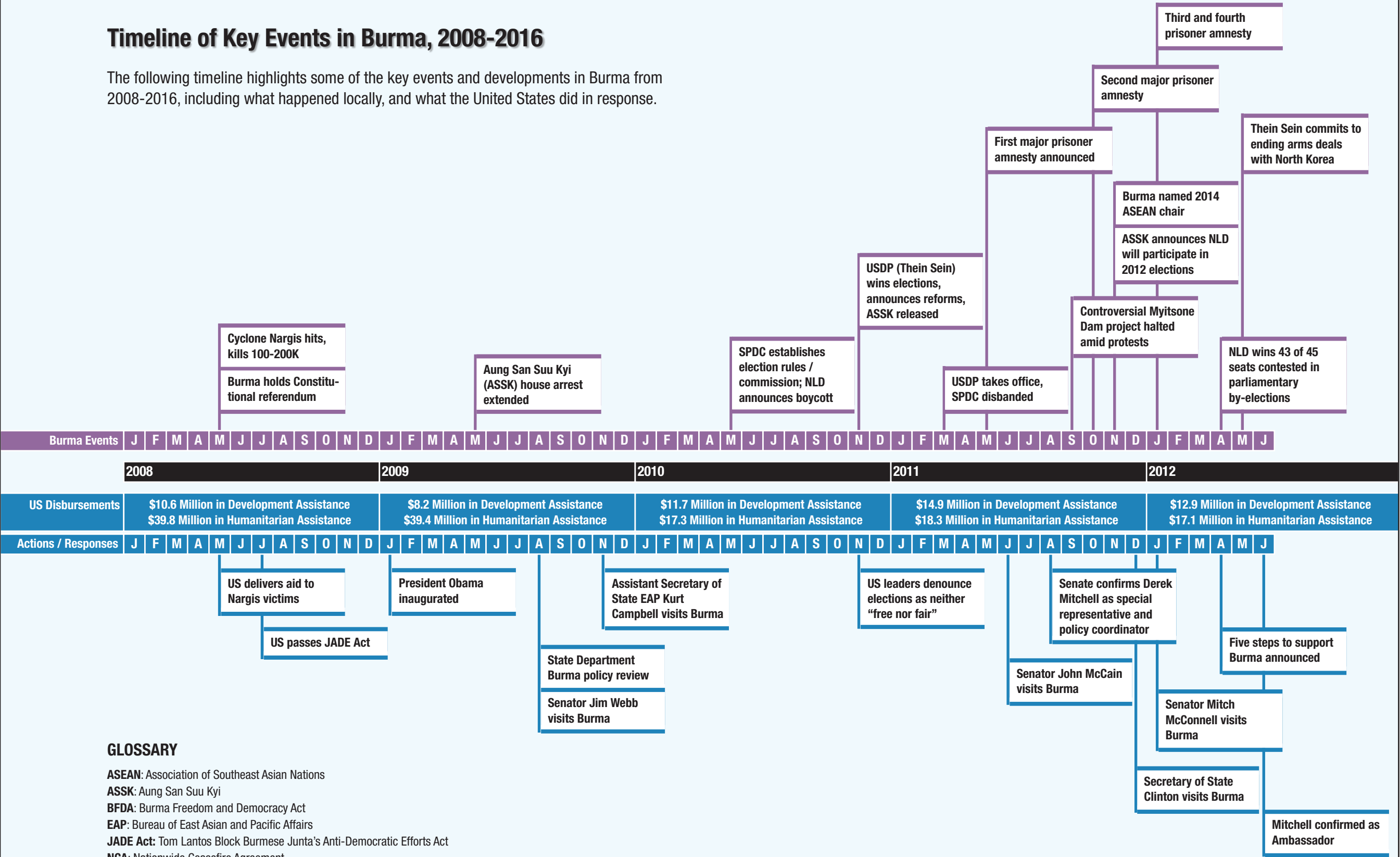
Source: JADE Act of 2008.

How It Worked: At first, the special rep was responsible for both policymaking and interagency coordination. The person chosen for the role, Derek Mitchell, migrated from DOD and formed an office in the State Department’s Bureau of East Asian and Pacific Affairs (State/EAP), in the Office of Mainland Southeast Asia. Although he technically focused exclusively on Burma, the special rep was charged with coordinating regional and multilateral approaches as well, and was thus co-located with the diplomats responsible for regional affairs to ensure consistency between bilateral Burma policies and broader Asia strategy. Given his interagency responsibilities, Mitchell sought out two staffers who knew the Burma portfolio and the interagency toolkit exceptionally well: Erin Murphy and Jessica Davey, longtime Burma hands from outside the State Department who were well-versed in the complexity of Burma. Their unique interagency perspectives helped craft an inclusive 3D approach to Burma planning that involved all agencies. At the same time, the regional experts at State were always a few doors away, and the State/EAP Burma desk officer shared the space, an important link to the standard, existing State Department policy apparatus.

To handle the complicated business of crafting Burma policy, the special rep established a unique forum: the Burma Assistance Working Group (BAWG), which the NSC blessed as the locus of policymaking for Burma.⁶⁰ By coordinating away from the White House, BAWG

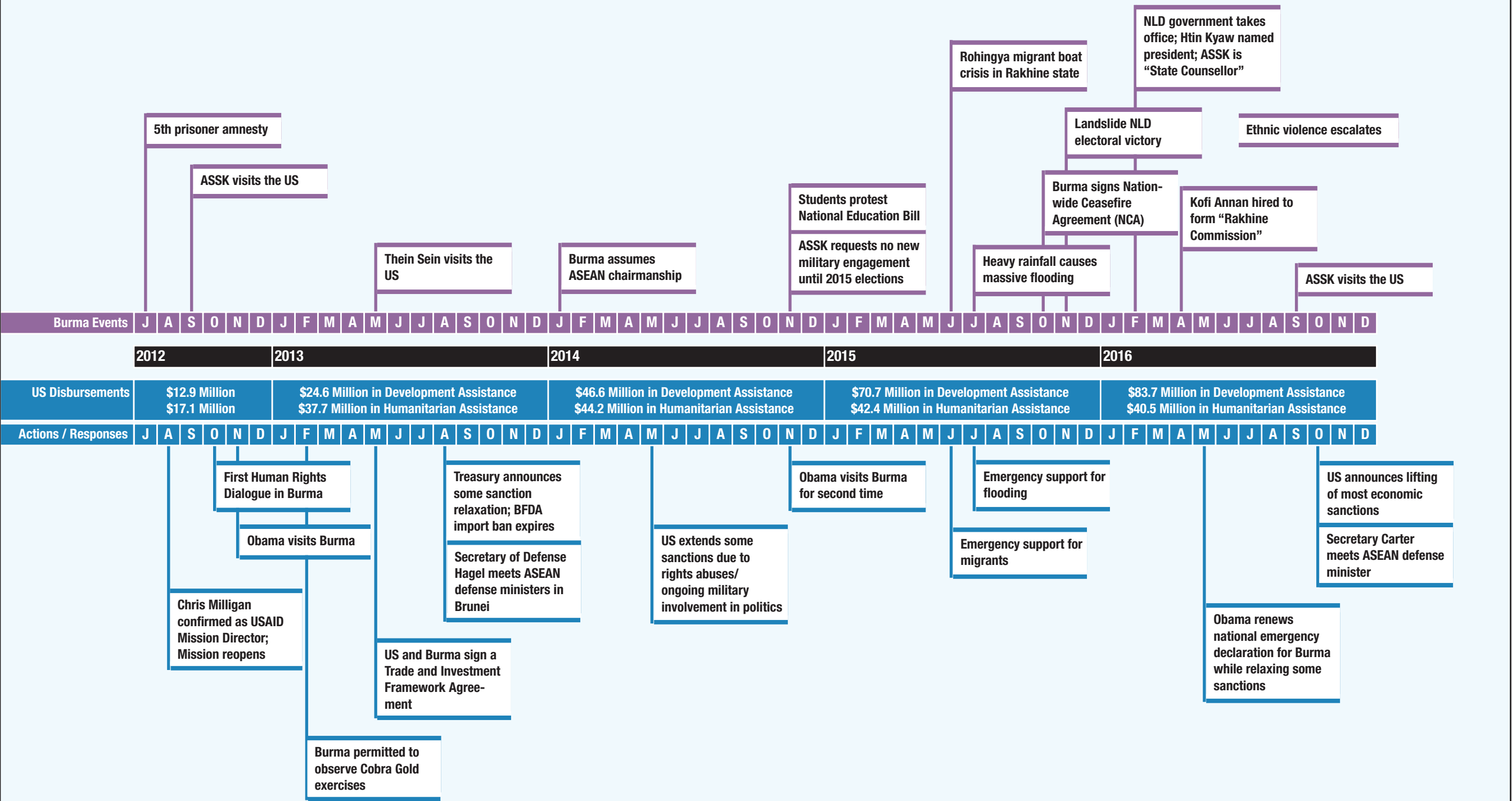
Timeline of Key Events in Burma, 2008-2016

The following timeline highlights some of the key events and developments in Burma from 2008-2016, including what happened locally, and what the United States did in response.



GLOSSARY

- ASEAN: Association of Southeast Asian Nations
- ASSK: Aung San Suu Kyi
- BFDA: Burma Freedom and Democracy Act
- EAP: Bureau of East Asian and Pacific Affairs
- JADE Act: Tom Lantos Block Burmese Junta's Anti-Democratic Efforts Act
- NCA: Nationwide Ceasefire Agreement
- NLD: National League for Democracy
- SPDC: State Peace and Development Council
- USAID: US Agency for International Development
- USDP: Union Solidarity and Development Party



Sources: USAID, U.S. Foreign Aid by Country, Burma, accessed May 12, 2017, https://explorer.usaid.gov/cd/M-MR?measure=Disbursements&fiscal_year=2012; Michael F. Martin, "U.S. Policy Towards Burma: Issues for the 113th Congress," Report R43035, Washington, DC: Library of Congress, Congressional Research Service, 2013.

reduced the workload of the more traditional NSC-led interagency policy committee process, which heated up around major trips (e.g., secretary of state in 2011, president in 2012), major Action for Action decisions (e.g., sanctions waivers), and landmark strategy documents (e.g., the classified military engagement Action for Action matrix for Congress).⁶¹ By taking a big tent approach and inviting all agencies that were working or wanted to work in Burma to attend meetings, the special rep was able to assess and evaluate how collective assistance conformed to US goals. Crucially, this collaboration allowed him to say “no” to offers of assistance that were not right for the time. The BAWG even helped the special rep uncover the fact that some agencies and departments were working in Burma without his knowledge early on and therefore without a clear comprehension of prioritized US goals.

After Mitchell was appointed ambassador to Burma in 2012, the role of the special rep shifted, and its relevance for strategic planning declined as many of the bilateral planning, dissemination, and disciplining functions moved to Rangoon. Mitchell’s successors were not put up for Senate confirmation, in recognition of the more limited nature of the role and the desire to reduce, and eventually eliminate, the need for this special structure. With the appointment of an ambassador to Burma, the special rep began to focus more on multilateral coordination and planning, working with international partners to exert continued pressure on Burma, such as the UN Security Council, its Human Rights Committee, the International Labor Organization, and the Lower Mekong Initiative.⁶² Although the White House intended to avoid creating dueling power centers in Washington, D.C., and in the field by reducing the role of the special rep, this decision carried some trade-offs. For example, it yielded a reduced focus on congressional and civil society consultation back home. In summary, the appointment of a special rep gave Burma policy the jolt of focus and energy it needed at a critical moment of policy inflection (from isolation to engagement). Although the special rep was mandated by Congress, the White House ultimately declined to fill the role after critical planning and coordination functions had moved to the field.

Lessons from the Special Representative and Policy Coordinator

- **Employ special representatives only for critical moments of policy inflection—when intensive focus is needed—and then move on.** The position of special representative and policy coordinator for Burma was essential to kick-starting a policy and coordination process in 2011, as the US government began to engage Burma rather than sanction it. But the JADE Act that mandated the special rep position did not include language that explained when the position would no longer be needed. As a result, the executive branch took the initiative to wind down the position after 2013, once an ambassador was in place and comfortably running these critical processes from the field. This action created some tension with Congress that could have been avoided with clearer articulation of end-state conditions.
- **Empower special representatives to be “pit bulls” in Washington, D.C.** The transition from a policy of nonengagement required a careful focus—at home and abroad—to ensure that all activities remained aligned with critical US foreign policy objectives in the country. These conditions lent themselves to the use of a special representative who had statutory interagency coordination authority, as well as the trust and ear of the president. Empowering the special rep reduced the need for time-intensive senior-level adjudication of tactical issues and improved the efficiency of the policymaking apparatus.

Field-Based Strategic Planning

Relevance to Goals: Burma was a complex environment with an unpredictable government, which meant that field-based planning and leadership were essential to the prioritization of US programs, assistance, and objectives in the country. Washington, D.C., simply did not have the relationships and real-time information to make the difficult choices necessary to propel the mission forward. Furthermore, because Burma was not considered a “conflict environment,” USAID tours lasted four years and State Department foreign service officers could serve up to three years; personal service contractors could serve even longer. This longitude proved essential in Burma, where field officers had the time needed to build relationships and acquire trust with their counterparts.

From the appointment of an ambassador to Burma in 2012 to the country’s 2015 general elections, the country team led a conscientious, disciplined planning process based on broad experience working with 3D agencies to plan, program, review, and communicate US priorities.

How It Worked: The successful field-based strategic planning process was based on a series of reinforcing elements.

Leaders with Broad 3D Experiences Laid the Groundwork for Collaboration: The selection of two experienced professionals to serve as the ambassador to Burma and the USAID Burma MD gave Washington, D.C., the confidence to relocate decision making to the field. These leaders understood and could navigate all 3Ds as well as the broader US interagency and Capitol Hill. Although Derek Mitchell was a first-time ambassador, he had a deep background in Asia policy. In addition to having copenned a key article recommending a new US approach toward Burma in 2007, Mitchell had extensive experience with strategic planning and working with different stakeholders in transitional regions.⁶³ By the time he was confirmed, Mitchell had deep relationships in the region (he had met Aung San Suu Kyi while working in Asia for the National Democratic Institute), an acute understanding of the civil society space (he had spent nearly a decade at the Center for Strategic and International Studies), familiarity with how to work in complex transitional environments (he had spent years working in former Soviet republics and Asia with the National Democratic Institute), and an appreciation for the art of strategic planning (which he honed as principal deputy assistant secretary of defense for Asian and Pacific Security Affairs at DOD). Mitchell also had a clear vision for Burma, as first conceptualized in that 2007 paper, which he had begun to operationalize as special representative for Burma. Few chiefs of mission had had more relevant, reinforcing experiences prior to taking office.

USAID’s assistant administrator for the Asia Bureau hand-selected Chris Milligan to reopen the USAID mission in Burma due to Milligan’s breadth of experience both abroad and in Washington, D.C. USAID bypassed the traditional bidding process to ensure that it got the person who, in addition to having served as USAID’s advisor to the secretary of state’s Quadrennial Diplomacy and Development Review, had spent time at the State Department as regional director for the Near East in the Office of US Foreign Assistance. His time in this department helped Milligan understand the people and processes responsible for USAID budgets. He had also served as acting assistant administrator for USAID’s Bureau for Public and Legislative Affairs, where he developed relationships with members of Congress and staff that he would draw upon in the field. Finally, Milligan had spent time at USAID’s Bureau for Policy, Planning, and Learning, where he developed the methodology for USAID’s new Country Development Cooperation Strategy process, a global requirement for development

missions.⁶⁴ This experience enabled Milligan to quickly recognize that Burma would not be well-served by such a process due to the immense complexity and environmental uncertainty, factors that did not lend themselves to stable five-year planning cycles. Instead, the Burma leadership team chose to use an integrated transitional planning process that strategically aligned all elements of statecraft together around core US goals.

Mitchell and Milligan operated as an integrated field leadership team, supported by the deputy chief of mission (DCM), embassy section chiefs, and others. Upon disembarking in Rangoon, they established a robust field-based strategic planning process to take the relationship with Burma to the next level and to use the new access, relationships, and information to build on the progress made in service of US goals.

An Integrated Planning Process: The embassy team began by agreeing to serve as a test case for the Facilitated Integrated Country Strategy (ICS) planning process. This new process was an innovation on the existing ICS, which had been recommended in the 2010 Quadrennial Diplomacy and Development Review. The Facilitated ICS included a senior-level consultative group in Washington, D.C., as part of the field-driven process. This process gave Embassy Rangoon senior-level buy-in for, and understanding of, a field-generated strategy. It also yielded additional staff for the embassy, because the State Department sent management staff and provided authorization for local staff to conduct this process. Cognizant of the ambassador's direction that "USAID was not [in Burma] to do development" but to "use the tool of development to advance US foreign policy goals," Milligan was able to convince USAID to waive its Country Development Cooperation Strategy process, a long-term planning document that was deemed inappropriate for a transitional environment.⁶⁵ By bringing together all agencies represented at the embassy, along with foreign service nationals and local staff, Mitchell and Milligan created short- and medium-term objectives to make progress in attaining the overarching US goals. They took a leading role in preparing and clearing briefing checklists and other memos, ensuring concurrence between Washington, D.C., and the field.

The Use of Policy Working Groups: With the initial priorities established, a series of policy working groups met to deep dive on programming and assistance on specific issues. For example, intercommunal conflict, national reconciliation, the Rakhine State, elections, and other major policy issues and imperatives each had its own dedicated team. These groups each went through their own planning process, beginning with a series of initial questions designed to get team members thinking about the ends, ways, and means of supporting the overarching mission. As the groups submitted their plans, the ambassador, DCM, and USAID MD reviewed the responses, met with each group, and challenged each one to think about unintended consequences, including potential second-order effects of US activities that might occur in a complex environment such as Burma. Leadership also tasked teams with developing scenarios and contingencies for worst, best, and most likely outcomes of policy and programming. Although each working group had a series of standing members, other relevant parties (such as the Drug Enforcement Agency and the Regional Security Officer) had open invitations to attend as they saw fit.

One of the most important working groups was the reconstituted Assistance Working Group (AWG), which followed Mitchell from Washington, D.C., to Rangoon. As reported by the Government Accountability Office, "The AWG [was] a tool for the chief of mission to exercise authority under 18 FAM 005.1-6(B) to ensure the coherence and coordination of development cooperation across US agencies."⁶⁶ Just like the BAWG had disciplined efforts from Washington, D.C., the Rangoon-based AWG met biweekly to review assistance proposals and empowered the embassy to decline projects and proposals that would have distracted it

from essential efforts to foster the political transition. The DCM and USAID MD cochaired the AWG, with the ambassador joining as needed. This group also helped to coordinate key leader engagement and senior visits. By reviewing upcoming trips through the AWG, the embassy could shape itineraries to maximize benefits to the visitor and the US mission, including developing and pairing the right messages with the messenger.⁶⁷

An Ongoing Process of Review and Recalibration: The embassy leadership recognized that a one-time planning process would not suffice in such a complex environment. To maintain focus on strategic priorities, the ambassador hosted an annual “taking stock” exercise for embassy leadership at his residence. The team gathered to review the events of the past year and to discuss plans for the year ahead. Offsite meetings every six months supplemented this annual exercise. These sessions brought together section heads to jointly construct short-term, six-month objectives and to suggest what programs and activities could support their objectives. Section heads prepared with their teams beforehand, enlisting all members to consider what accomplishments would make them proud, further the mission, and be reasonable to achieve in the given time frame. At the same time, they collected feedback on management, morale, and personnel issues to make sure that staff concerns about the challenges of living in a fast-paced, low-income, transitioning environment were heard. Although country team members agreed that their time in Burma was rewarding, many admitted that the nonstop pace of American visitors and the absence of some standard creature comforts (e.g., Americans stationed in Burma did not have mobile phones or in-home access to email) took a toll on their personal lives. The retreats were an opportunity to acknowledge and discuss such grievances, even if not all could be fully addressed.

Clear Dissemination of Strategic Priorities: With priorities decided and messages agreed on, the next step was making sure that directives were clear and accessible to all. Overarching strategic priorities were posted on the walls of the embassy and translated into Burmese by local staff so that everyone knew what the United States stood for. Embassy staff members were encouraged to annotate the papers that adorned the walls with new ideas and activities that they were undertaking in support of these goals and objectives. This activity helped ensure that no inadvertent daylight emerged between agreed-upon priorities and day-to-day embassy activities.

The combination of processes, behaviors, and experiences represented a robust field-based planning apparatus that ensured that all 3Ds had clear marching orders. The process was flexible enough to account for new developments in real time (e.g., breakthroughs in peace talks, new activities made possible by sanctions relaxation, or new tools made available as a result of the Action for Action approach) and was well communicated to prevent misinformation or working at cross-purposes. According to many veterans of US embassy operations overseas, this process represented an innovative approach to operating in a complex environment. It was not the norm, and it broke new ground for country teams operating in crisis.

Lessons from the Field-based Strategic Planning Process

- **Require broad 3D experiences for leaders in the field and at home.** The US embassy in Burma benefitted from leaders with broad interagency experiences who had learned how to work in different organizational cultures and with different bureaucratic tools. These leaders did not represent the parochial interests of a single agency, instead focusing on building a cohesive team around a strategic mission. Leadership was able to consider many elements of US foreign policy—including

analysis, planning, and interagency coordination—and understood how each could contribute to achieving an overarching goal. Much like the rotations required of US armed services members, these kinds of interagency experiences on the civilian side can greatly improve interoperability, maximize efficiency, and contribute to success in complex environments.

- **Coordinate from the field to act responsively to events as they arise.** Washington, D.C., simply did not have the relationships, knowledge, or real-time information to make difficult choices quickly in a complex environment. As Ambassador Mitchell and MD Milligan said, “In a highly sensitive atmosphere in which host nation needs were virtually infinite and US resources constrained, setting priorities, and enforcing them, was essential.”⁶⁸ Setting and enforcing priorities required an embassy structure that brought DOD, State, and USAID into close contact and coordination with each other, with each D deploying a unique set of tools in service to a larger goal. This mindset and culture was instilled in every member of the country team through policies and practices. The planning process, AWG, and policy working groups were all field-led structures so they could be as relevant and timely as possible. The primacy of the field was made possible by a clear articulation of strategic priorities back to Washington, D.C., and relatively modest US domestic political stakes, which gave the White House the confidence to decentralize policymaking.
- **Build an inclusive, flexible strategic planning process that considers all critical stakeholders, and structure reviews to keep it relevant.** Embassy Rangoon included all US departments and agencies in the strategic planning process, but it also ensured that foreign service nationals and local embassy employees played a role in forming and disseminating goals and objectives. Although planning was critical, leadership selected a process that was right for the fast-evolving environment in Burma, without locking the embassy into unreasonable planning horizons. Periodic offsite reviews allowed the embassy to keep the strategy current and take advantage of new developments.
- **Give leadership the ability to say no in fast-paced complex environments.** In environments like Burma, everything seems to be a priority. It can be difficult to maintain the necessary focus on key strategic elements required for success. Nevertheless, the ability of posts in high-profile environments to turn down offers of assistance varies widely. Therefore, the success of Embassy Rangoon lay not only in what it did, but also in what it did not do. Many 3D bureaus and other US agencies wanted to bring their programs to the reforming Burma, but allowing them to do so would have diverted the embassy’s limited staff resources away from higher priorities. The embassy’s ability to say no, or to refocus interagency goodwill on higher priorities, protected the embassy’s limited bandwidth and contributed greatly to US success.

Action for Action Approach

Overview

The early strategic planning process to reevaluate the longstanding US policy of nonengagement/isolation with Burma yielded a new transactional mode of engagement to take the relationship forward: the Action for Action approach. This approach added a second

policy track to ongoing US pressure—a carrot by which the 3Ds might grant concessions in exchange for steps taken toward the core US objectives of democratization, market liberalization, respect for human rights, and national reconciliation. This transactional relationship was formalized in some cases (such as with defense engagement) and existed in principle in others (such as for diplomatic and development engagement). In all cases, it was designed to establish conditions under which new 3D tools—from senior-level meetings to military exchanges—could come into play in Burma.

The key assumption underlying Action for Action was that the Burmese government wanted better relations with the United States and the West for legitimacy and self-interest (e.g., international recognition as well as financial reasons and access to Western markets). Senator John Kerry laid out some of the steps that Burma could take to receive a reciprocal US response during Derek Mitchell’s confirmation hearing to become the first special representative and policy coordinator for Burma:

The Burmese government could take some tangible steps to show it is sincere about making real progress: Releasing political prisoners, easing media and speech restrictions, making good on President Thein Sein’s recent promises of economic reforms, devoting more resources to education and health, as well as allowing greater space for international and non-governmental organizations to help meet the critical needs of the Burmese people would be a good start... For their part, Burmese diplomats have repeatedly expressed a desire for better relations. In fact, they recently asked for a few modest US measures to build confidence such as calling the country by its current name—Myanmar, and removing travel restrictions on visitors to its United Nations Mission in New York, who have to adhere to a 25-mile limitation. . . . In the months ahead, both sides should explore taking carefully-calibrated measures independent of each other to begin a process that encourages constructive change inside Burma and could lead to serious talk on tough issues. Burma could grant the International Committee of the Red Cross (ICRC) access to prisoners, for example, while the United States could allow it observer status in a signature, new US program focused on environmental, health, education, and infrastructure development in mainland Southeast Asia called the Lower Mekong Initiative.⁶⁹

In this way, the Action for Action approach proposed to trade things that the United States wanted from Burma, such as releasing political prisoners, providing space for CSOs to operate in the country, and committing to economic reforms, in exchange for things that the GoB wanted from the United States, such as greater freedom of movement for diplomats in the United States and official recognition as Myanmar rather than as Burma.⁷⁰

The Action for Action approach was primarily a tool for government-to-government exchanges. As a result, early in the relationship, there was less focus on working with ethnic armed groups, civil society, and development actors in the country who would be part of the long-term transition effort. At a certain point, however, most of the short-term carrots the US government had to offer had been exhausted, and the transactional Action for Action approach was replaced by a strategy of principled engagement that moved beyond tit-for-tat diplomacy to build a more strategic relationship based on values and interests. Nevertheless, Action for Action had major implications for the use of economic sanctions and restrictions and governed how the 3Ds engaged the Burmese.

Tools of Action for Action

Relaxing Sanctions and Restrictions

Relevance to Goals: The United States historically used sanctions to signal dissatisfaction with undemocratic actions or human rights abuses by the GoB. For example, the US government responded to Burma’s crackdowns on peaceful demonstrators with sanctions designed

to punish the country's military leaders and convince them to behave differently. Due to the accumulation of extensive restrictions over time, there were numerous potential carrots to offer regime leaders as part of the Action for Action approach to reform. When additional sanctions were imposed, they were aimed at sidelining opponents of reform or egregious human rights abusers, to prevent them from sharing in the benefits of modernization and liberalization, and to send a message to other leaders about the trade-offs of their behavior.

How It Worked: Sanctions were imposed and removed through a process of consultation across the US government in Washington, D.C., and in the field. There were several defining characteristics of this sanctions regime.

Authorities: Sanctions were not a monolithic policy or entity. The sanctions regime for Burma included a diffuse arrangement of laws, statutes, executive orders, and regulations with different intents deriving from different authorities. The United States imposed targeted sanctions on Burma through six laws enacted by Congress and five executive orders.⁷¹ Additional sanctions against Burma came from functional statutes, such as a prohibition on child soldiers, drug and human trafficking, and violation of workers' rights.⁷² The executive orders derived authority from constitutional presidential powers, five of the six aforementioned acts of Congress, and the International Emergency Economic Powers Act of 1997, as well as the National Emergencies Act.⁷³

Process of Removal: Overall, the United States used sanctions removal as a "rapid response" to constructive Burmese actions. For example, following the 2012 parliamentary by-elections, the Obama administration began to repeal sanctions to "send a clear signal of support for the reform process and reformers" while implementing new targeted measures to isolate and punish the "regressive elements, the corrupt elements, the elements that are not looking forward and consistent with reform going forward."⁷⁴ The secretary of state announced relaxed restrictions on nonprofit US organizations promoting democracy, providing health care, or offering education, to allow them to work in Burma.⁷⁵ The State Department began to facilitate travel to the United States for proreform Burmese officials, while the Treasury Department relaxed the ban on providing financial services to Burma (through the issuance of an "expanded general license" to allow such activities).⁷⁶

Sanctions relief occurred almost entirely by presidential waiver. These waivers temporarily relaxed enforcement of sanctions without removing the legislation completely.⁷⁷ A presidential waiver was the quickest, most expeditious way of responding to realities on the ground. The president typically did not request legislative action for new US programming and partnerships, and Congress did not take unilateral action. However, some exceptions exist; for example, in 2012, the president had to ask Congress for legislative authority to waive US opposition to international financial institutions providing assistance to Burma before he could roll back that sanction.⁷⁸

During 2011 and 2012, as additional sanctions were removed in response to Burmese reforms, discussions about which sanctions to waive and when, took place through the Washington, D.C.-based Sanctions and Legal Policy Working Group. The group operated under the purview of the special representative and policy coordinator for Burma and included representation from the Treasury Department's Office of Foreign Assets Control, State Department, USAID, DOD, the NSC, and the Central Intelligence Agency. Its purpose was to consider what new actions the United States might want to pursue in Burma and what additional legal

authorities needed to be modified or restrictions needed to be lifted to allow for that activity. The group also considered when Burma had done enough to justify changing the status quo by removing a sanction, as well as the potential cost of losing this leverage.

Notably, restrictions on security sector engagement or military-to-military talks could not simply be waived by the president. As a result, sanctions relaxation was not an avenue for significant defense engagement. However, following the 2015 NLD victory in the general elections, the United States removed nearly all remaining economic sanctions, including most of those targeting military leaders in government and their economic interests, to signal that a new era of engagement and support for the more democratically elected regime had arrived.

Lessons from Relaxing Sanctions and Restrictions

- **In a trust-deficient environment, implement policy based on what happens, while building options for what might occur.** The Action for Action approach succeeded in seeing the world as it was, not as the United States wanted it to be. At the same time, the principle of reciprocity lent itself to a flexible response by creating parameters for concessions based on principles that were aligned with US strategic goals. The flexibility of Action for Action provided operational maneuverability in line with strategic priorities so that the tools each D had to offer could be appropriately sequenced to encourage reform and progress, without giving away too much too soon.
- **Sanctions can be most effective when applied as a coercive tool with a path to removal—they should not be seen as “all or nothing.”** Sanctions defined the US relationship with Burma for so long that they ultimately became US policy itself. The GoB did not change its behavior in response to the imposition of sanctions, but it may have been enticed by their removal. Thus, the imposition of sanctions alone did not achieve US goals in the country. Furthermore, US sanctions may have restricted US actions and programs more than they impacted the Burmese regime. Sanctions should be seen as what they are: one of many US foreign policy tools that must be applied to the right circumstances to generate success. For example, sanctions would not necessarily be the right tool to help resolve the conflict and human rights abuses in Rakhine State, given the lack of nationwide sympathy for the Rohingya cause (as opposed to democracy, which is quite popular).

Security Sector/Defense-Related Engagement

Relevance to Goals: The Action for Action approach meant something very specific for the defense community—it referred to a particular matrix, created by the DOD in close collaboration with State/DRL, to discuss security sector cooperation in Burma with congressional overseers on the relevant committees of jurisdiction. Although the document is classified (and therefore was not reviewed for this study), its creation and dissemination were a reflection of contentious deliberations about whether, when, and how to engage the Tatmadaw. These conversations were enormously complex; they involved congressional foreign relations committees (which oversaw State Department activities, such as International Military Education and Training, or IMET, and other trainings), armed services committees (which controlled military engagements), and appropriations committees (which controlled funding), as well as a very vocal international NGO and human rights community and Aung San Suu Kyi herself.

Remarks by PACOM Deputy Commander LTG Anthony Crutchfield**Second US-Burma Human Rights Dialogue, January 11–17, 2015**

"Like many of you I am a warrior, a soldier, and have lived a warrior's life. . . . I am here today because I firmly believe that the issue of human rights is of paramount importance to all professional militaries. I am also here today because I am committed to building a deeper and positive relationship with your military based on mutual respect for human rights. I want you to continue to see my face and know that I am a friend of Myanmar, but as a true friend I will speak honestly. . . .

Militaries possess capabilities that are too powerful to be placed at the discretion of just a few people; rather, they must be at the service of all of the People, and military power must only be utilized in accordance with the democratic will of the people. The bottom line is that, as a Soldier and as a Citizen, I place my trust in the democratic social compact that has been underwritten by our nation's laws—and not in any set of individuals left unchecked by civilian-led institutional safeguards and whose agenda could potentially run counter to the will of the American people. Democracy is difficult, it is neither clean nor easy, but as a friend of Myanmar I ask that you stay on the course to true democracy."

Source: US Embassy in Burma, "Lieutenant General Crutchfield's Remarks at the Second Myanmar-U.S. Human Rights Dialogue," updated January 14, 2015, <https://mm.usembassy.gov/lieutenant-general-crutchfields-remarks-at-the-second-myanmar-u-s-human-rights-dialogue-january-14-2015-pdf-343-kb/>

How It Worked: After the reopening of the USAID mission in Rangoon in 2012, DOD, in partnership with State/DRL, put together an Action for Action framework for engagement with the Tatmadaw that proposed three phases of engagement. Phase one included initial touch points and conversations about human rights (such as the Human Rights Dialogue and basic Defense Institute for Legal Studies classes). Phase two offered more nonkinetic training, assistance and advisors through mechanisms such as expanded International Military Education and Training (e-IMET) and the Defense Institutional Reform Initiative. Phase three, which would come only with political normalization, was designed around future training engagement. The matrix made concrete, ambitious requests of the Burmese to unlock programming for the Tatmadaw, such as establishing an ombudsman who could receive complaints of forced labor and issuing an order banning the use of civilian labor in military operations.⁷⁹

Although this plan was put into place to show Congress what specific kinds of engagement could occur under what conditions to ameliorate its concern that the United States might do too much with the Tatmadaw too soon, the plan ultimately was not implemented. There were a few critical concerns with the framework. First, some congressional staffers who had experience with previous US attempts to engage repressive or abusive foreign militaries believed that although the 3Ds were proposing a fairly conservative plan, they were planning to undertake more expansive objectives and engagement with the Tatmadaw. Second, there were genuine differences of opinion regarding whether, and when, to engage the Tatmadaw. One school of thought was that offering "soft-skill" training to help them professionalize and modernize could help address some drivers of military abuses. For example, some people argued that training to improve budget management could help the Tatmadaw ensure they had sufficient funds to pay soldiers, reducing the need for civilian impressment. Others argued that any support given to a military that continued to abuse and kill its own people would make the United

States complicit in such horrid acts. Third, some members of Congress did not believe Burma presented a direct national security threat to the United States and therefore questioned the need to engage at all. They preferred to take a hard stand against human rights abuses by arguing against any engagement with such an abusive, unprofessional foreign military.

Ultimately, the DOD Action for Action approach stagnated. As a result, even after the United States made the decision to transition to a policy of principled engagement, very little engagement with Burma’s armed forces took place over the time period of this case study. Even as senior US military leaders—including LTG Frank Wiercinski, commander of US Army Pacific, and LTG Anthony Crutchfield, deputy commander of PACOM—participated in 3D delegations to Human Rights Dialogues in Burma (see text box, “Remarks by PACOM Deputy Commander LTG Anthony Crutchfield”), few, if any, lasting military-to-military partnerships were built.⁸⁰

Lessons from Military Engagement

- **Do not underestimate the importance of cultivating support and understanding of linkages between activities and goals early on.** The military Action for Action framework was conceptually sound, but it was not implemented due to congressional skepticism that DOD and State would not limit themselves to the activities they had enumerated. As a result, DOD was unable to employ the full array of tools it had at its disposal in service to US goals.
- **Consider where and how DOD personnel can be messengers for security sector reform.** The Human Rights Dialogues were perhaps the greatest success of security sector engagement in Burma. Asking general officers to deliver messages about the importance of civilian control of the military and respect for human rights can be far more powerful (and more credible) than having a civilian deliver those messages, especially to military audiences.

Partnerships for Progress: Congress, Purpose-Fit Resources, and Strategic Communications

Overview

The strategic planning done to prioritize activities in Burma created the shared vision and confidence to implement a flexible approach to political reform. But progress was also enabled by a series of critical partnerships: an effective partnership between the executive and legislative branches, which paved the way for allocation of more flexible resources that allowed the United States to meet the needs of a changing environment in Burma; partnerships among the 3Ds; partnerships between Washington, D.C., and the field; and partnerships between the United States and international partners. All of these collaborations were enhanced by effective communication that bolstered the unity of efforts.

The Elements of Partnership

Partnership with Congress

Relevance to Goals: At first, partnership with Congress was a necessity, because virtually any executive branch action with respect to Burma was restricted by congressional sanctions. As

the United States sought to take a new approach to political reform in Burma, the 3Ds and Congress worked together to set the strategic parameters that guided the approach. This consultation freed up authorities that enabled important activities in service to US strategic goals and helped make congressional leaders effective messengers for US strategy. Conversely, when Congress was not consulted to the degree that it expected to be, or did not see the relationship between a proposed activity and the US strategy in Burma, the 3Ds often continued to find themselves constrained.

How It Worked: Early consultation created substantial congressional buy-in for new conversations with the Burmese leadership to encourage reform. Hearings featuring senior government officials such as Assistant Secretary of State for East Asian and Pacific Affairs Kurt Campbell, as well as outside Burma experts such as Professor David Steinberg and director of Human Rights Watch Tom Malinowski, demonstrated that many different people with many different perspectives agreed that the time had come to take a new approach to Burma. Likewise, the US embassy helped coordinate congressional visits so that meetings supported and furthered US objectives in ways that 3D professionals alone could not. Thus, the embassy turned visits from delegations into interactions that helped, rather than distracted, ongoing efforts.

On the flip side, congressional frustration with what some saw as unilateral sanctions removal and wariness of expanded security sector engagement resulted in counterproductive tension that constrained the US toolkit. There were a few key elements of the executive-legislative partnership.

The Use of Congressional and Staff Delegations: Congressional delegations (CODELS) and staff delegations (STAFFDELS) to Burma played an important role in aligning around and furthering core US goals. Senator Jim Webb, during his 2009 visit to Burma, was the first American to meet with junta leader General Than Shwe. During this meeting, Webb successfully sought the release of an imprisoned American, John Yettaw. Senator John McCain's visit during the Arab spring in June 2011 was an opportune moment for a historically harsh critic of the regime to deliver a message of support for US outreach: "There could now be an opportunity to improve relations between our two countries," he told the press in Rangoon, "and I stand ready to play a role in such a process where I can be helpful."⁸¹ Senators' and congressional leaders' trips to Burma to understand the complex realities of the political transition helped convince them to seek out and, often, defer to the judgment of the leaders on the ground. Time consuming though they were, these visits were helpful because they created supporters of the US effort in Burma back home in Washington, D.C.

Controversies and Relationship Fraying: It is important to acknowledge that over time, the strong understanding and collaborative approach between Congress and the 3Ds that gave rise to the Action for Action approach began to unravel as the newness of the Burma portfolio waned and consultation fatigue set in.

One of the biggest congressional concerns was that State and DOD were obscuring their ultimate objectives for security sector engagement in Burma. In particular, congressional staffers cited confusing signals, such as an unexplained \$250,000 request for e-IMET in the State Department's fiscal year (FY) 2015 congressional budget justification after an ambassadorial commitment to *not* seek such funds, as signs that the 3Ds could not be trusted on security sector engagement.⁸² When staffers asked for an explanation, responses were varied, further confusing Congress and fueling suspicion. Although State first called the line item a mistake, it issued a subsequent justification in June, stating, "US assistance will engage with the military through E-IMET training on reform-focused topics to support the peace process, civilian

control, professionalization, accountability, transparency, and the protection of human rights according to international standards.”⁸³

By this time, however, the damage had been done. There was no subsequent FY 2016 request for e-IMET, and Congress continues to restrict even basic relationship- and capacity-building measures with the Tatmadaw. For example, IMET is restricted by the 2012 Defense Act and the Child Soldiers Prevention Act of 2008.

The other major challenge in executive-legislative branch relations had to do with the removal of sanctions after the 2015 elections. In the years leading up to the US announcement that most remaining economic sanctions on Burma would be lifted, meetings between State, USAID, Treasury Department Office of Foreign Assets Control, and congressional staffers grew contentious as Congress was told that certain restrictions were to be waived, rather than being given an opportunity to weigh in on such decisions. Congress was further dismayed by news of a choice presented to Aung San Suu Kyi during her visit to Washington, D.C., in September 2016: the US could remove all sanctions or leave them all in place. That the administration did not offer a staged removal upset many in Congress, stoking concerns that the administration was overstepping its authority.

Lessons from the Partnership with Congress

- **The executive-legislative branch partnership is naturally tense and must be cultivated to provide the strategic flexibility required to succeed in complex environments.** The US embassy’s ability to respond to real-time developments in Burma depended on access to discretionary funding and new authorities that resulted from trust and consultation between the executive and legislative branches. This relationship helped the embassy forge stronger, timelier policies and programs, such as the effort to support ethnic armed groups’ participation in peace negotiations. Conversely, some of the biggest shortcomings in US-Burma relations occurred because of a breakdown in cross-branch trust and communication, such as the inability to increase security sector engagement. There will always be tension between the branches; although agreement is not required, consultation and understanding can be advantageous.
- **Field leadership should shape itineraries for congressional and staff trips (CODELS and STAFFDELS) to maximize both appreciation for the scope and scale of the challenge and the impact of policy messages.** Although these visits can be time consuming and labor intensive for embassy staff, members of Congress can serve as effective messengers, demonstrating US unity behind shared goals and approaches. Furthermore, these trips can serve as important educational experiences for the participants, who often come away with a newfound appreciation for the complexity of the situation that augments a perspective shaped by communities in Washington, D.C. By allowing the embassy to help schedule trips and coordinate itineraries, CODELS and STAFFDELS maximized their time in country as well as their understanding of local conditions in Burma.

Purpose-Fit Authorities and Resources

Relevance to Goals: Perhaps the most important outcome of a strong congressional partnership and trust from the White House was that the 3Ds were able to secure and maintain unearmarked funds and flexible resources that allowed them to pivot and adapt to changing

conditions on the ground in Burma. Although earmarks play an important role in governing the use of taxpayer dollars—both at home and abroad—in Burma, strategic flexibility helped ensure that embassy leadership had the resources and authorities it needed to seize new opportunities that aligned with US objectives.

How It Worked: Once the United States reopened its USAID mission in 2012, Congress and the White House afforded Burma the unique distinction of being one of the few US embassies with greater access to discretionary funds than to earmarked budgets.⁸⁴ Although Congress maintained restrictions on many US activities in Burma, it recognized that programming needed to be less rigid than a typical mission to compensate for the uncertainty on the ground. And although presidential priorities still applied to Burma, these efforts were deprioritized and did not harm the embassy's ability to access other funding. This flexibility allowed leadership to respond to unanticipated progress with new kinds of assistance and programming. Furthermore, the lack of earmarks enabled field-based leadership to maintain focus so the embassy could prevent the encroachment of noncore activities on the critical priorities for the political transition.

To access these funds and authorities, State, DOD, and USAID had to make the case for change when they saw opportunities for new activities that could advance the strategic mission. In turn, Congress was willing to make changes to laws on the books when it was appraised and consulted. In some areas, this yielded groundbreaking progress. For example, when a critical moment in the national peace process presented itself in 2013, USAID/OTI worked with Congress to enable an exception to existing restrictions that prevented USAID/OTI from having any contact with armed groups in Burma. The language in the FY 2014 appropriations for Burma allowed USAID/OTI to make assistance available to “ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose.”⁸⁵ This language made USAID the first international donor to be able to work directly with such armed groups.

Additionally, congressional funding for agile mechanisms directly benefitted the Burma team. Three notable accounts were made available through USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance:

- The **Complex Crises Fund** managed by the Office of Program, Policy, and Management was created in FY 2010 to regularize contingency funding previously received through transfers from DOD under Section 1207 authority that has since expired. It was designed to “help prevent crises and promote recovery in post-conflict situations during unforeseen political, social, or economic challenges that threaten regional security.”⁸⁶ The account has transfer authority of up to \$10 million to State Department's Bureau of Conflict and Stabilization Operations.⁸⁷ Burma received approximately \$10 million in Complex Crises Fund money in FY 2014.⁸⁸
- The **Elections and Political Processes Fund** “supports programs in countries experiencing an urgent need due to snap elections, electoral violence, and political instability.”⁸⁹ In 2013, USAID Administrator Raj Shah announced a three-year \$11 million program in support of the country's 2015 elections.⁹⁰ The program was focused on electoral administration, voter education, assistance to parliamentarians, and support for political party development.⁹¹

- The **Transition Initiatives account** managed by USAID/OTI provides support to countries that are in transition from crisis and are not well served by traditional humanitarian and development assistance. USAID/OTI began to engage in Burma after the Saffron Revolution, but larger-scale Transition Initiatives funding for the Kann Let program began in Burma in 2012. The program has since supported survivors of explosive ordnance (casualties of ongoing violence), sought to reduce drivers of intercommunal violence, supported government and civil society reform efforts, and helped key stakeholders engage with the national peace process.⁹² Burma received \$20.5 million in Transition Initiatives funds from September 2012 through February 2016.⁹³

Lessons from Purpose-Fit Authorities and Resources

- **Fund and enable authorities and carve-outs that permit local adaptation within a mutually acceptable framework.** Trust and goodwill earned in Washington, D.C., can lead to a degree of flexibility bestowed upon field leadership to make tough decisions under time and resource pressures. Authorities that allow for adaptive programming were essential to Burma, where new opportunities to support the transition arose rapidly. The ability to respond to moments of possibility in the peace process and as a result of local elections helped the United States maximize opportunities in real time, in accordance with its overarching priorities.
- **Look to the executive branch as well as the legislative branch for flexibility in funding.** Congressional earmarks are only one source of restriction. In Burma, the embassy leadership team worked with State and USAID leadership to secure discretionary funds (such as elections funds) from more flexibly programmed executive branch accounts.

Effective Communications to Bolster Unity of Effort

Relevance to Goals: Strong communications processes were critically important to translating the strategic effort into real outcomes in Burma, to executing the Action for Action strategy, and to maintaining the relationship with Congress that yielded flexible funding and new authorities. These processes helped ensure that partners within and outside the United States were working in lockstep toward shared priorities.

How It Worked: Certain communications mechanisms ensured visibility and unity of effort among the 3Ds; between Washington, D.C., and Burma; and between the United States and international partners.

Colocation to Facilitate Interagency Coordination: One of the barriers to effective 3D coordination in the field is lack of visibility into each other's activities. This barrier breeds skepticism and distrust, which can be toxic in a crisis environment, where a foundation of goodwill is essential; there is neither time nor willingness to explain every move. Embassy Rangoon physically co-located State, USAID, and DOD officials (as well as the rest of the country team) in one place rather than scattering them around the city or the country. This unity helped foster a “one team, one mission” mentality by increasing visibility into each other's actions and facilitating the free flow of information. This working environment underscored leadership's

message about the need for a systemic, shared US approach to key objectives. The proximity also fostered collaboration. For example, when State Department officials wanted to meet with military leaders, the defense attaché might travel to Naypidaw to explain the visit to his Burmese counterparts, detailing why it was a good idea for Burma and helping to select the right interlocutor.

Direct Access to the Field to Satisfy Demands from Washington, D.C.: A critical piece of both the executive-legislative branch partnership and the Washington, D.C.-field relationship was ensuring that the ambassador and his team were accessible. Within the State Department, the Bureau of Legislative Affairs is traditionally the primary point of contact for congressional committees of jurisdiction. However, given the priority ascribed to Burma's transition, the White House, congressional staffers, and members of Congress often spoke directly to the embassy. Video teleconferences and secure video teleconferences made it possible for Congress and the White House alike to go directly to the field, reducing reliance on traditional cable traffic and other official channels of communication. This mode of communication was not a substitute for a robust policy base in Washington, D.C., which suffered from the more limited role of the special rep after 2012, but the video teleconferences and secure video teleconferences helped Congress and White House leadership access the information they needed when they needed it.⁹⁴

Specialized Structures to Align International Partners: In addition to communicating across the 3Ds and between Washington, D.C., and the field, the US embassy in Rangoon also played a significant role in coordinating the international effort to facilitate reform in Burma. In particular, ahead of the 2015 general elections, the embassy established a partnership feedback loop that ensured consistent messaging across all Western partners. In addition to the Elections Working Group hosted at the embassy, USAID financed an "elections secretariat" to help coordinate all allied election donors (including the Australians, British, and Norwegians, among others). This group was supplemented by a smaller convening of political officers and assistance officers from US allies so that partners could refine messaging about the most sensitive issues and offer joint statements about election-related concerns. Atop this structure was a regular heads-of-mission meeting, which was designed to ensure the resolution of tricky issues and consistent messaging at the most senior levels. In this way, the United States multiplied its impact through successful real-time collaboration with partners on the most critical strategic issues as they happened.

Lesson from Strategic Communications

- **Do not be afraid to go outside traditional practices to build communications structures that ensure alignment and create trust.** In Burma, there was not enough time or margin for error for the 3Ds to be apart from one another on a day-to-day basis. And although there are methods for communicating between Washington, D.C., and the field, when time is at a premium, the White House and Congress need more expedient solutions to reach field leadership. Finally, by controlling the message with respect to elections and bringing allies together in fora to hear it and disseminate it, the United States was able to ensure consistency and accuracy. In all cases, the embassy broke with precedent to creatively structure processes that would further strategic priorities.

Crosscutting Lessons in 3D Engagement: Reflections and Conclusions

In looking at US 3D efforts in Burma, Jordan, and the Lake Chad region, and in examining where the United States was able to make some progress toward strategic priorities, a few key ingredients for success arose repeatedly, though they manifested themselves differently:

1. Workforce preparation
2. Shared priorities resulting from joint planning and coordination during crises
3. Purpose-fit authorities and funding
4. Timely adaptation of structures and processes
5. Regional engagement notwithstanding bilateral structures

This section includes an explanation of how the lessons from Burma support these cross-cutting themes, adding some color to why they matter and how they might be operationalized.

Workforce Preparation: Give the workforce the 3D experiences to groom them to succeed in crisis environments.

In Burma, the 3Ds selected and empowered leaders with interagency experience working in complex crisis environments. Ambassador Derek Mitchell had deep relationships in the region, an acute understanding of the civil society space, an appreciation for the complex nature of transitional environments, experience working at a senior level of DOD, and respect for the importance of strategic planning. USAID MD Chris Milligan was hand-selected for his breadth of experience abroad and in Washington, D.C., with experience at both State and USAID. He understood how an embassy leadership team should operate, how budgetary procedures and funding accounts could be massaged to meet goals, how to develop strategic planning processes, and how to work with Congress. Collectively, these experiences helped these two leaders work better together to meet the unique technical challenges that Burma posed.

Shared Priorities Resulting from Joint Planning and Coordination During Crises: Align planning and coordination to develop a shared framework of top-line priorities.

Burma’s extraordinary range of needs offered limitless potential programming opportunities. As the reform movement picked up, more and more departments and agencies wanted to be involved in Burma and to deploy their tools and capabilities. The United States identified its strategic policy priorities from the start, and the special representative and policy coordinator for Burma led an interagency BAWG to make public decisions about what assistance would be allowed and when. After an ambassador was appointed, the role of the special representative became more limited, and the ambassador and the USAID MD jointly led a unified strategic planning process from the field to establish top-line US priorities for Burma. They supplemented this process with a series of interagency policy working groups to develop programming and subgoals to further those priorities. They plastered the walls of the embassy with these priorities to ensure buy-in from top to bottom. At the same time, they established a cadence of periodic reevaluation and reflection through strategic off-site meetings for embassy leadership to adapt and adjust priorities as ground realities

changed. This cohesive process was essential to ensuring that each agency worked in service to overarching goals, rather than pursuing its own interests.

Purpose-Fit Authorities and Funding: Use existing authorities and funding creatively and seek exceptions, new authorities, or new funding to enable leaders to confront crises in the face of evolving circumstances.

Burma was able to obtain rare unearmarked funds that largely prevented the embassy from having to deal with stove-piped reporting and distracting programs that were not central to the priority mission. Burma was given preference for contingency funds such as the Complex Crisis Fund and received three rounds of elections and political processes funding (typically disbursed only once). Moreover, a clear articulation of priorities allowed the embassy team to successfully solicit Congress for special authority to support the participation of ethnic armed groups in a national reconciliation dialogue—an activity that was previously forbidden under US law.

Timely Adaptation of Structures and Processes: Adjust foreign policy machinery in crisis.

In the early days of the political transition, US leadership in Burma employed a calibrated Action for Action approach to minimize risk and maximize strategic flexibility. This approach incentivized change by assuring the GoB of rewards for good behavior, but left space for officials to determine what constituted such behavior and what rewards would be offered as a result. Holistically, this method of engagement provided US field leadership with the flexibility it needed to adapt programs and activities as the reality in Burma evolved. This maneuverability was enabled by structures and processes in Washington, D.C., that deferred to the field, as well as funding authorities and mechanisms that did not tie up funds years in advance.

Regional Engagement Notwithstanding Bilateral Structures: Harness bilateral structures and tools to address transnational challenges.

US efforts in Burma were undertaken with careful consideration for regional dynamics. The rising influence of China and the threat of nuclear proliferation from North Korea were important elements of the US government's decision to engage with Burma, as was the desire to work more closely with ASEAN. From giving the special representative office space in the State Department's Bureau for East Asian and Pacific Affairs to increase regional visibility, to establishing the Lower Mekong Initiative to promote regional collaboration on issues of mutual import, the United States consistently structured its engagements with Burma to enable it to become a better, more collaborative neighbor. These actions were essential to encouraging Burma to become a responsible neighbor that could participate in regional efforts to address transnational challenges related to natural disasters, terrorism, resource scarcity, migration, and other issues.

Notes

1. Throughout this case study, the country is referred to as Burma. It is worth noting that the ruling military junta formally changed the country's name to Myanmar in 1989 and renamed the then-capital city of Rangoon, Yangon. Although both terms are used by citizens of Burma, and the United Nations has recognized the country as Myanmar, the US State Department has not formally recognized the country as such. The Obama White House used "Myanmar" in some statements and press announcements. The US Institute

- of Peace refers to the country as Burma. See “Should It Be Burma or Myanmar?,” BBC News, updated September 26, 2007, <http://news.bbc.co.uk/2/hi/7013943.stm>.
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60. Various interviewees agreed that the BAWG was an essential part of the policy process.
61. An interview subject indicated that this document was formally approved by the NSC.
62. The Lower Mekong Initiative (LMI) came out of a July 23, 2009, meeting between Secretary of State Hillary Clinton and the foreign ministers of the Lower Mekong countries—Cambodia, Laos, Thailand, and Vietnam—in Phuket, Thailand. Burma formally joined the initiative in July 2012. LMI exists to create integrated subregional cooperation among the five Lower Mekong countries. It is a platform to address complex, transnational development and policy challenges in the Lower Mekong subregion. Supported by all 3Ds, LMI focuses on building local capacity to promote collaboration among countries and across borders to effectively overcome obstacles and meet regional challenges.
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71. The six laws are Section 138 of the Customs and Trade Act of 1990; Section 307 of the Foreign Assistance Act of 1961; Section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1997; the Burmese Freedom and Democracy Act of 2003; the JADE Act of 2008; and P.L. 112-192. The five executive orders (EOs) are EO 13047, EO 13310, EO 13448, EO 13464, and EO 13619. See Michael F. Martin, *US Sanctions on Burma* (CRS Report No. R41336) (Washington, D.C.: Congressional Research Service, 2012), www.fas.org/sgp/crs/row/R41336.pdf.
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