

# PERSPECTIVE

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## Myanmar's National Unity Government: A Radical Arrangement to Counteract the Coup

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Protesters hold signs in support of the National Unity Government (NUG) during a demonstration against the military coup in Yangon's Sanchaung township on 27 April 2021. Picture: STR/AFP.

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## **EXECUTIVE SUMMARY**

- The Myanmar military deposed the National League for Democracy government on 1 February 2021, and by April 2021, it had formed the State Administrative Council (SAC) to run the country. In opposition to this turn of events, democratically elected lawmakers side-lined by the coup quickly formed the National Unity Government (NUG) as an alternative political representation for the country, and in effect, as a government-in-hiding.
- The NUG's cabinet line-up is manifestly and consciously diverse. This exhibits its intent to attract support from Myanmar's many ethnic armed organisations.
- The NUG has been making a series of pronouncements to display its ambition 1) to redress past injustices against various communities and ethnic nationality groups across Myanmar, and 2) to establish its legitimacy domestically and abroad.
- Moving forward, NUG's great challenge lies in managing the disparate interests of the ethnic armed groups, and of regional and international interlocutors.

## INTRODUCTION

Myanmar's National Unity Government (NUG) emerged on 16 April 2021 amidst the political crisis following the military putsch that had deposed the Myanmar's National League for Democracy (NLD) never took the seat of government despite its electoral victory, and was instead deposed on 1 February by the military. In its stead, the military-backed State Administrative Council (SAC) was formed in April to govern the country.

In a daring move in opposition to this turn of events, elected lawmakers side-lined by the coup decided to establish the National Unity Government (NUG) on 16 April 2021.

Given its unhappy circumstances, the NUG has been striving to gain as much support as it can from Myanmar's many ethnic armed organisations (EAOs). In fact, as many as 13 of the 26 members of its cabinet line-up are from ethnic nationalities.<sup>1</sup> This includes the acting president and prime minister.<sup>2</sup> A third of the cabinet are women, an LGBTQ+ human rights activist is the NUG minister for human rights, and at least two deputy ministers are from political parties that contested for seats against the NLD in 2020.<sup>3</sup>

The NUG is seeking to concretise the NLD's tentative pledge<sup>4</sup> made after its 2020 election victory to form a "national unity" government.<sup>5</sup> The high level of attention it is paying to Myanmar's ethnic nationalities and their federalist aspirations goes beyond the NLD's vision.

While the NLD had emphasised democracy before federalism, the NUG is prioritising federalism. It also exhibits greater inclusion of ethnic and other stakeholder interests, and views itself to be laying the foundation for "a federal union that seeks to address decades of structural violence against all the people of Myanmar regardless of race and religion".<sup>6</sup>

In particular, policy pronouncements made by the NUG includes a reversal of NLD-era statements that had defended atrocities committed by the military against the Rohingya.

In this paper, we examine the NUG's proposed alternatives to the nation-building visions of both the State Administration Council (SAC) and the NLD. Optimistic and ambitious, the NUG's state- and peace-building proclamations present a significant departure from the past.<sup>7</sup> Our review finds that the NUG wishes 1) to redress past injustices against various communities and ethnic nationality groups across Myanmar, and 2) to establish its legitimacy domestically and abroad.

## THE NUG BEFORE AND AFTER 16 APRIL

The NUG's first appointments date from as early as a month after the coup. The Committee Representing Pyidaungsu Hluttaw (CRPH),<sup>8</sup> formed on 5 February, drew on the electoral legitimacy of its members<sup>9</sup> to provide legal grounding for the anti-junta movement that started almost immediately after the coup. The CRPH appointed on 5 March "an interim government" comprising four "acting ministers": foreign affairs; Union Government and President's Office; labour, immigration, population, education, health and sports; and

planning, finance and industry, commerce, and investment and foreign economic relations.<sup>10</sup> On 10 March, former Amyotha Hluttaw Speaker Mahn Win Khaing Than was named acting vice-president.<sup>11</sup>

The CRPH released the Federal Democracy Charter 2021<sup>12</sup> on 31 March, and announced on April 1 the dissolution of the military-drafted 2008 Constitution. The 2021 charter draws from past proposals for a federal future for the country,<sup>13</sup> and lists core principles and a road map towards establishing a civilian-led Federal Democratic Union and a Federal Army.<sup>14</sup> The road-map included the creation of an interim National Unity Government (NUG), and a National Unity Consultative Council (NUCC) as a consultative platform for the CRPH, political parties, EAOs, representatives of the civil disobedience movement (CDM), and civil society organisations (CSOs).

The CRPH appointed the NUG on 16 April, with 11 ministries and a 26-member cabinet that retained President Win Myint and State Counsellor Aung San Suu Kyi.<sup>15</sup> Acting Vice-President Mahn Win Khaing Than became Prime Minister, and Duwa Lashi La replaced him as the NUG's Acting Vice-President, later becoming Acting President.<sup>16</sup>

The NUG's pronouncements and efforts since 16 April seem to recognise the importance of addressing unfinished business from the NLD's previous term.<sup>17</sup> The NUG's scope of EAO and stakeholder consultation also goes beyond that of the SAC's ceasefire overtures.<sup>18</sup>

## **THE CRPH, NUG AND NUCC**

The CRPH appoints the NUG and its cabinet. These latter two are accountable to the CRPH, which exercises legislative and oversight functions in the interim. The CRPH also led and coordinated the development of the 2021 Federal Democracy Charter.<sup>19</sup> That charter states that the NUG is an interim body. The NUCC does not have a similar qualifier to its description. The NUG is thus 'mandated' by the CRPH to coordinate with the NUCC in implementing the 2021 charter objectives.

The NUG functions as the executive branch implementing the charter's political objectives, while the NUCC serves as the consultative body discussing and deciding on issues, particularly those related to state or region-level governance plans.<sup>20</sup> Both the NUG and CRPH participate in the NUCC, and contribute to the NUCC's preparations for convening a People's Assembly to develop the new federal constitution to replace the 2008 Constitution.<sup>21</sup>

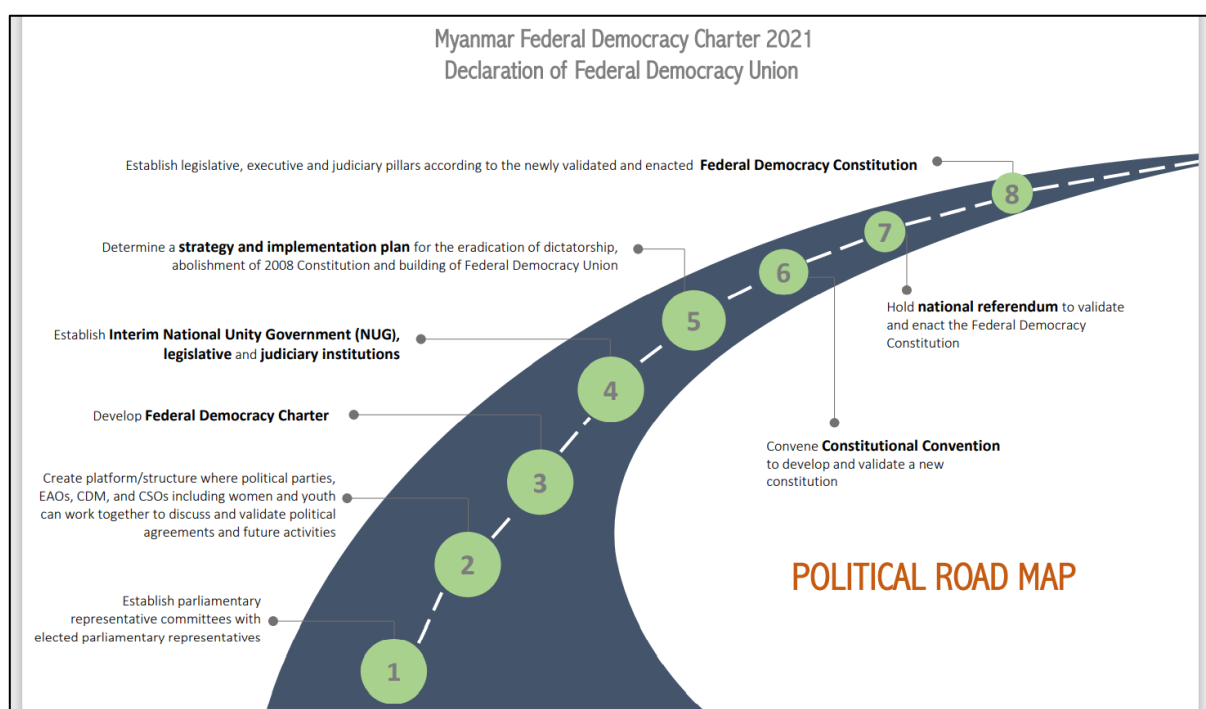
The CRPH and NUG are thus companion structures to the NUCC as well as participants in NUCC deliberations. Though formally launched in November, the NUCC's informal establishment predated the NUG's appointment. Figure 1 explains the steps on the road-map.

The road-map's second step, the establishment of a "platform/structure where political parties, ethnic armed organisations and civil society organisations including women and youth organisations can work together to discuss and validate political agreements and

future activities”, refers to the NUCC. Formation of the NUG is the fourth step. The CRPH serves the interim legislative function for the political process. To date, there are no interim judiciary appointments although the NUG has a Ministry of Justice, and the 2021 Federal Democracy Charter calls for the NUG and NUCC to “collaborate and negotiate to develop and implement interim judicial policy and plans”.<sup>22</sup>

No single entity or individual leads the NUCC, which emphasises collective leadership by the different organisations/entities involved in it.<sup>23</sup> These number 28 at the time of writing, and include the CRPH and NUG, and representatives of eight EAOs who are either direct participants or part of the region/state consultative councils representing several (but not all) ethnic nationality groups.<sup>24</sup>

**Figure 1. Political Road-Map for the Federal Democracy Union**



Source: Centre for Conflict and Peace Studies (CPCS), illustration of the 2021 Federal Democracy Charter, Part-I, Chapter III

**A BREAK FROM THE PAST?**

The NUG seems to be the main channel communicating to the international community the sentiments of domestic forces resisting the military. More a government-in-hiding rather than a government-in-exile, the NUG recognises the importance of maintaining popular support for it across the country, as well as having claim to territorial presence.

Though not the first parallel government structure to emerge in Myanmar, the NUG differs from past parallel government moves in 1969-1973 and 1988.<sup>25</sup>



The NUG is not the first effort to include representatives of ethnic and other key stakeholder groups resisting a coup. The National Coalition Government of the Union of Burma (NCGUB) that emerged in the aftermath of the 1990 elections annulled by the then military regime, made a similar attempt. Learning from the NCGUB’s experience, however, the NUG has focused its legitimacy assertions on both the domestic and external fronts, using external relations and networks to reinforce and justify its domestic-oriented policy pronouncements. The NUG’s strategic approach to communicating its positions, policies and pronouncements internationally make effective use of its external support network and social media.

Table 1 summarises the NUG’s key policies/pronouncements from April to December 2021. The NUG’s Acting President, official spokesperson and various ministers have shared aspects and details of these policies in their interactions with representatives of governments or legislatures of several countries in the international community.

The NUG’s a) admission of accountability for past treatment of the Rohingya, b) mobilisation of a Covid-19 Task Force at the height of the pandemic’s devastating spread across Myanmar in July 2021, and c) foreign policy assertions with several external interlocutors, provide three examples of the NUG’s focus on leveraging international attitudes and sympathy as much as possible.

With its eye on the international front, the NUG seems most active in foreign policy. The NUG’s undertaking to accord Rohingya citizenship, repeal the 1982 Citizenship Law, and account for the atrocities committed against the Rohingya, constitute concrete deliverables. The NUG’s Covid-19 Task Force illustrates practical partnerships with ethnic networks/communities to tackle the shared health challenge arising from the pandemic, and negotiate with the international community for vaccine support.

The People’s Defensive War – which the NUG announced on 7 September – may constitute the most controversial policy; the international community held mixed views and reactions to this move.<sup>26</sup> Be that as it may, the NUG’s call to arms was widely welcomed, supported and acted upon across Myanmar. Its establishment of the People’s Defense Force (PDF) in May and the subsequent proliferation of many local PDF chapters/groups serve as a barometer of on-ground sentiments. At the same time, this also indicates the challenge that the NUG faces – the delicate task of balancing many interests, with ethnic armed groups and organisations, and with regional and international interlocutors.<sup>27</sup>

**Table 1. NUG Pronouncements from April to December 2021**

<b>Policy/Position/Pronouncement</b>	<b>Date</b>	<b>Description/Remarks</b>
Federalism The NUG’s Union Vision states that: “We shall build a peaceful Federal Democracy Union which guarantees freedom, justice and equality.” <sup>28</sup>	April 2021	The NUG’s Union Values include gender equality and basic human rights; equality and self-determination; collective leadership; diversity and non-

Policy/Position/Pronouncement	Date	Description/Remarks
		discrimination; and protection of minority rights. <sup>29</sup>
<b>Foreign Policy</b> The NUG continues to uphold the independent, active and non-aligned foreign policy, but focuses on establishing “friendly relations with nations that support the complete abolishment of dictatorship”. <sup>30</sup>	30 May 2021	The over-arching foreign policy thrust is on gaining international recognition, (including securing Myanmar’s seat at the United Nations and ASEAN) and delegitimise the SAC junta.
<b>Rohingya</b> <ul style="list-style-type: none"> <li>- NUG has announced it will cooperate with the International Court of Justice (ICJ) to ensure Myanmar’s compliance with international legal obligations regarding the Rohingya<sup>31</sup></li> <li>- Rohingya policy position<sup>32</sup></li> <li>- Acceptance of International Criminal Court (ICC) scrutiny<sup>33</sup></li> </ul>	31 May 2021  3 June 2021 Letter sent 17 July 2021, publicly announced 20 August 2021	<p>The NUG’s Rohingya policy acknowledges the atrocities committed by the military against the Rohingya, and also undertakes to accord the Rohingya visibility as Myanmar citizens.</p> <p>The NUG accepted ICC jurisdiction in August and has indicated its interest (as early as March by the CRPH) to accede to the Rome Statute.<sup>34</sup></p> <p>On 20 January 2022, NUG Foreign Minister Zin Mar Aung shared to the media that Myanmar’s Ambassador to the UN, Kyaw Moe Tun, had formally applied to represent Myanmar on behalf of the NUG at the ICJ’s hearing on the case of Gambia vs Myanmar scheduled for 21 February 2022.<sup>35</sup></p>
<b>Covid-19 Task Force<sup>36</sup></b>	21 July 2021	The NUG’s Covid-19 Task Force is a collaborative effort between the NUG’s Ministry of Health, and ethnic health organisations. It gives a lead role to Dr Cynthia Maung, Chair of the Ethnic Health Committee, and not to the NUG Health Minister Dr Zaw Wai Soe. The NUG’s vaccine plans for people in ‘liberated areas’ prioritised working with ethnic health networks for vaccination, and negotiating with the WHO’s

Policy/Position/Pronouncement	Date	Description/Remarks
		COVAX facility six million vaccine doses in August 2021.
Responsible Investment <ul style="list-style-type: none"> <li>- Guidelines announced<sup>37</sup></li> <li>- Announcement listing eight companies pursuing “illegal investments” in Myanmar, and a special directive demanding immediate and unconditional suspension<sup>38</sup></li> </ul>	21 July 2021 31 August 2021	<p>In May, NUG clarified its differentiation<sup>39</sup> between existing investors (prior to the Feb 1 coup) and those that signed investment agreements with the SAC junta after Feb 1, signalling that it “would not push companies into a corner”, a message intended for those companies that had inked investment agreements with Myanmar prior to the 1 February coup.</p> <p>The NUG’s Ministry for Planning, Finance and Investment has posted on its website a “boycott list” of military-affiliated companies.<sup>40</sup></p> <p>This was followed by a list naming eight companies seeking “unlawful” investment permits from the SAC-controlled Myanmar Investment Commission.<sup>41</sup></p> <p>Various NUG ministries have welcomed the withdrawal (on 21 January 2022) of TotalEnergies and Chevron Corp from Myanmar. The ministries for planning, finance and investment, and for electricity and energy, have called for responsible divestment moves to consult the NUG.<sup>42</sup></p>
Fund-raising and financial <ul style="list-style-type: none"> <li>- Spring Lottery<sup>43</sup></li> <li>- Online tax payment invitation</li> <li>- Sale of NUG Bonds<sup>44</sup></li> <li>- Confirming digital currency USD Tether as legal tender<sup>45</sup></li> </ul>	15 August 2021  October 2021  22 November 2021  11 December 2021	The NUG aims to fund-raise through three main channels – the sale of lottery tickets, the sale of two-year bonds, and invitations to pay taxes, all of which are conducted online. These initiatives are aimed at covering funding needs for vaccine procurement, and to provide some financial support for CDM and the People’s



Policy/Position/Pronouncement	Date	Description/Remarks
	(Earlier on 2 July 2021, the NUG welcomed donations using cryptocurrencies Tether and Binance)	<p>Defence Forces under the NUG’s chain of command. The NUG also plans to tax business owners. As at October 2021, the NUG had received \$150,000 in tax revenue.<sup>46</sup></p> <p>Within hours of launching the bond sales on 22 November, the NUG sold more than \$6 million worth of bonds (see Note 39).</p>
<p>Defence</p> <ul style="list-style-type: none"> <li>- Formation of People’s Defence Forces<sup>47</sup></li> <li>- Declaration of a “People’s Defensive War”<sup>48</sup></li> <li>- Establishment of a military command structure (Central Command and Coordination Committee or C3C)<sup>49</sup></li> </ul>	<p>5 May 2021</p> <p>7 September 2021</p> <p>28 October 2021</p>	<p>The CRPH started talks with various EAOs in March 2021, towards the vision of a federal union, amidst growing calls for a “people’s army” to resist and respond to the Myanmar military’s lethal use of force against civilian protestors. On 14 March, the CRPH issued a declaration “informing the people of their right to self-defence”.<sup>50</sup></p> <p>Building on the CRPH’s moves, the NUG formed the People’s Defence Force or PDF on 5 May, as a precursor to establishing a ‘Federal Union Army’ which would incorporate the PDF and various EAOs fighting the Myanmar military. The PDF was intended as the NUG’s armed wing. By May, many young people and civilian protestors had fled to EAO-controlled areas to receive training, including urban guerrilla warfare. Several local PDF chapters also sprang up, and actively clashed with Myanmar military troops in areas such as Sagaing. The Yangon, Mandalay and Sagaing regions witnessed the first targeted killings of military-appointed local administrators in May. By June, at least 58 PDF chapters had been formed, of</p>

Policy/Position/Pronouncement	Date	Description/Remarks
		<p>which 12 were active, but not necessarily linked to the NUG.<sup>51</sup></p> <p>The NUG issued in May a “code of conduct” urging that PDFs “must not threaten, target or attack civilians” or target civilian locations. The NUG’s chain of command structure in October was also intended to provide a central coordinating body to coordinate discrete local (and ethnic) resistance against the military.<sup>52</sup></p> <p>Further details on the composition of this central command structure have not yet been announced.</p> <p>The NUG Ministries of Defence and of Home Affairs and Immigration both publish on the NUG Facebook page updates of clashes with military forces. The Ministry of Defence terms the clashes “battles” and the Ministry of Home Affairs and Immigration refers to the People’s Defensive War.</p>
<p>Information, Communication and Technology</p> <ul style="list-style-type: none"> <li>- Kickstarting Radio NUG<sup>53</sup></li> </ul>	<p>20 August 2021</p>	<p>Also known as Public Voice (or People’s Voice) Radio, Radio NUG first aired on 20 August 2021. It has regular morning and evening FM broadcasts, and spiked a demand for shortwave radios when it first launched.</p> <p>Though there have been at least two other anti-junta FM stations launched since the 1 February coup, Radio NUG is the NUG’s official radio channel.<sup>54</sup> NUG Defence Minister U Yee Mon has explained the launch of Radio NUG as responding to the need for “emergency communications” in the “next phase” of the anti-junta movement.<sup>55</sup></p>

Policy/Position/Pronouncement	Date	Description/Remarks
Education  Launch of mobile learning programmes <sup>56</sup>	17 June 2021	The NUG Ministry of Education has focused on its home-based learning (HBL) programme which has a dedicated Facebook page starting 20 July 2021. The ministry uses this “Myanmar Basic Education Home” (MBEH) Facebook channel as the primary platform for public awareness on its HBL programmes, and to transmit HBL classes starting September 2021. Spanning kindergarten to Grade 11, and also including special needs and IT education, the MBEH channel has delivered over 2400 courses from September to December 2021. <sup>57</sup>

The NUG exhibits a more inclusive national unity vision, and its fund-raising initiatives are aimed at a wider support-base, as the purchase of lottery tickets and bonds are not limited only to citizens or nationals residing in Myanmar. The Myanmar diaspora’s support for the CRPH and the NUG has been substantial in terms of cash donations and facilitation of humanitarian assistance through informal channels. Aung Myo Min’s appointment as human rights minister is a first for any government in Myanmar – parallel or otherwise – in walking the inclusion talk for the LGBTQ community.

## **PUBLIC COMMUNICATION**

With most of the NUG’s policies and positions communicated via social media, mainly Facebook and Twitter, the role of the NUG Ministry for Information, Communication and Technology seems minimal. However, U Htin Lin Aung, the minister for this portfolio, was formerly the CRPH’s “International Representative” and presumably continues his liaison role to communicate NUG’s views and positions to various external interlocutors away from the public eye. He is not alone in this latter task. Minister for International Cooperation Dr Sa Sa is also the NUG’s official spokesperson. Myanmar Ambassador to the United Nations (UN) U Kyaw Moe Tun openly declared his support for the NUG in February 2021, and continues to share information on the situation in Myanmar with the UN Secretary-General and Permanent Representatives of other UN member states, using his incumbent status as Myanmar’s representative to the UN.

Among the NUG’s 17 ministries, those for justice and commerce have Facebook pages but not websites. The NUG ministry of justice announced in November 2021 the temporary formation of an “All Myanmar Judicial Employees’ Association” to address judiciary

aspects of NUG and NUCC “policies and plans”.<sup>58</sup> The nature of how the NUG has to operate renders it unable to implement an effective judiciary.

Similarly, the NUG ministry of commerce is unable to pursue an active commercial policy towards boosting economic growth and consumption. The ministry communicates public announcements mainly through its Facebook page. It has conducted seminars and trainings (on commercial diplomacy, inclusive business, and cross-border trade facilitation, among others), met with workers’ organisations in industrial zones in Yangon, and published salient facts about the Regional Comprehensive Economic Partnership to which the NLD government had acceded in November 2020. It has also donated funds for persons fleeing conflict in areas along the Thai-Myanmar border. Minister for Commerce Dr Khin Ma Ma Myo (who previously held deputy defence minister responsibilities)<sup>59</sup> denounced the military-owned and operated Myanmar Economic Corporation (MEC) and Myanmar Economic Holdings Limited (MEHL) in November, calling for a boycott of military-owned or affiliated businesses.<sup>60</sup>

The NUG’s ministry of federal union affairs serves as a clearing house of reference documents and papers on federalism, including constitution-drafting at federal and state-levels, as well as information/background papers on federal education and dialogue.

## **INTERNATIONAL ENGAGEMENTS<sup>61</sup>**

The NUG’s policies and pronouncements are also made with a view to seeking/justifying recognition as a government, with external interlocutors. Its ongoing consultations with ethnic groups and other stakeholders in the country show the NUG’s objective to assert its position as an essential counterpart for dialogue in international and regional efforts responding to the Myanmar crisis. Foremost among the efforts have been those aimed at the Association of Southeast Asian Nations (ASEAN).

The NUG faces a challenge in its efforts to engage with ASEAN collectively. Even with ASEAN’s decision to disinvite the SAC chief to its highest-level Summit meetings,<sup>62</sup> the SAC occupies the Myanmar seat at working-level meetings. Nevertheless, the NUG continues to express its willingness to engage with ASEAN, appointing an Ambassador to ASEAN in October 2021.<sup>63</sup> Earlier in April, after ASEAN’s discussions with the SAC chief to agree to ASEAN’s Five-Point Consensus on Myanmar, the NUG Prime Minister issued a statement responding to the adoption of the Consensus. This statement indicated the NUG’s position on engaging ASEAN, including its disappointment that Myanmar’s representation at the ASEAN Leaders’ Meeting in April “could not include the true situation and interests of the Myanmar people - which the NUG represents”. The statement mainly highlighted the SAC’s disingenuity and requested ASEAN to engage with the NUG in implementing the Consensus.<sup>64</sup>

The NUG’s main foreign policy “victory” has been at the UN. The NLD-appointed Ambassador to the UN Kyaw Moe Tun seized international attention and domestic imaginations in Myanmar with his emotional speech delivered to a UN plenary session on 26 February, supporting the anti-junta movement.<sup>65</sup> The US and China – both members of

the UN Credentials Committee – agreed in September to maintain the incumbent in Myanmar’s UN seat, effectively denying the SAC’s assertions that its appointee (to replace Kyaw Moe Tun whom the SAC sacked following his defiance) is the country’s legal representative to the UN.

Since April, the NUG has stepped up its external relations with a variety of interlocutors by appointing representatives in third countries. To date, the NUG has established representative offices in six countries – Australia, France, South Korea, the US, the UK, and Czech Republic.<sup>66</sup> Various NUG ministers have held online meetings with lawmakers from Canada, Australia, the European Union, Spain, and Japan, as well as senior government representatives from the United States, Germany and Sweden.<sup>67</sup>

The international community’s engagements with the NUG, however, have fallen short of explicit recognition. The European Parliament<sup>68</sup> and the French Senate<sup>69</sup> enacted resolutions in October that indicated support for the NUG as the “legitimate representative” of the Myanmar people, and the Czech Republic<sup>70</sup> recognised the NUG’s Liaison Officer in May. Although some Asian nations maintain informal communications with the NUG, they have as yet shown no interest in formal recognition.

## CONCLUSION

The NUG’s pronouncements, coupled with its participation in the NUCC, indicate that the anti-junta opposition has much broader interests and aims for national reconciliation beyond the NLD’s vision.

The CRPH, NUCC and NUG provide a collective platform for an inclusive, consultative, and decentralised form of governance, navigating decades-long fault-lines. Though the intertwined and inter-connected nature of these bodies’ interactions may prove confusing to external interlocutors, it is important to appreciate the consultative decision-making process.

Myanmar’s complex history of failed promises and competing visions for a federal future has an equally strong bearing on the motivations and making of the 1 February coup, as well as on the development and evolution of the anti-junta movement post-coup. The NUG’s emergence is part of this process.

The NUG’s moves and choices are also affected by the public sentiment and disappointment in Myanmar on the sluggishness of international diplomacy in responding to the Myanmar crisis, especially as the military continues to commit atrocities against local communities. The increasing number of clashes between local defence forces (with or without EAO support) and junta security forces show how communities across Myanmar seem more determined than ever to take matters into their own hands.

The NUG’s current situation of being a government-in-hiding hampers its agility. Even so, there are areas where the NUG can consolidate its legitimacy and support. These are in providing alternative education opportunities, and expanding the health policy beyond the

Covid-19 response. In other words, the NUG can prove its effectiveness in delivering essential social services to wider swathes of the populace, especially in ethnic areas.

Delivering on this, and other federalism promises, may be the determining factor for many in Myanmar to place their faith in the NUG's offer for a future that breaks from the country's troubled past of broken trust and promises, and Bamar-dominant political interests.<sup>71</sup>

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<sup>1</sup> Myanmar Now, "CRPH announces lineup of interim 'national unity government'", 16 April 2021 (<https://www.myanmar-now.org/en/news/crph-announces-lineup-of-interim-national-unity-government>, downloaded 15 December 2021).

<sup>2</sup> Acting President Duwa Lashi La is of Kachin ethnicity and Prime Minister Mahn Win Khaing Than is a Karen (Kayin).

<sup>3</sup> The Irrawaddy, "Who's Who in Myanmar's National Unity Government", 16 April 2021 (<https://www.irrawaddy.com/news/burma/whos-myanmars-national-unity-government.html>, downloaded 15 December 2021).

U Aung Myo Min, the NUG minister for human rights, was a student activist in the 1988 democracy uprising, and spent over 20 years in exile before returning to Myanmar in 2013. He founded the Human Rights Education Institute of Burma in 2000, which was later renamed Equality Myanmar (in 2012). He continued to serve as Equality Myanmar's Executive Director up to the time of his appointment to the NUG cabinet on 3 May 2021. He has received several international awards for his work on human rights and equality.

See Committee Representing Pyidaungsu Hluttaw, "Appointment of Union Ministers and Deputy Ministers", 3 May 2021 (<https://crphmyanmar.org/appointment-of-union-ministers-and-deputy-ministers/>, downloaded 20 December 2021).

See also Frontier Myanmar, "Aung Myo Min: 'Treat us as human beings, not as a problem'", 16 February 2016 (<https://www.frontiermyanmar.net/en/aung-myo-min-treat-us-as-human-beings-not-as-a-problem/>, downloaded 2 January 2022).

Bio-data of Aung Myo Min:

<https://mohr.nugmyanmar.org/en/%e1%80%95%e1%80%bc%e1%80%8a%e1%80%ba%e1%80%91%e1%80%b1%e1%80%ac%e1%80%84%e1%80%ba%e1%80%85%e1%80%af%e1%80%9d%e1%80%94%e1%80%ba%e1%80%80%e1%80%bc%e1%80%ae%e1%80%b8/>

U Laphai Maw Htun Awng, the NUG deputy minister for energy and electricity, is an ethnic Kachin who contested in the 2020 election, as a candidate for the Shan Nationalities League for Democracy, and lost to the Ta'ang National Party candidate in a five-cornered fight for a seat in Shan State Constituency 5. Laphai Maw Htun Awng has been active in research and advocacy on transparency and accountability issues in natural resource extraction in Myanmar. He is an Obama Foundation Fellow, and was a Fulbright fellow at Cornell Institute for Public Affairs.

Bio-data of Laphai Maw Htun Awng at: <https://moee.nugmyanmar.org/en/deputy-minister/>

See ISEAS – Yusof Ishak Institute, "Myanmar After the Coup: Insights from the Inside", 21 May 2021 (<https://www.iseas.edu.sg/mec-events/myanmar-after-the-coup-insights-from-inside/> and <https://www.iseas.edu.sg/media/event-highlights/webinar-on-myanmar-after-the-coup-insights-from-inside/>, downloaded 2 January 2022).

See also Thiha Lwin, "Shan Party Candidate Alleges Fraud in Myanmar's General Election", 24 December 2020 (<https://www.irrawaddy.com/news/burma/shan-party-candidate-alleges-fraud-myanmars-general-election.html>, downloaded 2 January 2022).



Daw Ei Thinzar Maung, the NUG deputy minister for women, youth and social affairs, was a student activist. She contested against (and lost to) the NLD candidate in Yangon's Pabedan Township, representing the Democratic Party for a New Society. After the 1 February military coup, Ei Thinzar Maung was at the fore of the earliest anti-junta protests. She was among three Myanmar ladies listed in the Times 100 list of most influential people for 2021.

See Coconuts Yangon, "Three Myanmar women among 'most influential' of 2021: Time", 16 September 2021 (<https://coconuts.co/yangon/news/three-myanmar-among-most-influential-people-of-2021-time/>, downloaded 2 January 2022).

See also Abby Seiff, "Fearless", Mekong Review, Issue 23, May 2021 (<https://mekongreview.com/fearless/>, downloaded 2 January 2022).

Bio-data of Ei Thinzar Maung at: <https://mowyca.nugmyanmar.org/about/deputy-minister>

<sup>4</sup> Hay Man Pyae, "Despite landslide victory, NLD appeals to ethnic parties to join its 'national unity government'", Myanmar Now, 13 November 2020 (<https://www.myanmar-now.org/en/news/despite-landslide-victory-nld-appeals-to-ethnic-parties-to-join-its-national-unity-government>, downloaded 15 December 2021)

<sup>5</sup> The NLD's national unity government pledge sought to reach out to (and appease) the ethnic political parties after the NLD's relations with some of them soured during its 2016-2020 term. There had been mergers of several ethnic political parties prior to the 2020 elections, to push back against what they perceived as NLD (and by extension Bamar) dominance. These ethnic political parties – both new and existing – lost to NLD candidates in several ethnic-nationality dominant constituencies in the 2020 elections. So too did the military-backed Union Solidarity Development Party (USDP), the NLD's main 'opponent'. After its initial statement of intent for national unity, the NLD held talks with several ethnic parties. Some talks, for example, those with the Shan Nationalities League for Democracy (SNLD) – one of the biggest ethnic parties – were claimed to be successful. Some failed, as in the case of Mon Unity Party (MUP), one of whose members eventually joined the SAC. See Thet Zin Soe, "NLD claims success in talks with Shan ethnic parties", The Myanmar Times, 17 January 2021 (<https://www.mmtimes.com/news/nld-claims-success-talks-shan-ethnic-parties.html>, downloaded 5 January 2022) and Zin Lin Htet, "Myanmar's NLD, Mon Unity Party Fail to Meet Due to Venue Dispute", The Irrawaddy, 5 January 2021 (<https://www.irrawaddy.com/news/burma/myanmars-nld-mon-unity-party-fail-meet-due-venue-dispute.html>, downloaded 5 January 2022). However, the NLD did not announce further details about the composition of its new government. Instead, its attention seemed to mainly focus on refuting the election fraud allegations first started by the USDP and later picked up by the military, particularly Commander-in-Chief Senior General Min Aung Hlaing. Members of parliament (MPs) appointed by the military and those few elected from the USDP and other political parties threatened a boycott of the Hluttaw (Myanmar's parliament) when it would convene on 1 February 2021, which added to a more sombre than jubilant cast of mood prior to that projected convening of the Hluttaw.

<sup>6</sup> Personal communication with support team for the NUG Foreign Ministry, 19 April 2021.

<sup>7</sup> This view was shared by a leading expert on peace and reconciliation in Southeast Asia, 19 April 2021.

See also Ashley South, "Towards 'Emergent Federalism' in Post-Coup Myanmar", *Contemporary Southeast Asia*, Vol. 43, No. 3 (2021), ISEAS-Yusof Ishak Institute, Singapore, pp. 439-60.

<sup>8</sup> Online Burma/Myanmar Library, "Statement by the Representatives of the Pyidaungsu Hluttaw (National League For Democracy) (2/2021), 5 February 2021"

([https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/2021-02-05-Statement-by-the-Representatives-of-the-Pyidaungsu-Hluttaw\\_NLD\\_2-2012-en-tu-red.pdf](https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/2021-02-05-Statement-by-the-Representatives-of-the-Pyidaungsu-Hluttaw_NLD_2-2012-en-tu-red.pdf), downloaded 15 December 2021).

<sup>9</sup> Frontier Myanmar, "NLD lawmakers in Nay Pyi Taw defy military, take oath of office", 4 February 2021 (<https://www.frontiermyanmar.net/en/nld-lawmakers-in-nay-pyi-taw-defy-military-take-oath-of-office/>, downloaded 15 December 2021).

<sup>10</sup> Daw Zin Mar Aung (foreign affairs) and U Lwin Ko Latt (Union Government/President's Office) are elected lawmakers from the NLD and members of the CRPH. U Tin Tun Naing, holding the planning and finance/investment/commerce portfolios, is an elected NLD lawmaker. Dr Zaw Wai Soe, (labour/education/health) was Rector of University of Medicine-1, Yangon, and had served as vice-chairman of the Yangon Covid-19 Prevention, Control and Treatment Committee. He participated in the Civil Disobedience Movement (CDM) following the February 1 coup. See The Irrawaddy,

“Defying Military Regime, Myanmar’s CRPH Names Four Acting Ministers”, 2 March 2021

(<https://www.irrawaddy.com/news/defying-military-regime-myanmars-crph-names-four-acting-ministers.html>, downloaded 20 December 2021).

Since then, Lwin Ko Latt has taken up the home affairs and immigration portfolio, and the CRPH appointed Mon politician Nai Tun Pe (aka Nai Suwunna or Nai Thuwunna) to the labour portfolio on 3 May 2021. Nai Tun Pe concurrently serves as Chair of the Mon State Interim Consultative Council (MISCC) which also participates in the NUCC. A former member of the Mon Unity Party (MUP), Nai Tun Pe resigned from that party in March 2021 when the MUP aligned with the SAC junta.

Dr Zaw Wai Soe continues to hold both health and education portfolios.

Bio-data of Zin Mar Aung: <https://mofa.nugmyanmar.org/union-minister/>

Bio-data of Tin Tun Naing: <https://mopfi.nugmyanmar.org/union-minister/>

Bio-data of Lwin Ko Latt:

<https://mohai.nugmyanmar.org/en/%e1%80%95%e1%80%bc%e1%80%8a%e1%80%ba%e1%80%91%e1%80%b1%e1%80%ac%e1%80%84%e1%80%ba%e1%80%85%e1%80%af%e1%80%9d%e1%80%94%e1%80%ba%e1%80%80%e1%80%bc%e1%80%ae%e1%80%b8/>

Bio-data of Dr Zaw Wai Soe: <https://moh.nugmyanmar.org/biography-minister/>

Bio-data of Nai Tun Pe: <https://mol.nugmyanmar.org/ministers/union-minister-biography/>

<sup>11</sup> An NLD member since 2013, and former Speaker of the Amyotha Hluttaw (or Upper House) in Myanmar’s parliament, Mahn Win Khaing Than’s political antecedents date back to 1947; his grandfather Mahn Ba Khaing was a member of Aung San’s Interim Government of Burma, and was assassinated along with Aung San on 19 July 1947. Mahn Win Khaing Than’s NUG role can also be interpreted as a link to the inclusive nature of the 1947 Interim Government of Burma led by Aung San, who was Aung San Suu Kyi’s father.

See Yohei Muramatsu, “Myanmar ‘provisional government’ appoints leader to counter junta”, 10 March 2021 (<https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-provisional-government-appoints-leader-to-counter-junta>, downloaded 20 December 2021).

Bio-data of Mahn Win Khaing Than: <https://gov.nugmyanmar.org/prime-minister-mahn-winn-khaing-thann/>

<sup>12</sup> Committee Representing Pyidaungsu Hluttaw, “Federal Democracy Charter Part-I: Declaration of Federal Democracy Union, 2021” and “Federal Democracy Charter Part-II: Interim Constitutional Arrangement, 2021”, April 2021 (<https://crphmyanmar.org/wp-content/uploads/2021/04/Federal-Democracy-Charter-English.pdf>, downloaded 21 December 2021).

<sup>13</sup> Since 1947, Burma/Myanmar has gone through several constitution-making attempts in tandem with conversations held with ethnic nationality groups on federalism. Prior to independence in 1948, the Panglong Agreement of 12 February 1947, and a draft Constitution by the Anti-Fascist People’s Freedom League (AFPFL) then led by Aung San, constituted efforts by political leaders of the time to engage with ethnic groups. Federalism was a “key demand” by the ethnic minorities, and the 1947 Constitution – drafted by a constituent Assembly (boycotted by at least two key stakeholder groups at the time) – was criticised by several ethnic groups for not being inclusive enough and not going far enough in recognizing territorial and cultural claims (and autonomy).

After independence in 1948, several EAOs and the Communist Party of Burma took up arms against the government, and domestic stability deteriorated despite the government’s efforts at

peace talks and amnesties. This led to perceptions that equated ethnic demands for federalism with a breakup of the country. A national conference on federalism and constitutional reform took place in February 1961, resulting in a Federal Proposal (to amend the 1947 Constitution) drawing from the ideas in the Panglong Agreement and the AFPFL Draft Constitution related to territorial recognition, self-determination, equality, autonomy, and the right to secession.

A constitutional reform conference scheduled for 2 March 1962 did not take place; Commander-in-Chief Ne Win seized power, deposing U Nu's AFPFL government. This constitutional reform conference was to have discussed a proposal for Burma Proper to be a state alongside the seven other states named after major ethnic groups, in a federal system. Though Ne Win made attempts at both peace talks and constitutional discussions with ethnic armed groups and other stakeholders, both processes broke down as Ne Win's expectations were for his Burmese Way to Socialism to prevail. The word 'federalism' became a taboo term, and Ne Win instituted the 1974 Constitution that had a "USSR-style" of recognizing ethnic nationalities.

After Ne Win's socialist regime crumbled into direct military rule in 1988, the State Law and Order Restoration Council/State Peace and Development Council (SLORC/SPDC) military regime initiated another round of peace talks (resulting in unwritten ceasefire agreements) with ethnic armed groups, and a military-controlled constitution-making process that sputtered over 1993 to 2007, with several suspensions and walkouts. Parallel to the SLORC/SPDC's 'National Convention' process, the NLD and several of the EAOs came up with their own parallel effort for a federal union. Forming the National Council of the Union of Burma, they produced a first draft of a "Constitution of the Federal Union of Burma".

The SPDC confirmed the resulting 2008 Constitution in a referendum widely viewed as flawed. Though the 2008 Constitution addressed some elements of the 1961 Federal Proposal, and refers to "cultural and traditional rights of national races", there is no mention on federalism. The 2008 Constitution mainly privileged the military's leadership role in governance.

Over the 2011-2020 period, both the Union Solidarity and Development Party (USDP) and NLD administrations drew from past constitutional "touch-stones" in pursuing peace talks and discussions on federalism with the EAOs.

See Melissa Crouch, "Constitutional Touchstones: Peace Processes, Federalism and Constitution-Making in Myanmar", *International Journal of Constitutional Law*, Vol. 18, No. 4, 2020, pp 1350-1372. (<https://academic.oup.com/icon/article-abstract/18/4/1350/6122371?redirectedFrom=fulltext>, downloaded 20 December 2021).

See also Mael Raynaud, "Asymmetrical Federalism in Myanmar: A Modern Mandala System?", *ISEAS Perspective* 2021/155, ISEAS-Yusof Ishak Institute, 23 November 2021 (<https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2021-155-asymmetrical-federalism-in-myanmar-a-modern-mandala-system-by-mael-raynaud/>, downloaded 23 November 2021).

<sup>14</sup> See entry on Defence in this paper's Table 1.NUG Pronouncements from April to December 2021

See also

Sebastian Strangio, "Can Myanmar's New 'People's Defense Force' Succeed?", 6 May 2021, (<https://thediplomat.com/2021/05/can-myanmars-new-peoples-defense-force-succeed/>, downloaded 27 December 2021).

Myanmar Now, "'We're about 80% there,' CRPH's foreign minister says on federal union talks", 20 March 2021 (<https://www.myanmar-now.org/en/news/were-about-80-there-crphs-foreign-minister-says-on-federal-union-talks>, downloaded 27 December 2021).

Michael Safi and Observer reporter, "Myanmar's besieged resistance dreams of 'people's army' to counter junta", 20 March 2021 (<https://www.theguardian.com/world/2021/mar/20/myanmars-besieged-resistance-dreams-of-peoples-army-to-counter-junta>, downloaded 27 December 2021).

The Irrawaddy, “Myanmar Resistance Fighters Continue to Battle Junta Troops in Sagaing”, 23 May 2021 (<https://www.irrawaddy.com/news/burma/myanmar-resistance-fighters-continue-to-battle-junta-troops-in-sagaing.html>, downloaded 27 December 2021).

The Irrawaddy, “Myanmar Military-Appointed Administrators Killed By Anonymous Attackers”, 6 May 2021 (<https://www.irrawaddy.com/news/burma/myanmar-military-appointed-administrators-killed-by-anonymous-attackers.html>, downloaded 27 December 2021).

Reporter in Yangon and Rebecca Ratcliffe, “Rise of armed civilian groups in Myanmar fuels fears of full-scale civil war”, 1 June 2021 (<https://www.theguardian.com/world/2021/jun/01/rise-of-armed-civilian-groups-in-myanmar-fuels-fears-of-civil-war>, downloaded 2 January 2022).

<sup>15</sup> Myanmar Now, “CRPH announces lineup of interim ‘national unity government’”, 16 April 2021 (<https://www.myanmar-now.org/en/news/crph-announces-lineup-of-interim-national-unity-government>, downloaded 15 December 2021).

At the time of writing, there are 17 ministries in the NUG – defence; health; planning, finance and investment; foreign affairs; education; home affairs and immigration; federal union affairs; humanitarian affairs and disaster management; human rights; natural resources and environmental conservation; international cooperation; women, youths and children affairs; labour; justice; communication, information and technology; electricity and energy; commerce. Led by Acting President and Prime Minister, the cabinet is made of 16 ministers and 16 deputy ministers. See National Unity Government of the Republic of the Union of Myanmar (<https://www.nugmyanmar.org/en/>, downloaded 4 January 2022).

<sup>16</sup> The CRPH announced Duwa Lashi La’s appointment as NUG Vice President (and current Acting President) on 13 April 2021. Duwa Lashi La was active in the Kachin National Consultative Assembly (established in 2017 to provide inputs to the 21<sup>st</sup> Century Panglong peace talks or the Union Peace Conference convened by the National League for Democracy government), serving as its president from 2019 to January 2021. The Kachin National Consultative Assembly is the most politically authoritative body in Kachin State (The Irrawaddy, 16 April 2021). Duwa Lashi La holds a law degree from Rangoon University (1970) and practiced law until he retired in 1994. In his retirement years, he was active in several civil society endeavours in partnership with international donors, ranging from education initiatives such as the Institute for Liberal Arts and Sciences in areas under the control of the Kachin Independence Organisation (KIO), to regional development activities in Northern Shan State. Bio-data of Duwa Lashi La: <https://gov.nugmyanmar.org/acting-president-duwa-lashi-la/>

<sup>17</sup> Ei Ei Toe Lwin, “NLD shrugs off threat of USDP hluttaw boycott”, Frontier Myanmar, 26 January 2021 (<https://www.frontiermyanmar.net/en/nld-shrugs-off-threat-of-usdp-hluttaw-boycott/>, downloaded 15 December 2021).

<sup>18</sup> Personal communication with support team for the NUG Acting President, 23 January 2022. The NUG is aware of the challenges presented by decades of broken trust and historical legacies in its ongoing consultations with various EAOs and stakeholders.

In December 2021, the NUG reached out to the Arakan Army (AA) as part of its EAO/stakeholder consultation efforts. See Mizzima, “National Unity Government (NUG), makes overtures to AA overthrow military”, 13 December 2021 (<https://mizzima.com/article/national-unity-government-nug-makes-overtures-aa-overthrow-military> , downloaded 26 January 2022).

Reaching out to the AA is important for the NUG, as the AA largely has administrative control of Rakhine State. Until recently, the AA had largely stayed on the sidelines of the anti-junta resistance movement.

See Radio Free Asia, “Arakan Army Eclipsing Government in Administering Myanmar’s Rakhine State Amid Cease-fire”, 23 August 2021 (<https://www.rfa.org/english/news/myanmar/aa-08232021210057.html>, downloaded 26 January 2022). See also The Irrawaddy, “Ethnic Armies Condemn Myanmar Junta’s Kayah Massacre”, 28 December 2021 (<https://www.irrawaddy.com/news/burma/ethnic-armies-condemn-myanmar-juntas-kayah-massacre.html> , downloaded 30 December 2021).



<sup>19</sup> The 2021 Federal Democracy Charter has two parts: Part-I sets out main goals, objectives and principles, and Part-II details the interim constitutional arrangements, including duties of the NUG and NUCC. See Note 12.

<sup>20</sup> See Htet Myet Min Tun and Moe Thuzar, “Myanmar’s National Unity Consultative Council: A Vision of Myanmar’s Federal Future”, ISEAS-Yusof Ishak Institute, 5 January 2022 (<https://fulcrum.sg/myanmars-national-unity-consultative-council-a-vision-of-myanmars-federal-future/>, downloaded 5 January 2022)

<sup>21</sup> အမျိုးသားညီညွတ်ရေးအတိုင်ပင်ခံကောင်စီ (NUCC) ပထမဆုံးသတင်းစာရှင်းလင်းပွဲ

(တိုက်ရိုက်ထုတ်လွှင့်မှု) [First Press Conference by the National Unity Consultative Council

(NUCC) (Live Broadcast)], Myanmar Now News, YouTube video, 2:41:42.

<https://www.youtube.com/watch?v=6O6ITKCI9j4&t=5846s>

See also National Unity Government, Twitter post, 16 November 2021, 9.18 PM.

(<https://twitter.com/NUGMyanmar/status/1460598240265621505>, accessed 20 December 2021).

The NUCC convened its first People’s Assembly on 27 January 2022. See Mizzima- News in Burmese, ပြည်သူ့ညီလာခံ ဖွင့်ပွဲအခမ်းအနား [Opening Ceremony of People’s Assembly] , 27

January 2022, Facebook

([https://www.facebook.com/watch/live/?ref=watch\\_permalink&v=284447260338400](https://www.facebook.com/watch/live/?ref=watch_permalink&v=284447260338400), accessed 27 January 2022).

<sup>22</sup> Federal Democracy Charter 2021, Part-2, Chapter 6.

<sup>23</sup> This emphasis on collective leadership stems from the principle highlighted in the Federal Democracy Charter 2021. While the NUCC is one of the mechanisms for realising this principle of collective leadership, there continue to be many practical challenges, not least the need to bridge the gap between the NUCC’s “grand mandate” and the fragmentation of representation. See Aye Chan and Billy Ford, “A New Myanmar Forum Aims to Unite Democratic Forces”, United States Institute of Peace, 3 November 2021 (<https://www.usip.org/publications/2021/11/new-myanmar-forum-aims-unite-democratic-forces>, downloaded 27 December 2021).

<sup>24</sup> Nyan Hlaing Lin, “NUCC outlines goals as it seeks to widen membership”, Myanmar Now, 21 November 2021 (<https://www.myanmar-now.org/en/news/nucc-outlines-goals-as-it-seeks-to-widen-membership>, downloaded 20 December 2021).

See also Myanmar Peace Monitor, NUCC consists of eight EAOs including the KNPP”

(<https://www.mmpeacemonitor.org/308971/nucc-consists-of-eight-eaos-including-the-knpp/>, downloaded 20 December 2021).

<sup>25</sup> In 1962, Commander-in-Chief of the Myanmar Armed Forces General Ne Win deposed Premier U Nu in a military coup. Ne Win later included Nu in a 32-member Internal Unity Advisory Board appointed in 1969. A majority of the members in that body recommended in June 1969 that the country return to a multiparty political system, with greater autonomy for the ethnic states. Earlier in February 1969, Nu had submitted a separate report to Ne Win, proposing that Ne Win hand power back to him. After leaving the country for India in April 1969, Nu then travelled to the United Kingdom, and announced at a press conference in London in August 1969 his plans to overthrow Ne Win’s regime in a year. Over 1969-73, Nu attempted – and failed – to mount an armed resistance movement to overthrow Ne Win from the Thai-Burma border, allegedly with financial support from the US’ Central Intelligence Agency. Nu’s last assertion as Burma’s ‘legitimate prime minister’ was in 1988. After returning to Burma in 1980 following an amnesty offer by Ne Win, Nu formed a parallel government to the Burma Socialist Programme Party government at the height of the pro-democracy uprising in 1988. The formation of this parallel government took place on 9 September 1988, just nine days before the military coup. Under the military rule of the SLORC/SPDC, another parallel government attempt emerged in 1990, after the SLORC had annulled the results of the 1990 elections in which the NLD had won a landslide victory. Headed by Dr Sein Win, Aung San Suu Kyi’s cousin, who had contested and won a seat

in the 1990 elections, the National Coalition Government of the Union of Burma (NCGUB) kept the democracy movement alive overseas, calling for the release of Daw Aung San Suu Kyi, and keeping up international pressure on the SLORC/SPDC junta.

See Robert Taylor, *General Ne Win: A Political Biography*, Institute of Southeast Asian Studies, Singapore, 2015 and Megan Clymer, “Min Ko Naing, “Conqueror Of Kings”

Burma’s Student Leader”, *Journal of Burma Studies*, Vol. 8, 2003, Center for Southeast Asian Studies, Northern Illinois University. pp. 46, 52

See also The Irrawaddy, “Previous Military Regimes and Parallel Governments in Myanmar”, 22 April 2021 (<https://www.irrawaddy.com/news/burma/previous-military-regimes-parallel-governments-myanmar.html>), downloaded 6 December 2021).

<sup>26</sup> Grant Peck, “SAC-M: NUG’s Call for People’s Defensive War Unfortunate but Understandable”, Special Advisory Council – Myanmar, 9 September 2021

(<https://specialadvisorycouncil.org/2021/09/sac-m-nugs-call-for-peoples-defensive-war-unfortunate-but-understandable/>), downloaded 4 January 2022).

<sup>27</sup> National Unity Government Myanmar, Twitter Post, 17 May 2021, 11:05 PM.

(<https://twitter.com/nugmyanmar/status/1394308198941659138?lang=en>), accessed 20 December 2021).

See also Sebastian Strangio, “Foreign Governments, Experts Urge Peace After Myanmar Opposition Announces Mass Uprising”, 9 September 2021

(<https://thediplomat.com/2021/09/foreign-governments-experts-urge-peace-after-myanmar-opposition-announces-mass-uprising/>), downloaded 27 December 2021).

<sup>28</sup> Republic of the Union of Myanmar National Unity Government, Union Vision and Values (<https://gov.nugmyanmar.org/>), accessed 20 December 2021).

<sup>29</sup> Ibid.

<sup>30</sup> Republic of the Union of Myanmar, Ministry of Foreign Affairs, Foreign Policy, 30 May 2021 (<https://mofa.nugmyanmar.org/foreign-policy/>), downloaded 20 December 2021).

<sup>31</sup> Republic of the Union of Myanmar National Unity Government, Press Statement 1/2021, 3 May 2021 (<https://gov.nugmyanmar.org/2021/05/30/press-statement-1-2021/>), downloaded 20 December 2021).

<sup>32</sup> Republic of the Union of Myanmar National Unity Government, Policy Position on the Rohingya in Rakhine State, 3 June 2021 (<https://gov.nugmyanmar.org/2021/06/03/policy-position-on-the-rohingya-in-rakhine-state/>), downloaded 20 December 2021).

<sup>33</sup> National Unity Government Myanmar, Twitter Post, 20 August 2021, 11:22 PM.

(<https://twitter.com/nugmyanmar/status/1428739347717648389?lang=en>), accessed 20 December 2021).

<sup>34</sup> The NUG’s Rohingya policy signals the clearest departure from the NLD’s foreign policy, and sets a high bar for any future government, elected or otherwise, with regard to the treatment and inclusion of the long-neglected and much-persecuted Rohingya community. Prior to announcing this policy, several NUG cabinet members, starting with NUG minister for humanitarian affairs and disaster management Dr Win Myat Aye and including the NUG minister for women, youth and children’s affairs Naw Susanna Hla Hla Soe had on separate occasions expressed regret over past treatment of the Rohingya at the hands of the military. NUG Deputy Minister for women, youth and children’s affairs Ei Thinzar Maung had spoken up for the Rohingya earlier in 2020 in condemned genocide.

See PVTV Myanmar, “Minister of MOHADM, Dr Win Myat Aye’s Speech (April 28/2021)”, YouTube video, 7:51. 28 April 2021. <https://www.youtube.com/watch?v=Q-bFyxC7YgA>

Poppy McPherson, Twitter Post, 22 April 2021, 5:53 PM.

(<https://twitter.com/poppymcp/status/1385169986549809155>), accessed 5 January 2021).

See also Emily Fishbein, “‘Genocide is un-Burmese’: Breaking taboos, activists speak up for Rohingya”, *The Christian Science Monitor*, 24 March 2020



(<https://www.csmonitor.com/World/Asia-Pacific/2020/0324/Genocide-is-un-Burmese-Breaking-taboos-activists-speak-up-for-Rohingya>, downloaded 5 January 2022).

<sup>35</sup> DVB English, Twitter Post, 20 January 2022, 11:33 PM

([https://twitter.com/DVB\\_English/status/1484187338117124099](https://twitter.com/DVB_English/status/1484187338117124099), accessed 21 January 2022).

<sup>36</sup> Republic of the Union of Myanmar National Unity Government, Ministry of Health, Covid-19 Task Force Statement, 22 July 2021 (<https://moh.nugmyanmar.org/covid-19-task-force-statement/>, downloaded 20 December 2021).

<sup>37</sup> The three guiding principles for investments and business operations are to promote human rights, to eliminate business interactions that sustain the military junta, and to promote employees' welfare and safety. See Republic of the Union of Myanmar National Unity Government, Ministry of Planning, Finance and Investment, Announcement 6/2021 "Three-Pillar Framework Guiding Responsible Investment and Continued Operations", 21 July 2021

(<https://mopfi.nugmyanmar.org/announcement-6-2021/>, downloaded 20 December 2021).

<sup>38</sup> Republic of the Union of Myanmar National Unity Government, Ministry of Planning, Finance and Investment, Announcement 10/2021, "Publication of a list of Illegal Investments and a Special Directive demanding their immediate and unconditional suspension", 30 August 2021 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/2021-08-30-MOPFI-Announcement-No.10-tu-en.pdf>, downloaded 20 December 2021).

<sup>39</sup> John Liu and Rory Wallace, "Myanmar's parallel government grapples with foreign investment dilemma", Nikkei Asia, 26 May 2021 (<https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-s-parallel-government-grapples-with-foreign-investment-dilemma>, downloaded 20 December 2021).

<sup>40</sup> National Unity Government, Ministry of Planning, Finance and Investment, "Boycott List" (<https://mopfi.nugmyanmar.org/boycott-list/>, downloaded 20 December 2021).

<sup>41</sup> The Irrawaddy, "Myanmar's Shadow Govt Calls on Firms to Shun Junta", 1 September 2021 (<https://www.irrawaddy.com/news/burma/myanmars-shadow-govt-calls-on-firms-to-shun-junta.html>, downloaded 20 December 2021).

<sup>42</sup> Three NUG ministries issued official statements in response to the Total and Chevron withdrawal announcements: The Ministry for International Cooperation/Office of the NUG Spokesperson, the Ministry for Planning, Finance and Investment, and the Ministry for Electricity and Energy. Of these three, NUG Spokesperson Dr Sa Sa chose to put his name to the ministry's statement. The statements by Dr Sa Sa and by the Ministry of Planning, Finance and Investment were posted on the NUG's Facebook page, on 22 and 23 January 2022. The Ministry of Electricity and Energy statement was posted on the NUG's Twitter page.

See Ministry of Planning, Finance and Investment – NUG, "Statement in Support of TotalEnergies and Chevron Corp Divestment from Myanmar (1/2022), 23 January 2022.

(<https://www.facebook.com/photo?fbid=237312825238615&set=pcb.237312981905266>, downloaded 24 January 2022), Ministry of International Cooperation (MOIC)-Office of the Union Minister NUG Spokesperson, "Statement Regarding the Withdrawal of Total Energies and Chevron", 21 January 2022

(<https://www.facebook.com/photo?fbid=236843661952198&set=a.228804786089419>, downloaded 24 January 2022) and National Unity Government Myanmar, Twitter Post, 23 January 2022, 8:51 PM (<https://twitter.com/NUGMyanmar/status/1485233827639398407/photo/1>, downloaded 24 January 2022)

<sup>43</sup> Republic of the Union of Myanmar National Unity Government, Press Release (13/2021), 22 August 2021 (<https://gov.nugmyanmar.org/2021/08/22/press-release-13-2021/>, downloaded 20 December 2021).

<sup>44</sup> The Irrawaddy, "Myanmar Civilian Govt's Bond Sale Raises Over \$6 Million in Under 12 Hours", 23 November 2021 (<https://www.irrawaddy.com/news/burma/myanmar-civilian-govts-bond-sale-raises-over-6-million-in-under-12-hours.html>, downloaded 20 December 2021).

<sup>45</sup> Ira Purnik, “Myanmar’s NUG announces adoption of USDT as official currency”, Money Control, 13 December 2021

(<https://www.moneycontrol.com/news/business/cryptocurrency/myanmars-nug-announces-adoption-of-usdt-as-official-currency-7821601.html>, downloaded 2 January 2022).

See also Ministry of Planning, Finance and Investment – NUG, “အမိန့်ကြော်ငြာစာအမှတ်

(၄/၂၀၂၁)” [Order No. 4.2021], 11 December 2021

(<https://www.facebook.com/MoPFINUG/photos/a.114937487404692/251267307105042/>, downloaded 2 January 2022).

The NUG’s adoption of Tether supersedes an earlier initiative by a Myanmar exile group. Their “Myanmar Dollar Project” (MYD) proposed to use Nano as a “free, instant, and eco-friendly third-generation cryptocurrency to support democracy in Myanmar”, offering 25% of the MYD’s 110 billion coins to the NUG. The NUG does not seem to have taken up the MYD’s offer. See KrAsia, “As Myanmar’s economy crumbles, some see crypto as the nation’s path to financial freedom”, 8 September 2021 (<https://kr-asia.com/as-the-economy-crumbles-a-group-of-burmese-imagine-a-future-of-financial-freedom-with-crypto>, downloaded 10 January 2022).

Analysts from Inya Economics are sceptical that cryptocurrency as legal tender will see any widespread take-up by the populace, citing as obstacles the unfamiliarity by a large majority of people in Myanmar with cryptocurrency, as well as the country’s poor legal and digital infrastructure, among others.

See Pan Myat Thu, Su Nandar Aung and Ye Zaw Khant, “Cryptocurrency and Its Future in Myanmar”, Inya Economics, 3 August 2021 ( <https://www.inyaeconomics.com/wp-content/uploads/2021/08/Cryptocurrency-Its-Future-in-Myanmar-English-Version-.pdf>, downloaded 10 January 2022).

<sup>46</sup> Nyan Hlaing Lin, “Myanmar’s shadow government launches plan to tax business owners”, Myanmar Now, 6 November 2021 (<https://www.myanmar-now.org/en/news/myanmars-shadow-government-launches-plan-to-tax-business-owners>, downloaded 20 December 2021).

<sup>47</sup> The Irrawaddy, “Myanmar’s Shadow Government Forms People’s Defense Force “, 5 May 2021 (<https://www.irrawaddy.com/news/burma/myanmars-shadow-government-forms-peoples-defense-force.html>, downloaded 20 December 2021).

<sup>48</sup> Republic of the Union of Myanmar National Unity Government, Press Release (14/2021) 13 September 2021 (<https://gov.nugmyanmar.org/2021/09/13/press-release-14-2021/>, downloaded 20 December 2021).

<sup>49</sup> The Irrawaddy, “Myanmar Civilian Government Forms Military Command Structure”, 29 October 2021 (<https://www.irrawaddy.com/news/burma/myanmar-civilian-government-forms-military-command-structure.html>, downloaded 20 December 2021).

<sup>50</sup> CRPH Myanmar, Twitter Post, 15 March 2021, 3:25 PM.

(<https://twitter.com/crphmyanmar/status/1371361961452085250?lang=en>, downloaded 27 December 2021)

<sup>51</sup> Reporter in Yangon and Rebecca Ratcliffe, “Rise of armed civilian groups in Myanmar fuels fears of full-scale civil war”.

<sup>52</sup> Myanmar Now, “NUG establishes ‘chain of command’ in fight against regime “, 28 October 2021 (<https://www.myanmar-now.org/en/news/nug-establishes-chain-of-command-in-fight-against-regime>, downloaded 5 January 2022).

<sup>53</sup> National Unity Government of the Republic of the Union of Myanmar, “Kickstarting Radio NUG”, 18 August 2021 (<https://mocit.nugmyanmar.org/2021/08/18/news-and-event-02-2021/>, downloaded 2 January 2022)

<sup>54</sup> Myanmar Mix, “Radio broadcast gives voice to Myanmar revolution”, 20 August 2021 (<https://www.myanmarmix.com/en/articles/radio-broadcast-gives-voice-to-myanmar-revolution>, downloaded 2 January 2022).

<sup>55</sup> Radio Free Asia, “Facebook Campaign For Myanmar Shadow Government at UN Garner Millions of Supporters”, 20 August 2021 (<https://www.rfa.org/english/news/myanmar/campaign-08202021202155.html>, downloaded 2 January 2022).

<sup>56</sup> KrAsia, “From telehealth to ‘Zoom diplomacy,’ Myanmar’s government in exile embarks on a wave of unprecedented digital changes”, 17 August 2021 ( <https://kr-asia.com/from-telehealth-to-zoom-diplomacy-myanmars-government-in-exile-embarks-on-a-wave-of-unprecedented-digital-changes> , downloaded 24 January 2022).

<sup>57</sup> National Unity Government of the Union of Myanmar, Ministry of Education, “၂၀၂၁ မေလမှ အောက်တိုဘာလအတွင်း ဆောင်ရွက်ခဲ့သည့် လုပ်ငန်းစဉ်များကို ပြည်သူ့သို့ အစီရင်ခံ တင်ပြခြင်း”, [Reporting to the Public on Activities Implemented from May to September 2021] , 8 January 2022

<https://moe.nugmyanmar.org/en/%e1%80%80%e1%80%bc%e1%80%b1%e1%80%8a%e1%80%ac%e1%80%81%e1%80%bb%e1%80%80%e1%80%ba%e1%80%99%e1%80%bb%e1%80%ac%e1%80%b8/message-from-may-to-october/> , downloaded 24 January 2022).

<sup>58</sup> Mizzima News, “NUG announces temporary formation of All Myanmar Judicial Employees Association”, 11 November 2021 (<https://mizzima.com/article/nug-announces-temporary-formation-all-myanmar-judicial-employees-association>, downloaded 30 December 2021).

<sup>59</sup> On 22 August 2021, the SAC accused her publicly in the state-run newspaper Global New Light of Myanmar, of masterminding PDF attacks in Shan and Kayah States. See Global New Light of Myanmar, edition of 22 August 2021, pg. 7 (<https://cdn.myanmarseo.com/file/client-cdn/2021/08/22-8-20211.pdf>, downloaded 30 December 2021).

As deputy minister for defence, Khin Ma Ma Myo affirmed the establishment of a “defense acquisition department” in the NUG’s ministry of defense See Radio Free Asia, “Myanmar Shadow Government Forms Militia to Oppose Military Junta”, 5 May 2021

(<https://www.rfa.org/english/news/myanmar/pdf-05052021221913.html>, 2 January 2022).

Khin Ma Ma Myo took up the commerce portfolio on 25 August 2021.

An academic with a PhD in international relations, and two masters’ degrees from Yangon University and the International University of Japan, Khin Ma Ma Myo set up a think-tank in 2015. Khin Ma Ma Myo’s bio-data is not available on the NUG website. Information on her education qualifications and academic pursuits are listed in various online resources.

See University of Yangon, Dr Khin Ma Ma Myo. (<https://www.uy.edu.mm/department/dr-khin-ma-ma-myo/>, downloaded 27 December 2021).

Phyo Thiha Cho, “‘Politicians should design a clear roadmap for change and restore public trust’ - Khin Ma Ma Myo”, Myanmar Now, 15 October 2015 (<https://www.myanmar-now.org/en/news/politicians-should-design-a-clear-roadmap-for-change-and-restore-public-trust-khin-ma-ma-myo>, downloaded 27 December 2021).

Khin Ma Ma Myo (2021) LinkedIn profile. <https://www.linkedin.com/in/khin-ma-ma-myo-a712a812/?originalSubdomain=mm>

The Asia Foundation, “Directory of Policy Institutes in Myanmar, September 2016 Version”, September 2016

([https://themimu.info/sites/themimu.info/files/documents/Directory\\_Policy\\_Institutes\\_TAF\\_Sep2016.pdf](https://themimu.info/sites/themimu.info/files/documents/Directory_Policy_Institutes_TAF_Sep2016.pdf), downloaded 27 December 2021).

<sup>60</sup> Burma News International, “NUG Calls For Boycott Of Military Companies In Burma”, 12 November 2021 (<https://www.bnionline.net/en/news/nug-calls-boycott-military-companies-burma>, downloaded 5 January 2022)

See also Ministry of Commerce , National Unity Government of Myanmar,

“အကြမ်းဖက်စီးပွားရေးလုပ်ငန်းများဆိုင်ရာ ထုတ်ပြန်ကြေညာချက် (၂/၂၀၂၁)” [Announcement regarding Terrorist Businesses (2/2021)], 10 November 2021

(<https://www.facebook.com/mocNUGMyan/photos/a.234124328593475/274603424545565/>, downloaded 5 January 2022).

<sup>61</sup> This section expands on arguments and updates in three earlier analyses published by ISEAS-Yusof Ishak Institute's Fulcrum blog.

See Moe Thuzar and Romain Caillaud, "Myanmar and the United Nations: Fighting for a Seat at the Table", ISEAS-Yusof Ishak Institute, 16 September 2021" (<https://fulcrum.sg/myanmar-and-the-united-nations-fighting-for-a-seat-at-the-table/>, downloaded 2 January 2022).

Moe Thuzar, "ASEAN Snubs the State Administration Council (For Now)", ISEAS-Yusof Ishak Institute, 19 October 2021 (<https://fulcrum.sg/asean-snubs-the-state-administration-council-for-now/>, downloaded 2 January 2022).

Moe Thuzar, "Myanmar: Recognition is the Name of the Game", ISEAS-Yusof Ishak Institute, 6 December 2021 (<https://fulcrum.sg/myanmar-recognition-is-the-name-of-the-game/>, downloaded 2 January 2022)

<sup>62</sup> Ministry of Foreign Affairs, Brunei Darussalam, "Statement of the Chair of the ASEAN Foreign Ministers Meeting", 16 October 2021

(<http://www.mfa.gov.bn/Lists/Press%20Room/news.aspx?id=947> , downloaded 5 December 2021).

<sup>63</sup> Republic of Union of Myanmar National Unity Government, Ministry of Foreign Affairs, Notification No. 8/2021, "Appointment of Ambassador to ASEAN", 24 October 2021.

(<https://mofua.nugmyanmar.org/article-details/appointment-of-nug-ambassador-to-asean> , downloaded 5 December 2021).

<sup>64</sup> Statement by H.E. Mahn Winn Khaing Thann, Prime Minister, National Unity Government of Myanmar on the ASEAN Leaders' Meeting held in Jakarta, Indonesia on 24 April 2021

([https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/2021-04-27-Statement-by-H.E.-Mahn-Win-Khaing-Thann\\_Prime\\_Minister\\_NUG\\_on-the-ASEAN-Leaders-top-en-red.pdf](https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/2021-04-27-Statement-by-H.E.-Mahn-Win-Khaing-Thann_Prime_Minister_NUG_on-the-ASEAN-Leaders-top-en-red.pdf), downloaded 5 January 2022).

Further, the NUG's foreign ministry issued in January 2022 a special issue of its newsletter, focusing on assessing the SAC's implementation of the ASEAN Five-Point Consensus. See National Ministry of Foreign Affairs, National Unity Government of Myanmar, "Special Issue on Five-Point Consensus" Myanmar Updates, Vol. 2, No. 1, January 2022 (

<https://mofa.nugmyanmar.org/2022/01/04/ministry-of-foreign-affairs-newsletter-volume-2-no-1/> , downloaded 5 January 2022).

<sup>65</sup> On 26 February, a military invalidated the results of the November 2020 election while Kyaw Moe Tun urged UN member states to use "any means necessary" to stop the coup. The SAC junta fired Kyaw Moe Tun the following day.

<sup>66</sup> Nikkei Asia, "Myanmar shadow government sets up office in South Korea", 18 September 2021 (<https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-shadow-government-sets-up-office-in-South-Korea>, downloaded 5 January 2022).

<sup>67</sup> The NUG's external engagements are listed extensively on the NUG Ministry of Foreign Affairs website: <https://mofa.nugmyanmar.org/>.

<sup>68</sup> The Irrawaddy, "European Parliament Throws Support Behind Myanmar's Shadow Government", 8 October 2021 (<https://www.irrawaddy.com/news/european-parliament-throws-support-behind-myanmars-shadow-government.html>, downloaded 2 December 2021).

<sup>69</sup> Senate regular session of 2021-2022, Résolution portant sur la nécessité de reconnaître le Gouvernement d'unité nationale de Birmanie [Resolution on the need to recognise the National Unity Government of Burma], 5 October 2021 ([http://www.senat.fr/leg/tas21-002.html?msdynttrid=98vRsq7rRg-q\\_tMPy7aMZwHyMEzuV\\_iIvUwLQntNMQ0](http://www.senat.fr/leg/tas21-002.html?msdynttrid=98vRsq7rRg-q_tMPy7aMZwHyMEzuV_iIvUwLQntNMQ0), downloaded 3 December 2021).

<sup>70</sup> Republic of Union of Myanmar National Unity Government, Ministry of Foreign Affairs "H.E. Mr. Martin Tlapa, Deputy Foreign Minister of the Czech Republic, sent a letter of recognition to U Lin Thant as a Liaison Officer of the NUG to the Czech Republic", 234 May 2021



(<https://mofa.nugmyanmar.org/2021/05/24/h-e-mr-martin-tlapa-deputy-foreign-minister-of-the-czech-republic-sent-a-letter-of-recognition-and-congratulation-to-u-lin-thant-as-a-liaison-officer-of-myanmar-to-the-czech-republic-from-the-nation/> , downloaded 2 December 2021).

<sup>71</sup> There are mixed views among analysts on the NUG’s ability to function as a government. The NUG’s People’s Defensive War shifted the tone of the anti-junta movement, seemingly to distract attention from the pursuit of federal objectives. Additionally, a personal communication from a Myanmar think-tank researcher on 13 January 2022 shared with the authors that the NUG’s decision-making processes were facing criticism within its ranks.

In November 2021, three individuals involved in facilitating the nationwide ceasefire negotiations under the Union Solidarity and Development Party (USDP) administration claimed to be on a “hit-list” issued by the NUG and its PDF armed wing. This hit-list claim was shared with several international diplomats in Myanmar. NUG spokesperson Dr Sa Sa refuted these claims on his Facebook page on 10 November 2021, as “vicious rumours”. The same day, NUG Foreign Minister Zin Mar Aung also refuted the claims in an interview with Voice of America (VOA) Burmese.

See Dr Sa Sa. 2021. “H.E. Dr Sasa’s Appeal to the Political and Diplomatic Communities to End Vicious Rumours Regarding the NUG”, 10 November 2021.

(<https://www.facebook.com/DrSasa2222/posts/he-dr-sasas-appeal-to-the-political-and-diplomatic-communities-to-end-vicious-ru/429622938628569> )

See also Kyaw Kyaw Thein, “လူပုဂံစာရဒုံးဆိုတာမီး NUG မှာ ရဲညွှန်ကုန်ရာ မူဝါဒပါမရှိ - - ဝေဒုဇ္ဇာအော့” [The NUG has no objective or policy of a hit-list – Daw Zin Mar Aung], VOA

Burmese, 10 November 2021 (<https://burmese.voanews.com/a/inteview-with-daw-zin-mar-aung/6307455.html> , downloaded 16 January 2022).

The hit list news was discussed in situation updates on Myanmar as well as other media reports on Myanmar. See The Irrawaddy, “Myanmar Military-Linked Trio Claim to Be on Shadow Govt’s ‘Hit List’”, 15 November 2021 (<https://www.irrawaddy.com/news/burma/myanmar-military-linked-trio-claim-to-be-on-shadow-govts-hit-list.html> , downloaded 16 January 2022) and Asian Network for Free Elections, “Myanmar Situation Update 15- 21 November 2021”

(<https://anfrel.org/wp-content/uploads/2021/11/Myanmar-Situation-Update-15-21-November-2021.pdf> , downloaded 16 January 2022).

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