

## The Halockani Incident and the Redefinition of a Boundary Issue between Burma and Thailand

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### The Incident

On 21 July 1994, Burmese troops were reported to have raided and razed a Mon refugee camp, Halockani, situated near the Three Pagodas Pass area lying between Tennasserim Division in Burma (Myanmar) and Kanchanaburi Province in Thailand. The Three Pagodas Pass area was under the effective control of the separatist New Mon State Party until the Burmese armed forces or *Tatmadaw* overran their positions in early 1990. The present action by the *Tatmadaw* is indicative of Burmese attempts to consolidate their hold over the area. The raid resulted in approximately 6,000 Mon refugees moving into Thailand where they were allowed to stay in a temporary camp.

Reports of actions by the *Tatmadaw* and engagements between the *Tatmadaw* and insurgent forces such as the Karen National Liberation Army leading to the influx of refugees or displaced civilians into Thailand are not uncommon. There are, for example, an estimated 60,000 Karen refugees located in various camps in the provinces of Mae Saraiang and Tak further north, all of whom have been driven into Thailand for similar reasons. Most, if not all, of these refugees subsist, often barely, through the help of Thai and foreign non-governmental aid agencies. It may be noted that Thailand now has a policy of not allowing the establishment of new refugee camps.

Subsequent reports, however, pointed to further developments disturbing enough to draw the attention and protests of relief agencies and Amnesty International. The Thai military's 9th Army Division, responsible for Thailand's western borders, was said to have cordoned off the Halockani refugees on 10 August 1994, thus cutting the refugees off from relief agencies. In late August, it was further reported that the 9th Army Division had seized a warehouse containing rice thus preventing it from being distributed among the refugees. Significantly, when Poldej Worachatr, Acting Director of the Thai Ministry of Foreign Affairs Press Division was queried about this, he responded by saying that the Thai military authorities at the border must have had good reasons

for the action but he was unable to say what they might be. By 10 September 1994, however, various reports indicated that most of the Mon refugees had returned to Halockani and on 14 September a route across the border had been opened in order that food supplies could be transported to Halockani.

### Background

The Halockani incident cannot be viewed as an isolated event. It needs to be understood in terms of the history of boundary delimitation and demarcation between Burma and Thailand (or more precisely Siam) and in terms of contemporary, regional political developments, i.e. in ASEAN and bilateral economic developments between Burma and Thailand.

Where Thailand and Burma are concerned, the Three Pagodas Pass area represents an as yet unresolved boundary issue. Although the first principles of these issues were established through negotiations by Henry Burney, acting on behalf of the East India Company in 1826 (Lamb 1968: 161-163) and the demarcation of boundaries were settled by subsequent Anglo-Siamese border commissions, ambiguities still exist where the Three Pagodas Pass area is concerned (Smith 1991: 396).

In the case of Thailand's borders, it is undoubtedly the Thai military which manages issues *in situ*, sometimes with and sometimes without reference to or coordination with the Thai Ministry of Foreign Affairs (Rajah 1992: 12) regardless of the government of the day. The latter case is, in the present instance, attested to by the statement by Acting Director Poldej Worachatr regarding the freezing of rice supplies for the Halockani refugees whilst in Thailand and, as I have pointed out elsewhere (1990: 117), the Thai military authorities have had no difficulties in establishing an accommodation with the Karen National Liberation Army (KNLA) in areas where the borders between Burma and Thailand have not been problematic.

In the light of the Halockani incident, I would now extend my argument and assert rather more firmly -

what was earlier (1990; 1992) essentially a suggestion - that the *doctrinal* position of the Thai military, at least where Thailand's western borders are concerned, has been largely conditioned by a general confidence in the uncontested nature of these borders and a historical distrust of Burma. This position, accordingly, was one which - until most recently - sought to sustain (without necessarily developing) a buffer between itself and the *Tatmadaw* in the form of more accommodating, armed separatist groups such as the Mon and Karen.

By 'accommodating', I mean a willingness to offer assurance, and some capability of ensuring, that the activities of these groups would not compromise the sovereignty of Thailand (Rajah 1990: 117) and that in any confrontation between them and the *Tatmadaw*, no action would be taken to draw the Thai military directly into the conflict.

The concept of armed ethnic separatists (with specific reference to the Mons) in Burma as a buffer has, in fact, been enunciated by no less than General Chetta Tanajaro (then Commander of the First Army Region) in 1992 who said that the existence of ethnic rebels on the border with Burma was of benefit to Thailand. Citing the Three Pagodas Pass as an example, General Chetta said that demarcation problems at the Thai-Burmese border could have escalated into major bilateral conflicts had it not been for the minority groups acting as buffers and that if the minority problem were settled, the situation could turn dangerous (*The Nation*, 23 October 1992; see also Rajah 1992: 12). It is precisely in the light of this observation by General Chetta that the Halockani incident assumes importance; the handling of the incident suggests that a contentious or potentially contentious boundary issue has been redefined by Thailand and Burma.

The redefinition is a consequence of Thailand's developmental imperatives, specifically, energy requirements and Burma's desperate need for foreign exchange. On 9 September 1994, after a year of negotiations, a memorandum of understanding was signed by Thailand and Burma enabling Thailand to buy natural gas from Burma. The concessionaries in the agreement are Unocal Corporation of the United States and Total SA of France. Unocal, Total and the Myanmar Oil and Gas Enterprise are developing gas fields in the Gulf of Martaban and the Petroleum Authority of Thailand has agreed to buy US\$400 million worth of gas a year, beginning in 1998, for thirty years.

The gas will be brought from the Yadana field in the Gulf to Thailand by a 400 kilometre long pipeline which will pass through the Thai-Burmese border near the Three Pagodas Pass area. The construction of the pipeline will be undertaken by Unocal and Total in Burma and by the Petroleum Authority of Thailand in Thailand itself. The Mon and Karen separatists have indicated that the pipeline could be attacked (see Asia-Pacific News Section for such statements).

It is probably no coincidence that the Mon National Liberation Army and the military regime in Burma, the State Law and Order Restoration Committee (SLORC) began negotiating a ceasefire eight months ago. The SLORC strategy is not new. With the collapse of the Communist Party of Burma in 1989 SLORC has actively pursued this strategy with some success, the Mon and Karen being the only groups unwilling to arrive at a compromise with the regime.

The ceasefire agreements essentially recognise what I have elsewhere (1990) called Burmese "*contingent sovereignty*" and the "*effective control*" exercised by insurgent or separatist groups along Burma's borders. The negotiations between SLORC and the Mon have not been successful. After three meetings, the Mon have refused to accept the terms offered by SLORC as this seriously reduces the areas over which they can exercise effective control. It is likely, however, that these areas have already been reduced with the *Tatmadaw's* seizure of Three Pagodas Pass and this would also explain the confidence with which SLORC has entered into the agreement with Thailand over the sale of natural gas.

These recent developments serve to explain the unfortunate circumstances of the Halockani incident. The raid on the camp must be seen as an attempt on the part of SLORC and the *Tatmadaw* to demonstrate their control in the area through which the pipeline from Yadana will run.

### **Constructive Engagement and Bilateral Economic Relations**

There is a larger context to these arrangements which serves to illustrate a more general point about borders and security issues. The natural gas agreement between Burma and Thailand is a part of increasing bilateral economic relations between the two countries. This has been possible because of ASEAN's policy of "*constructive engagement*" with

Burma which accommodates these relations. As Grundy-Warr has pointed out:

*"One of the major motives underlying the diplomatic constructive engagements in economic security. At the heart of the new political bridges being constructed between ASEAN and formerly hostile regional neighbours is the desire to create new trading and business opportunities now that threats to military security are much reduced after the Cold War. This obviously has implications for cross-border ties and the possible settlement, or at least peaceful handling, of current formal boundary disagreements."* (1994: 46)

It is these considerations which have led to the implicit redefinition of the Three Pagodas Pass area as a border issue. The redefinition consists essentially of an acceptance of the *status quo*, i.e. Burmese possession. This does not, of course rule out the possibility of future negotiations over the border. My general point, however, is that the current, implicit understanding between Burma and Thailand over this boundary issue cannot be separated from larger regional developments.

## References

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