

Is Myanmar's National Unity Government Ready to Govern?

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The opposition movement enjoys popular legitimacy and has a viable plan for Myanmar's future. The world is running out of excuses for not recognizing it.

Photo: Duwa Lashi La, the acting president of Myanmar's opposition National Unity Government, inspects a People's Defense Force emplacement at a frontline camp in an undisclosed location in Myanmar, May 19, 2022.

Observers are slowly coming around to the realization that the once mighty Myanmar military, or *Sit-tat*, can be beaten by the forces opposing Myanmar's military coup of 2021. The junta's governance record is appalling, and it is losing control of ever larger parts of the country. The influential Economist newspaper [now advocates for the recognition](#) of Myanmar's National Unity Government (NUG): "Myanmar's shadow government deserves more help... International recognition – and the money it would bring – would be a good first step."

But can the NUG actually govern? I led a team that mapped the NUG's capacities and needs for International IDEA, an intergovernmental organization dedicated to strengthening democracy, which has been aiding Myanmar's democratic institutions following the coup. The views expressed here are mine, and not necessarily International IDEA's.

For our assessment, we reviewed a number of NUG strategic documents, engaged with most of its ministries, spoke to its ethnic nationality allies, and looked at life in communities. My verdict is: Yes, the NUG can govern, if it maintains its unity and coherence and receives more support from outside.

Let us take a step back. What must a government do to be worthy of recognition? If we still lived in the 19th century the answer would be: control your territory, have a population that's yours, and impose your will on them – by force, if necessary. Add to that the protection of basic human rights as per the United Nations Charter, and what we can call performance legitimacy: the provision of services like education, electricity, and basic healthcare. In the early 21st century, the international community established the *responsibility to protect*, the principle that a government needs to (be able to) protect its people from harm in order to be legitimate.

Now, not even the junta's apologists claim that they really do any of this. But neither can anyone else in Myanmar, according to some. So such apologists claim that like it or not, there is no viable alternative to the junta. I have looked into that claim and found it to be false.

The NUG now controls significant territory, commands the loyalty of the overwhelming majority of its people, and provides security and justice in the areas under its control.

The NUG is the executive government for Myanmar's democratic interim institutions, representing a nation-wide coalition of political and military actors. These institutions include the union parliament, or Pyidaungsu Hluttaw, which was elected in 2020, and the National Unity Consultative Council

(NUCC), a sort of coalition council that defines the NUG's overall objectives and strategy.

When we say that the NUG "controls territory" we mean that it effectively governs this territory, polices it, and has the cooperation of its residents, not that they can keep the military out when its personnel move in with overwhelming force. The NUG now has a local administration policy and uniform structures in place to govern a number of areas of Myanmar. This administration is a hybrid thing: NUG-loyal local administrations govern in the center and allied ethnic resistance organizations control their traditional territories in the border areas through their own often decades-old structures. Coordination between the center and the border areas is achieved through the NUCC. We have here the nucleus of the future federal structure of Myanmar.

In the center, there is reporting and accountability from the local administrations to the NUG's Ministry of Home Affairs. Resources are authorized by and sometimes provided by the center. The NUG is also building a police force that focuses on the prevention and investigation of major crimes. A community court system is being established under the direction of the NUG's Ministry of Justice. Local security and defense groups, separate from the NUG's military forces, do what they can [to protect communities from murderous junta raids](#).

The NUG provides services in areas its controls - and beyond.

The NUG and its ethnic nationality allies provide services, including in-person and distance education, in-person and mobile healthcare, electricity, and humanitarian assistance for displaced communities. Service delivery is planned and coordinated from the center, by the NUG's line ministries. For instance, the NUG's Ministry of Education has developed, together with the NUCC, a federal education policy. This policy guides schooling in NUG-administered and ethnic nationality organization-administered schools. Teachers in NUG schools are civil servants loyal to the NUG and administered by the Ministry. What limited resources the ministry can mobilize are used to pay living allowances for these teachers. The NUG-administered schools report regularly to the Ministry of Education. Coordination with ethnic resistance organizations is again achieved via the NUCC.

The NUG conducts effective central coordination, manages public resources, and conducts foreign policy.

This stuff is more technical but equally important. The NUG's cabinet, the members of which are situated both inside and outside Myanmar, hold cabinet meetings weekly and virtually. The NUG has a center of government around the offices of the prime minister and the president that design policy, assign funding to programs, and receive narrative and financial reports from the NUG ministries. The NUG analyzes this information and reviews and adapts policy in response. The NUG's Ministry of Planning, Finance, and Investment collects taxes - a voluntary business tax - and has issued sovereign bonds. Revenue collection and expenditure is decentralized, a necessity in a country whose financial system remains tightly controlled by the junta.

But all revenue and expenditure is planned in the NUG's budget and reported through monthly financial reports to the Ministry of Planning, Finance, and Investment. The ministry has established public financial management structures, including a treasury account overseas that it will be able to use as soon as recognition is forthcoming.

The NUG has its own foreign policy, a foreign ministry, and representative offices in about a dozen strategically important third countries. In a few friendly countries, notably in Europe, the NUG's foreign ministry manages consular affairs for Myanmar citizens. Until recognition is forthcoming, these offices will handle relations ad interim.

There is accountability around what is being done, spent, and delivered.

In the current circumstances, accountability is not perfect, but the NUG is trying. Its auditor general has begun rudimentary financial audits. The legislature, the Pyidaungsu Hluttaw, which meets roughly quarterly, receives the NUG's activity reports and its committees have started looking into the performance of the ministries. The rudimentary local justice system is during the current transition period not independent but at least there is civilian justice.

Of course, challenges abound for the NUG. The quality of reporting is mixed. Service delivery is not harmonized across the country and there is of course too little of it. The NUG is cash-strapped. Its tax base is minuscule, and the NUG relies on financing from the diaspora. Ministers receive no salaries or stipends. The staff of NUG ministries are essentially volunteers – both the political appointees at the top and its hundreds of thousands loyal civil servants. Staff rely on the willing but impoverished communities to host and feed them. Each ministry raises money to try and sustain its civil servants. Pregnant women and young families are prioritized for stipends. Most go without support. Modest financial support that is predictable and stable would go a long way in addressing all this.

The NUG is advancing a difficult transition to federal democracy that has a chance to succeed.

The future of Myanmar is taking shape while the world dithers. The NUG and NUCC are developing a transitional federal constitution that will lay the path to turn Myanmar into a highly decentralized liberal democracy with a separation of powers and guarantees for fundamental rights and freedoms. At the end of the path will stand a new federal Constitution worked out by a Constituent Assembly.

The new federal government will do only what is needed – defense, monetary policy, and foreign relations – and leave most powers to the subnational level. This is a constitutional model many of Myanmar's already de facto independent statelets – Wa State and Kokang, and increasingly southwestern Rakhine State – could find space in.

Of course, this transition will not be entirely smooth. There is a tension between the NUG's role as the interim "federal government" with what should be its limited role in subnational governance, and its performance of overseeing local administration in central Myanmar. Ethnic nationality allies grumble at the "centralizing tendencies" of the NUG. The NUG rightly insists it now needs to govern in the most effective way. These tensions need to be resolved within the coalition, through the NUCC, and that process could be improved.

To summarize, the NUG is ready to govern, but is the world ready to accept it?

The NUG already acts as a government, fulfilling all the criteria the international community asks of a government: control of parts of Myanmar's territory, legitimacy, provision of services and security. Why is the world not acting? The war in Ukraine is one factor but I do not believe it is the main one. Rather it is the building confrontation between the United States and China. This need not be an obstacle. Myanmar's democratic National League for Democracy (NLD)-led government was a friend to China and no Western stooge. The NUG has re-affirmed the NLD's independent foreign policy. China maintains relations with the NLD but refuses to deal with the NUG. That could change if the U.S. and China were to come to some sort of agreement that it would be in everybody's interest to have a stable, unified Myanmar that is beholden to no one.

For those countries for whom recognition of the NUG is still a step too far, pragmatic financial and practical support is an option. Countries can set up joint development initiatives with the NUG or

affiliated organizations to fund service delivery, starting with one-off projects, if necessary. The NUG is willing and able to do it. It has the required management and control mechanisms to reduce fiduciary risks if development partners exhibit just a little flexibility. The NUG should be invited to all international intergovernmental meetings and consultations and should receive massive financial and capacity building support, including staff professional development. International mediators and envoys should proactively engage with the NUG and the NUCC, so as to avoid being seen as legitimizing the military junta.

With the NUG increasingly acting as the government of Myanmar, and the only actor with enough legitimacy and a viable plan that could prevent the balkanization of Myanmar, the world is fast running out of excuses for not recognizing it.

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P.S.

- The Diplomat. September 06, 2022:
<https://thediplomat.com/2022/09/is-myanmars-national-unity-government-ready-to-govern/>
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