

Myanmar: An Enduring Intelligence State, or a State Enduring Intelligence?

The shadow of the country's dominant intelligence apparatus looms large over all aspects of Burmese politics and, notably, this year's dramatic coup d'état

By Andrew Selth

Since independence in 1948, Myanmar's intelligence services have played a large role across multiple functions within government and society, ranging from human intelligence gathering to preserving national unity and sovereignty, to the extent that observers have called the intelligence apparatus "an invisible government." The February coup d'état this year only further demonstrated the forefront position of intelligence services in Burmese politics.

In this policy paper, Andrew Selth unpacks the intricate historical legacy of Myanmar's after independence, under the past decade's quasi-civilian government under Aung Sang Suu Kyi, and up until this year's military takeover and ongoing crackdown on civil disobedience. As the author outlines, the key characteristics of the intelligence services over the years, as well as the Burmese military's continued predominance in society, illuminate the interaction of Myanmar's intelligence apparatus and governance in this petri dish of democratization and civil-military reform in Southeast Asia—the consequences of which are still evolving.

Over the past 200 years, Myanmar (known before 1989 as Burma) has experienced almost every major system of government. After the kingdom was annexed by the British in the 19th century, it endured various forms of colonial rule and military administration before it regained its independence and became a parliamentary democracy in 1948. From 1958 to 1960, the country was run by an unelected “caretaker” government. The military dictatorship installed in 1962 morphed into an authoritarian one-party state in 1974. An abortive pro-democracy uprising in 1988 was followed by another military junta. In 2011, a “disciplined democracy” was allowed to emerge under mixed civilian-military rule. However, even this tailored system was overthrown by the armed forces on February 1, 2021, barely a decade after the generals had implemented their carefully crafted transition plan. For almost all of this period, but particularly between 1962 and 2011, Myanmar’s government was supported by a powerful national intelligence apparatus. Indeed, rather than being “the textbook example of a police state,” as it was once called, Myanmar could be described instead as a classic “intelligence state.”ⁱ

Historical Development

When Myanmar was under colonial rule, the British relied on intelligence provided by their civil and paramilitary police forces to anticipate and respond to challenges to political, economic, and social stability.ⁱⁱ As the country was conquered in three stages, a network of police stations was established, charged with wide reporting responsibilities. Soon after the fall of Mandalay in 1885, an Intelligence Branch was formed. In 1906, it was absorbed into the Criminal Investigation Department (CID) and later became the Special Intelligence Branch (usually known as Special Branch, or SB). Most British and Indian army units were withdrawn from Myanmar after the province was “pacified” in the 1890s.ⁱⁱⁱ The few that remained had the usual complement of military intelligence officers, but there were no real external threats, and responsibility for internal security remained with the police forces. A Burma Defence Bureau was created by the army in 1937, after the perceived failure of the police to warn of the 1930-32 Saya San rebellion, but it lacked resources and had barely begun operations before the outbreak of World War II.

During and immediately after the war, the Japanese, puppet Myanmar, and British administrations drew on intelligence reports to stay informed, but the civil organizations involved were always subordinate to the relevant military authorities. After 1948, the integration of police and military intelligence was important for coordinated operations against the numerous armed rebel groups and *dacoit* (bandit) gangs that dominated the countryside. The fledgling intelligence apparatus was “nearly useless,” however, and did not

play a significant part in U Nu's democratic government.^{iv} In 1951, the prime minister created a Bureau of Special Investigations (BSI) to counter corruption and other financial crimes. However, "an excess of zeal and suspicion and an insufficient regard for the privacy and motives of the individual, as well as disregard of due process of law, made the BSI more a menace than a help."^v The most significant development in this field occurred after the 1962 coup d'état, when General Ne Win increased the role, size, and capabilities of the Military Intelligence Service (MIS), later known as the Directorate of Defence Services Intelligence (DDSI), to counter civil protests and multiple insurgencies.

Between 1962 and the advent of a quasi-civilian government in 2011, Myanmar's military rulers relied heavily on the state's intelligence apparatus. The DDSI and, after 1994, the related Office of Strategic Studies (OSS), dominated the field, restricting the roles of the SB, CID, and BSI, and other organs like the Ministry of Foreign Affairs (MFA). The military element became even stronger when the DDSI and OSS combined in 2001 to form the Defence Services Intelligence Bureau, more widely known as the Office of the Chief of Military Intelligence (OCMI). Since 1964, the activities of all agencies had been coordinated by a National Intelligence Bureau (NIB). However, the NIB was abolished in 2004, when the then chief of intelligence, General Khin Nyunt, was arrested and OCMI comprehensively purged. A new Office of the Chief of Military Security Affairs (OCMSA) was created in 2005, and additional responsibilities were given to the Myanmar Police Force (MPF). However, the intelligence apparatus took time to recover from the shocks of 2004. This likely contributed to several intelligence failures, including the sudden emergence in 2016 of a militant Muslim group in Rakhine State.^{vi}

This multifaceted apparatus performed a wide range of functions. The military element collected and analyzed strategic and operational intelligence. It may have also operated "death squads" to eliminate insurgent leaders.^{vii} Assisted by the civilian agencies, it also rooted out dissidents in the public service and security forces, and conducted counterespionage operations against suspected foreign agents. Diplomatic missions were closely watched. The civil population was monitored through an extensive surveillance network. Agencies routinely intercepted radio traffic, listened to domestic and overseas telephone calls, recorded private conversations, and opened mail. From the mid-1990s, they kept a watchful eye on computer activity in Myanmar, monitored email and social media accounts, and engaged in information warfare. A few agencies exploited aerial photography and, after it became available, commercial satellite imagery. After the formation of the OSS, and until its collapse in 2004, the military intelligence organization extended its reach well beyond these traditional roles to embrace a wide range of official functions, to the extent that it was often described as "an invisible government."^{viii}

Throughout this period, the government maintained a string of spies and informers overseas, mainly in neighboring countries and notably in Thailand. Together with the diplomats and defense attachés based in Myanmar’s embassies, agents and regime sympathizers reported on the activities of ethnic insurgents, black marketeers, narcotics and human traffickers, refugees, and expatriates, including political activists and exile communities. International organizations with an interest in Myanmar were monitored, as were the activities of selected foreign academics and journalists. A blacklist was maintained, identifying thousands of “enemies of the state.” After some unexplained deaths, some activist groups claimed that the military government employed thugs and assassins to eliminate regime critics, including when they traveled abroad.^{ix} At different levels, and in different ways, liaison relationships were developed with intelligence agencies in South Asia, China, and the ASEAN states. There were also reported to be links with the security services of friendly countries, like Israel.

It was widely expected that the transfer of power to a quasi-civilian government in 2011, and more particularly the installation of Aung San Suu Kyi’s National League for Democracy (NLD) government in 2016, would trigger a dramatic change in the political climate in Myanmar and in the employment of the national intelligence apparatus. The atmosphere certainly changed, and there were fewer reports of arbitrary arrests and torture. However, as far as can be judged, intelligence continued to play an important part in the management of both civil and military affairs. It also remained an essential tool of the armed forces (Tatmadaw), which, thanks in large part to the 2008 constitution, remained the most powerful institution in the country. Even before the February 1, 2021 coup, which saw the state counsellor and a large number of officials and activists detained, Myanmar could still be described as an intelligence state.

Enduring Characteristics

Reliable information about security issues is always difficult to obtain, but it is possible to identify five features that have marked Myanmar’s intelligence culture since 1948.

First, the primary focus of the national intelligence effort has always been on domestic affairs. During the 1950s, the growth of the DDSI was encouraged by the presence in northern Myanmar of Nationalist Chinese (Kuomintang, or KMT) forces who escaped communist China in 1949. Rangoon’s concerns were heightened by the clandestine support given to these KMT remnants by the U.S. Central Intelligence Agency and Taiwan’s new government. Questions of sovereignty aside, the KMT presence had serious implications for the stability of northern Myanmar. It also complicated the efforts made to combat the insurgencies being waged against the central government by numerous ethnic, religious, and ideological groups. A few, like the Communist Party of Burma, received foreign support. The government also faced threats from

so-called economic insurgents, drug barons, political activists, and other dissidents. These issues dominated the government's security concerns, encouraging a siege mentality that has characterized Myanmar's intelligence community for over a half a century.

Prime Minister U Nu once described Myanmar as being “hemmed in like a tender gourd among the cactus,” a reference to its powerful and potentially hostile neighbors, notably China and India but also Thailand.^x During the Cold War, Myanmar was a cockpit for great power rivalry, played out for example through the KMT remnants.^{xi} After Ne Win's coup in 1962, Myanmar adopted policies of economic autarky and strict neutrality in international affairs. In 1979, it even withdrew from the Non-Aligned Movement, which was seen to be leaning toward the communist bloc. Successive military governments dedicated relatively few resources to foreign intelligence collection and analysis, but they were not ignored. Intelligence officers were posted abroad, usually to diplomatic missions, with instructions to report on expatriate Myanmar communities. Agents were sent to neighboring countries to monitor other threats.^{xii} However, the collection of strategic intelligence was a low priority. The task of following external developments was left to the MFA and, while it existed, the OSS. As far as is known, Myanmar has never had a separate foreign intelligence service.

Second, Myanmar's intelligence effort has been characterized by a total commitment to the preservation of the Union.^{xiii} Since the colonial period, governments and military leaders have been acutely aware of the dangers arising from internal fractures. As Martin Smith has noted, Myanmar is “one of the most ethnically diverse countries in Asia.”^{xiv} The official count is 135 national races, many of which have taken up arms against the central government at one time or another. Also, despite the dominance of Buddhism, there are volatile religious tensions. Add to that popular calls for a truly democratic government, demands for a higher standard of living, and the possibility of divisions in the security forces, and it is no wonder that successive governments have feared what they called “chaos.”^{xv} The country's intelligence agencies have been employed to defend the unitary ethnic-Burman (Bamar) dominated state, by whatever means available. In the name of the “three national causes” of stability, unity, and sovereignty, they have ruthlessly exercised sweeping powers, including blanket surveillance of the population, arbitrary arrest, torture, and imprisonment.

Some observers have traced this uncompromising approach back to the training provided by Myanmar's Japanese allies during World War II. They have claimed, for example, that Ne Win was trained in torture and interrogation techniques by the Kempeitai military police. This has even prompted suggestions that the Kempeitai was a model for the military intelligence service that he created after Myanmar's independence, by extension helping to explain the brutal methods also employed by the country's other intelligence agencies.^{xvi} The Kempeitai link is unconfirmed, however, and such claims ignore the training provided to Myanmar by the British

and Americans in the 1940s and 1950s.^{xvii} Other countries, like Israel and Singapore, are also reputed to have helped train Myanmar's intelligence officers. More likely, the systematic violation of human rights, by MIS/DDSI/OCMI and SB in particular, stemmed from a range of factors. These included the military regime's intense nationalism, its pervasive sense of vulnerability to both internal and external threats, the conviction that only a strong central government dominated by the Tatmadaw could protect and preserve the Union, and the impunity it enjoyed in the exercise of power against the civil population.

Third, ever since Myanmar regained its independence, its intelligence apparatus has been dominated by the armed forces, in one way or another. This is in contrast to arrangements during the colonial period, when the civilian Burma Police was primarily responsible for the collection and analysis of security-related intelligence. The Burma Defence Bureau was technically independent, albeit under army control, but it was mostly staffed by police officers, who usually had more experience and technical expertise than the military officers temporarily stationed in the colony.^{xviii} Under U Nu, there was at times unhealthy competition between the police and the Tatmadaw, but after 1962 the armed forces were firmly in control.^{xix} Indeed, some paramilitary police functions were transferred to the army and only partly restored in 1974.^{xx} The SB and the CID continued to play a role, particularly as the integration of intelligence was important in maintaining internal stability and countering insurgencies, but the police force was always subordinate, in fact if not in form, to the armed forces.

After the wholesale purge of Khin Nyunt's intelligence empire in 2004, the military regime turned to SB to take primary responsibility for internal security. Yet, even then, the armed forces remained firmly in control. Many police officers were former members of the Tatmadaw or army officers on secondment to the MPF. Despite the transfer of some political power to a quasi-civilian government in 2011, the influence of the armed forces remained strong. Under both President Thein Sein and State Counsellor Aung San Suu Kyi, an effort was made to "civilianize" security in Myanmar, in appearance if not in substance.^{xxi} However, as decreed by the 2008 constitution, the minister for Home Affairs (who oversaw the two MPF intelligence agencies and the BSI) was a serving military officer, appointed by the commander-in-chief of Defence Services. Indeed, SB probably reported directly to the minister, despite being administered as a part of the MPF. The Office of the Chief of Military Security Affairs remained a unit within the Tatmadaw. Thus, all the formal elements of the national intelligence apparatus were still controlled, directly or indirectly, by the armed forces.

Fourth, largely as a result of Myanmar's isolation and persistent economic problems, its security agencies have relied on human intelligence (HUMINT) rather than technical sources. For decades, the vast bulk of the data gathered, mainly by DDSI/OCMI and SB but also from bureaucratic bodies like the General Administration Department (GAD), came from tens of

thousands of officials, public servants, professional agents, and unpaid informers, who in various ways monitored the civil population and security forces. Records were laboriously maintained in mountains of paper files. Under Khin Nyunt, DDSI/OCMI and the army's Signal Corps developed the country's ability to monitor commercial and insurgent radio transmissions, and satellite telephones, but progress was slow. From the mid-1990s, an effort was made to master information technology and to monitor computer use in Myanmar, but the country's signals intelligence (SIGINT) capabilities remained modest, reflecting the country's low level of technological development.^{xxii} In 2001, for example, there were only 295,000 telephone subscribers, a penetration of only 0.6% of the population.^{xxiii} The same year, there were barely 1,000 internet users.^{xxiv}

Since then, this situation has changed dramatically, as Myanmar has experienced “the fastest digital uptake in human history.”^{xxv} By 2020, there were over 68 million mobile phone subscribers (in a population of about 55 million).^{xxvi} There were more than 22 million social media users.^{xxvii} As Myanmar entered the electronic age, leap-frogging several steps, the intelligence agencies tried to keep up. A major effort has reportedly been made to monitor and control computer usage and social media networks. Facebook has become the prime source of news for many people in Myanmar, making it ripe for exploitation (and manipulation) by the security forces. For years, imagery intelligence (IMINT) in Myanmar was restricted to overhead photography taken by vintage aircraft and pictures derived from hand-held cameras. According to unconfirmed reports, this situation too has changed, as more resources have been put into intelligence collection, more sophisticated equipment has been acquired, and commercial satellite imagery options have been explored.

Fifth, in terms of intelligence management, there has always been a tension in Myanmar between two competing imperatives. The first has been to have a single person or organization to guide and direct the national intelligence apparatus, coordinate policies and operations, and guarantee the necessary links between collection, analysis, and dissemination. Such a system offers benefits in terms of centralized control and less duplication of effort and resources. The second imperative is to create multiple agencies under different managers, each designed to perform specialized functions, and to safeguard their independence. This helps prevent the acquisition of excessive influence by a particular individual or agency. In Myanmar, as elsewhere, knowledge is power, and there have been several examples of chiefs of Intelligence acquiring and exerting so much influence that they have attracted the ire of their fellow officers.^{xxviii} A number have been viewed as challengers for the Tatmadaw's leadership, and thus a threat to stability.

Since 1962, such tensions have prompted the removal of several intelligence chiefs. For example, Colonel Maung Lwin was dismissed in 1965, Brigadier Tin Oo in 1983, and General

Khin Nyunt in 2004. On each occasion, there were major upheavals in the intelligence apparatus. Some of these measures were to punish individuals or agencies for perceived incompetence or corruption, some reflected professional jealousies and personal rivalries, while others were aimed at weeding out suspected dissidence or excessive ambition. As far as can be judged, all these factors contributed to the arrest of Khin Nyunt. Given the highly personal nature of power in Myanmar, and the entourage system it encourages, the fall of an intelligence chief tends to be accompanied by the dismissal of his subordinates and supporters, both in intelligence circles and elsewhere in the armed forces and bureaucracy. As seen in 2004, such purges can lead to a major loss of capability and, in some cases, adverse consequences for the country's security.

Modern Structure and Mission

Little definite is known about developments in Myanmar's intelligence community since the ruling State Peace and Development Council formally handed over political power — at least, in part — to President Thein Sein's quasi-civilian government in 2011. The same can be said for the period since 2016, when Aung San Suu Kyi's NLD administration first took office. (It was returned with an increased majority in the 2020 general elections, but Parliament could not meet before the 2021 coup occurred.) As always, foreign observers are dependent on anecdotal evidence, unconfirmed news reports, and rumors. At one level, there were unmistakable signs of difference but, at the same time, much appeared to have remained the same. Also, as in the past, the lines of authority for security matters were blurred and responsibilities overlapped, making it even more difficult to identify continuities and changes.

In the immediate aftermath of Khin Nyunt's fall and the collapse of OCMI, the MPF was given increased responsibilities. It became widely accepted by foreign governments as the agency "responsible for internal security."^{xxxix} Its intelligence efforts were directed mainly through an expanded SB, which in 2015 was placed under the minister's direct control.^{xxx} That year, SB had a personnel strength of about 2,500, of which 300 were based at SB headquarters in Naypyidaw, under a police brigadier general.^{xxxi} The headquarters was divided into five sections; Internal Security, Internal Relations, Prosecution, Passports, and Training.^{xxxii} There were SB documentation centers in Naypyidaw and Rangoon. There were also 55 mobile platoons, covering 165 areas across the country. Each of the country's 14 states and regions had its own SB Command, most under police lieutenant colonels. There were also SB outposts in most townships.^{xxxiii} Sensitive areas like northern Rakhine State were allocated additional resources.

Under the NLD government, the CID seemed to focus on its traditional duties of detecting and investigating serious crimes. With other MPF units, it had also assumed an important role in

the fight against narcotics production and distribution. In 2015, the CID had about 700 members.^{xxxiv} It was headed by a police brigadier, based in Naypyidaw. There were regional branches in Naypyidaw, Rangoon, and Mandalay, headed by police lieutenant colonels, as well as 20 local units spread between the state and regional capitals. In addition, there were 11 special sections based in Rangoon, where there are also specialized forensic and training facilities. The CID had long been suffering from a shortage of modern equipment, and personnel with the necessary education and skills, but it still made a significant contribution to the national intelligence effort.

OCMSA seemed to concentrate on military matters, notably campaigns against ethnic armed groups and operations like those conducted in 2016 and 2017 against the Muslim Rohingyas.^{xxxv} Outside conflict zones, it was believed to focus mainly on the maintenance of law and order in the rural and border areas.^{xxxvi} Its headquarters structure was thought to reflect that of its predecessor. Sources differ, but most agree that OCMI had seven departments: Internal Affairs, Border Security, Counter Intelligence, International Relations, Science and Technology, Administration, and Security and Training.^{xxxvii} However, department heads had been downgraded to lieutenant colonel level, probably because OCMSA headquarters performed largely administrative and analytical functions.^{xxxviii} Operational matters were left to intelligence battalions attached to the country's 14 regional military commands. There were also company- or platoon-sized units responsible for specific geographical areas and embedded in the navy and air force.

After OCMI's demise in 2004, the BSI's jurisdiction was reportedly widened to support SB in its new expanded role, including in the investigation of political crimes. Like SB, it reported directly to the minister for Home Affairs who, in the absence of a chief of Intelligence, took on a greater responsibility for providing the government with security-related assessments and advice. After 2011, the BSI seemed to largely revert to its formal investigative functions, relating to corruption, financial crimes, and money-laundering. However, one of its publicly stated objectives was still "to collect intelligence for national security."^{xxxix} The BSI had six divisions in its Naypyidaw headquarters, labeled Administration, Law and Prosecution, Information Technology, Investigation and Financial, Crime, and Inspection. There were also BSI offices in the capitals of the country's 14 states and regions.

As already noted, the Ministry of Foreign Affairs has always fulfilled an important intelligence function, mainly through its 47 overseas missions.^{xl} It not only exercises the usual diplomatic roles, including open-source intelligence (OSINT) collection and analysis, but it also provides diplomatic cover and administrative support for military intelligence officers posted overseas. Myanmar's defense attachés used to report only to DDSI/OCMI, but now appear to report to both OCMSA and SB, as the latter is now responsible for monitoring the activities of Myanmar

citizens traveling and living outside the country. Albeit to a lesser extent than before 2011, Myanmar's ambassadors are sometimes former military officers or have an intelligence background. The MFA also provides the government with strategic intelligence assessments. The national security advisor position created by Aung San Suu Kyi in 2017, to give her an independent source of advice, was filled by an experienced former diplomat.

In addition to the main agencies, there were several small investigative units in ministries that dealt with issues relating to Customs, Immigration, Border Affairs, and Finance.^{xlii} They are rarely included in descriptions of Myanmar's national intelligence apparatus because of their modest sizes and the fact that they focus on specialized areas. However, if the past is anything to go by, they too can contribute to the broader intelligence effort. The Ministry of Posts and Telecommunications also helps to extend the state's surveillance capabilities, for example by monitoring telephone, fax, and cable traffic.

From time to time, stories have appeared in the Myanmar news media claiming that the government was contemplating the re-creation of the National Intelligence Bureau, or an organization like it. A few suggested that this had already occurred. In January 2015, after one such report, the President's Office denied that there were any moves to re-establish the NIB or an equivalent organization.^{xliii} However, senior officials continued to express concern about the fragmentation of the country's intelligence effort and the lack of coordination, both between agencies and between agencies and other parts of the government, such as the powerful GAD. These critics appeared to share the view of a former U.S. chargé d'affaires in Myanmar who in 2012 described the country's intelligence system as "a creature that has lost its central nervous system. The legs are flailing, and it doesn't know which way to turn."^{xliiii}

Soon after Thein Sein became president in 2011, there were unconfirmed reports that the Tatmadaw commander-in-chief had formed a new intelligence unit charged with "investigating domestic political and security affairs."^{xliv} Among its reported duties was the surveillance of political parties and ethnic armed groups. It was claimed that the unit was about 200 strong, and consisted of members of all three service arms, ranked from captain to colonel. It also reportedly included representatives of the MPF, BSI, and Ministry of Border Affairs. According to these reports, the new unit would oversee all intelligence agencies and report to both military and civilian authorities, at the provincial and national levels.^{xlv} These reports seem to have been related to claims that the government had reconstituted the NIB, to provide a mechanism for the oversight and coordination of a "new security system" that would include an expanded surveillance network, including increased electronic monitoring of the population.^{xlvi}

It is conceivable that the NIB, or a similar body, was revived but has not yet been publicly announced. A confidential report prepared by a foreign NGO in collaboration with the Ministry of Home Affairs in 2014 referred specifically to a “National Intelligence Bureau.”^{xlvi} This body reportedly coordinated the activities of SB and other agencies making up Myanmar’s intelligence apparatus. However, if and when this new NIB was formed, who constitutes its membership, how it operates, how its director is chosen, and to whom it reports are not known. Even if this NGO report proves to be inaccurate, and there is no new NIB, the need for better high-level direction and coordination of the national intelligence effort will remain a pressing issue.

As decades-old restrictions on political activity, freedom of speech, and freedom of association were relaxed under Thein Sein, so the level of overt oppression in Myanmar declined. Organizations like Human Rights Watch acknowledged that under the new quasi-civilian government there was a marked drop in the number of reported arrests, detentions, and cases of torture.^{xlvi} Despite the freer atmosphere prevailing throughout most of the country, however, old habits seemed to die hard. There were still serious abuses.^{xlix} In its 2015 human rights country report, for example, the U.S. State Department noted, “Security forces continued to exert a pervasive influence on the lives of inhabitants through the fear of arbitrary arrest and detention and through threats to individual livelihoods. These forces enjoyed impunity.”^l By law, warrants to conduct searches and make arrests were required, but, according to the State Department’s 2019 human rights report, both OCMSA and SB continued to search and arrest at will.^{li} It appeared that violence was still a frequent aspect of police and military interrogations.

Also, as Karin Dean has noted, “The decrease of authoritarianism does not necessarily lead to a decline in surveillance for political and social control, and Myanmar is an exemplary case.”^{lii} After 2011, the level of surveillance appeared to decline, but a number of mechanisms were still in place to permit the civilian and military authorities to keep a close watch on anyone suspected of challenging the state. The surveillance of community leaders, political party members, diplomats, and journalists appears to have continued.^{liii} In 2011, one well-informed Myanmar-watcher described the country’s “surveillance machine” as “frighteningly thorough and efficient.”^{liiv} Following Khin Nyunt’s fall in 2004, some of this activity may have been driven by junior officers, as a precautionary measure in the absence of clear orders from their superiors. However, if that was ever true, then it is unlikely to have remained the case after an initial period of confusion over intelligence priorities and operational deployments.^{lv}

After the NLD government took office, reports of intelligence activity in Myanmar were mixed. In its country report for 2016, for example, the U.S. State Department observed:

Outside of conflict areas, security forces generally operated with respect for the rule of law, and various organizations noted the significant decrease under the new government of the pervasive and threatening influence security forces previously exerted on the lives of inhabitants.^{lvi}

The same assessment was made in the 2017 report, but it included the caveat that “others noted an increase in police surveillance and monitoring during the year.”^{lvii} Indeed, Aung San Suu Kyi’s critics charged that, in some respects, Myanmar had changed little from the days of the former military regime, when the authorities were quick to crack down on dissent. They claimed that the intelligence apparatus was less in evidence, but the same kinds of restrictions on speech and behavior remained in force.^{lviii} The GAD, although formally placed under civilian control in 2019, still collected vast amounts of information about Myanmar’s citizens, for a range of purposes.^{lix}

There may have been fewer arrests and summary trials in Myanmar under the NLD government, but the overall level of surveillance remained “comparable to that in the past or is even wider, while its pattern has changed.”^{lx} According to one observer, there was “a shift from high intensity force to low intensity coercion of lesser visibility, with shifting targets and modes of performance.”^{lxi} This pattern could be seen in the increased use since 2016 of restrictive public laws and regulations, many of which dated back to the colonial period and the military dictatorship, to curb protests and silence critics of the government and the security forces. For example, there was a marked increase in the use of the 2013 Telecommunications Act to punish “offensive” or “insulting” online comments about the authorities.^{lxii} Other laws were used to punish journalists and others who dared to criticize the government or security forces.

Intelligence and Accountability

From 2016 to 2021, State Counsellor Aung San Suu Kyi was the de facto leader of Myanmar, and, as she once declared, she acted “above the president.”^{lxiii} However, she had little control over the country’s intelligence apparatus, almost all elements of which were still answerable, directly or indirectly, to the commander-in-chief of Defence Services. Under the 2008 constitution, he appointed the ministers for Defence and Home Affairs, under whose jurisdictions OCMSA, SB, CID, and BSI fell. He also appointed the minister for Border Affairs, who controlled other intelligence assets. Aung San Suu Kyi was the minister for Foreign Affairs, and was thus responsible for Myanmar’s diplomatic missions. This gave her a role in the collection and analysis of open-source intelligence, but the country’s defense attachés were appointed by the armed forces. The MFA had very little control over their intelligence

activities. Aung San Suu Kyi thus could not be held directly responsible for the behavior of Myanmar's intelligence apparatus, or the actions of any particular agencies.

However, that did not absolve Aung San Suu Kyi or her government of all responsibility for such matters. After taking office, they showed little inclination to curb the excesses of the intelligence agencies or to adjust their formal roles, despite Aung San Suu Kyi's repeated calls for the observance of universal human rights and the rule of law when she was a political prisoner. In the NLD's Myanmar, for example, it might have been expected that responsibility for the investigation of political crimes — those that related primarily to domestic, and certain aspects of external, security — would fall exclusively to the MPF or to a dedicated civilian agency, as occurs in most democratic countries. That might have occurred had Aung San Suu Kyi been able to take office for a second term and implement a range of promised reforms. The NLD had already found ways around the letter of the 2008 constitution, and might have been able to do so again. As things stand, these duties are still shared between the police and the armed forces.

Formally, SB has responsibility for the collection and assessment of political intelligence. OCMSA is supposed to concern itself only with defense matters, writ large.^{lxiv} However, given the Tatmadaw's self-appointed national guardianship role and the power wielded by military intelligence agencies in the past, it is unlikely that the armed forces would ever be prepared to give up its ability to independently monitor domestic developments. Not only do the generals distrust the civilian agencies, but the Tatmadaw has always preferred to rely on its own resources when it comes to national security, a term with a very wide meaning in Myanmar. This was always going to remain the case while the military leadership perceived continuing threats to the country — and itself — from a wide range of ethnic armed groups, political activists, religious extremists, and foreign governments. The 2021 coup will doubtless strengthen that view. There is thus the potential for the continued duplication of functions, with the attendant jurisdictional disputes, professional jealousies, and competition for scarce resources.

Before the latest coup, there were clearly some in Myanmar who viewed the more open political environment since 2011 with unease, if not concern, and thus deserving of close attention by official agencies. However, an entirely new security system never seemed likely. Whether or not there was a restructuring of the national intelligence apparatus, it would have needed a clearly defined mission that fully took into account Aung San Suu Kyi's reformist aims and the more liberal atmosphere that prevailed in the country. That guidance seemed to be lacking, or was perhaps poorly enforced. Also, a strong argument could have been mounted for a rationalization and redistribution of intelligence duties. This would have not only increased the level of cooperation between agencies and better exploited their limited resources but

would have also provided a clearer delineation of their responsibilities, in particular the separation of military and civilian functions. This in turn could have aided in the future oversight of intelligence operations in Myanmar by a genuinely elected civilian government. All these considerations, however, were effectively rendered moot on February 1, 2021.

Conclusion

When Aung San Suu Kyi and the NLD took power after an election landslide in 2015, a wave of euphoria swept over Myanmar and other parts of the world. At the time, there was a rather naive belief that everything would be transformed. It was assumed, for example, that key components of the police state would be dismantled, and it would soon become a bad memory. Clearly, that has not happened and, as most experienced Myanmar-watchers predicted, was never going to happen. It might have helped the popular pundits to keep in mind Robert Taylor's observation that "Military intelligence has served as a means of social control throughout the existence of independent Burma," and to ask if and how the NLD government planned to depart from this pattern.^{lxv} After 2016, Aung San Suu Kyi faced many of the same challenges as the military regime and, to the dismay of many of her supporters, seemed to rely on the same kinds of mechanisms to tackle them. The security agencies were still responsible for widespread human rights abuses. The re-election of Aung San Suu Kyi's government in 2020 was unlikely to see significant improvements to this record.

Indeed, ten years after the armed forces stepped back from direct rule, and despite the promise of sweeping reforms, there are no indications that Myanmar's approach to security matters has changed significantly. The vast intelligence apparatus that underpinned military rule was kept in place under the NLD. It was no longer dominated by a large military intelligence organization, as it was under General Khin Nyunt, but either directly or indirectly most elements still answered to the Tatmadaw's commander-in-chief. Given his critical, and unchallenged, security role, those bodies that fell outside the formal intelligence structure would have found it difficult to refuse any demands for cooperation. Under the NLD, there were some changes in the way the intelligence agencies operated, but the greatest shifts seemed to have been in manner and style, rather than in substance. The core agencies retained many of the same powers, and displayed many of the same characteristics, that made the intelligence apparatus a powerful and feared arm of the military regime. They continued to enjoy "almost complete impunity for past and continuing abuses."^{lxvi}

The coup in February 2021 will ensure that this remains the case. Indeed, under the latest military regime, dependence on the national intelligence apparatus will increase, most likely prompting the allocation of additional resources and powers. Abuses that were becoming less

common under the NLD are likely to return, as the police and armed forces enforce military rule. Myanmar will face a number of new (but familiar) external challenges, notably from countries and organizations opposed to the coup, but the priority given to internal security will remain. The Tatmadaw's leadership knows that its survival – and, in its view, the country's survival – is threatened more by disunity and domestic instability than by any foreign developments. Myanmar has weathered international pressure in the past and is confident it can do so again. The greatest threats will come from within the country, whether from non-state armed groups, civil unrest, or a breakdown in military discipline. This will ensure that the intelligence apparatus will continue to have a key role to play. There will be no argument that Myanmar has once again become an intelligence state.

ⁱ The “police state” description is by Brad Adams, Head of Human Rights Watch’s Asia Division, cited in Neil A. Englehart, *Sovereignty, State Failure and Human Rights: Petty Despots and Exemplary Villains* (London: Routledge, 2017), 104.

ⁱⁱ For most of the period that Myanmar was under British rule, there was a civil Burma Police and a paramilitary Burma Military Police. See Andrew Selth, “Myanmar’s Police Forces: Coercion, Continuity and Change,” *Contemporary Southeast Asia* 34, no. 1, April 2012, 53-79.

ⁱⁱⁱ British Burma was a province of India until 1937, when it became a colony in its own right.

^{iv} Mary P. Callahan, *Making Enemies: War and State Building in Burma* (Ithaca, NY: Cornell University Press, 2003), 199.

^v L. J. Walinsky, “The Rise and Fall of U Nu,” *Pacific Affairs* 38, no. 3/4, Autumn 1965–Winter 1965-1966, 278.

^{vi} Andrew Selth, *Secrets and Power in Myanmar: Intelligence and the Fall of General Khin Nyunt* (Singapore: ISEAS Yusof Ishak Institute, 2019).

^{vii} See, for example, “Nyaunglebin District: Internally Displaced People and SPDC Death Squads,” Karen Human Rights Group Information Update, February 1999, <https://khrhg.org/1999/02/khrhg99u1/internally-displaced-people-and-spdc-death-squads>.

^{viii} D. M. Seekins, “Burma in 1998: Little to Celebrate,” *Asian Survey* 39, no. 1, 13.

^{ix} Dan Oakes and Mike Hedge, “Death Squad Members in Australia, Refugee Says,” *Sydney Morning Herald*, July 20, 2011, accessed January 1, 2020, <https://www.smh.com.au/national/death-squad-members-in-australia-refugee-says-20110719-1hn5y.html>.

^x U Nu, September 5, 1950, quoted in J. S. Thomson, “Burmese Neutralism,” *Political Science Quarterly* 72, no. 2, June 1957, 266.

^{xi} Matthew Foley, *The Cold War and National Assertion in Southeast Asia: Britain, the United States and Burma, 1948-1962* (London: Routledge, 2010).

^{xii} For example, agents reported on the activities of Muslim extremists in Bangladesh, communist insurgents along the China border, and Karen separatists in Thailand.

^{xiii} Over the past 70 plus years, Myanmar has been called the “Union of Burma” (twice), the “Union of Myanmar,” and the “Republic of the Union of Myanmar”.

^{xiv} Martin Smith, *Burma (Myanmar): The Time for Change* (London: Minority Rights Group International, 2002), 4.

^{xv} David Steinberg, *Burma/Myanmar: What Everyone Needs to Know* (New York: Oxford University Press, 2013), 140.

^{xvi} Kin Oung, *Who Killed Aung San?* (Bangkok: White Lotus, 1993), 30; D. M. Seekins, *State and Society in Modern Rangoon* (London: Routledge, 2011), 116.

^{xvii} In 1958, the CIA helped create an intelligence unit in the army’s Directorate of Education. Also, a number of Myanmar army officers undertook intelligence training at a secret CIA facility on Saipan. Britain gave intelligence-related training to both police and army officers. See, for example, Callahan, *Making Enemies*, 198-99.

^{xviii} Edmund Clipson, “‘For Purposes of Political Camouflage’: Intelligence Gathering in Colonial Burma, 1933-35,” *Journal of Imperial and Commonwealth History* 40, no. 4, November 2012, 643-67. Clipson seems to overlook the police force’s critical intelligence role.

^{xix} Under U Nu, there was the civil police force and a paramilitary force known as the Union Military Police (UMP), renamed the Union Constabulary (UC) by the 1958-60 “caretaker government.” The UMP/UC was absorbed into the Tatmadaw soon after Ne Win’s coup.

^{xx} That year, Ne Win created the Lon Htein, or “riot police,” to help manage civil unrest. They were combat trained and armed accordingly.

^{xxi} Under the 2008 constitution, Aung San Suu Kyi cannot become president, as her children are foreign nationals. See Andrew Selth, “Police Reform and the ‘Civilianisation’ of Security in Myanmar,” in *Law, Society and Transition in Myanmar*, ed. Melissa Crouch and Tim Lindsey (Oxford: Hart Publishing, 2014), 271-88.

^{xxii} Desmond Ball, *Burma’s Military Secrets: Signals Intelligence (SIGINT) from 1941 to Cyber Warfare* (Bangkok: White Lotus, 1998).

^{xxiii} Miki Ebara, “The Fall of Military Intelligence Under Khin Nyunt: An Analysis of Power Dynamics in Myanmar” (MA thesis, Chulalongkorn University, Bangkok, 2005), 29.

^{xxiv} “Internet Usage in Asia,” *Internet World Stats*, accessed September 12, 2018, <https://www.internetworldstats.com/asia.htm#mm>.

^{xxv} Kayleigh Long, “Facebook Has Banned Myanmar’s Top General Min Aung Hlaing, but What’s Next?,” *ABC News*, August 30, 2018, <https://www.abc.net.au/news/2018-08-30/facebook-bans-myanmars-top-general-min-aung-hlaing/10178642>.

^{xxvi} Simon Kemp, “Digital 2020: Myanmar,” *DataReportal*, February 18, 2020, <https://datareportal.com/reports/digital-2020-myanmar>. In 1998, a SIM card cost over US\$7,000. It now costs a few dollars.

^{xxvii} Kemp, “Digital 2020: Myanmar.”

^{xxviii} It was standard practice for Chiefs of Intelligence to compile dossiers on other members of the armed forces.

^{xxix} U.S. Department of State, “2019 Country Reports on Human Rights Practices: Burma,” Bureau of Democracy, Human Rights, and Labor, 2020, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/burma/>.

^{xxx} SB remains within the MPF but appears to be controlled directly by the Minister. Htet Naing Zaw, “Activists Uneasy Over Special Branch Reshuffle,” *The Irrawaddy*, February 6, 2015, <https://www.irrawaddy.com/news/burma/activists-uneasy-special-branch-reshuffle.html>.

^{xxx} Myanmar's administrative capital was moved from Rangoon (Yangon) to Naypyidaw (Nay Pyi Taw) in November 2005.

^{xxxii} Personal communication from Rangoon, March 2017.

^{xxxiii} Personal communication from Rangoon, January 2015.

^{xxxiv} Personal communication from Rangoon, January 2015.

^{xxxv} Andrew Selth, *Myanmar's Armed Forces and the Rohingya Crisis*, *Peaceworks* no.140 (Washington, DC: U.S. Institute of Peace, 2018), <https://www.usip.org/sites/default/files/2018-08/pw140-myanmars-armed-forces-and-the-rohingya-crisis.pdf>.

^{xxxvi} OCMSA has also been called the Office of the Chief of Military Affairs Security (OCMAS), or simply MAS. The different names may be the result of different translations of the original title into English, or may reflect a slight name change soon after the organization was created.

^{xxxvii} Another source has listed the seven departments as Politics and Counter-Intelligence, Border Security and Intelligence, Ethnic Nationalities and Ceasefire Groups, Narcotics Suppression, Naval and Air Intelligence, Science and Technology, and International Relations. See Maung Aung Myoe, *Building the Tatmadaw: Myanmar Armed Forces Since 1948* (Singapore: Institute of Southeast Asian Studies, 2009), 83.

^{xxxviii} *Burma (Union of Myanmar)*, Country of Origin Information Report, UK Border Agency, July 23, 2010, 34, <http://www.refworld.org/pdfid/4c529d1a2.pdf>.

^{xxxix} Republic of the Union of Myanmar, "BSI Biography," Ministry of Home Affairs, http://myanmarmoha.org/eng/index.php?option=com_content&view=article&id=92&Itemid=542&lang=en.

^{xl} Myanmar currently has 36 embassies, six consulates-general, one trade office (in Taiwan), and four permanent missions to international organizations.

^{xli} Andrew Selth, "Burma's Intelligence Apparatus," *Intelligence and National Security* 13, no. 4, Winter 1998, 33-70.

^{xlii} "Myanmar (Burma): President's Office Denies Re-establishing Feared NIB," *Asia News Monitor*, Bangkok, January 6, 2015.

^{xliii} Priscilla Clapp, quoted in Evan Osnos, "The Burmese Spring," *New Yorker*, August 6, 2012, <https://www.newyorker.com/magazine/2012/08/06/the-burmese-spring>.

^{xliv} "Burma Forms New Intelligence Unit," *The Irrawaddy*, May 3, 2011, http://www2.irrawaddy.org/article.php?art_id=21223.

^{xlv} Wai Moe, "Tatmadaw Commanders Discuss Recent Ethnic Conflicts," *The Irrawaddy*, June 29, 2011, http://www2.irrawaddy.org/article.php?art_id=21593.

^{xlvi} "Yangon: Regime Pours Funds into Army and Intelligence to Block Web Protests," *AsiaNews.it*, September 3, 2011, <http://www.asianews.it/news-en/Yangon:-regime-pours-funds-into-army-and-intelligence-to-block-web-protests-20983.html#>. See also Aung Zaw, "Burmese Spy Reveals MI's Dirty Deeds," *The Irrawaddy*, April 24, 2006, accessed January 1, 2020, http://www2.irrawaddy.com/article.php?art_id=5681&Submit=Submit.

^{xlvii} Interview, Rangoon, March 2014.

^{xlviii} U.S. Department of State, "Burma 2012 Human Rights Report," Bureau of Democracy, Human Rights, and Labor, 2013, <https://www.state.gov/documents/organization/204400.pdf>.

^{xlix} See, for example, Nick Davies, "Myanmar's Moment of Truth," *The Guardian*, March 9, 2016, accessed January 1, 2020, <https://www.theguardian.com/world/2016/mar/09/myanmar-moment-of-truth-aung-san-suu-kyi>.

ⁱ U.S. Department of State, “Burma 2015 Human Rights Report,” Bureau of Democracy, Human Rights, and Labor, 2016, <https://www.state.gov/documents/organization/252963.pdf>.

ⁱⁱ U.S. Department of State, “2019 Country Reports on Human Rights Practices: Burma.”

ⁱⁱⁱ Karin Dean, “Myanmar: Surveillance and the Turn from Authoritarianism?,” *Surveillance and Society* 15, no. 3/4, 2017, 496-505.

ⁱⁱⁱⁱ See, for example, Todd Pitman, “In Myanmar, Internal Spy Network Lives On,” *The Hindu*, July 30, 2013, <http://www.thehindu.com/opinion/op-ed/in-myanmar-internal-spy-network-lives-on/article4967357.ece>. See also U.S. Department of State, “2019 Country Reports on Human Rights Practices: Burma.”

^{liv} Emma Larkin, *Finding George Orwell in Burma* (London: Granta, 2011), 57.

^{lv} Phil Rees, “Are Myanmar Secret Agents Still Playing ‘Dirty Tricks’?,” *Al Jazeera*, October 28, 2015, accessed January 1, 2020, <https://www.aljazeera.com/indepth/features/2015/10/myanmar-secret-agents-playing-dirty-tricks-151027085402365.html>.

^{lvi} U.S. Department of State, “Burma 2016 Human Rights Report,” Bureau of Democracy, Human Rights, and Labor, accessed January 1, 2020, https://www.justice.gov/sites/default/files/pages/attachments/2017/03/06/dos-hrr_2016_burma.pdf.

^{lvii} U.S. Department of State, “Burma 2017 Human Rights Report,” Bureau of Democracy, Human Rights, and Labor, accessed January 1, 2020, <https://www.state.gov/wp-content/uploads/2018/04/Burma.pdf>.

^{lviii} Human Rights Watch, “*They Can Arrest You at Any Time*: The Criminalization of Peaceful Expression in Burma,” June 29, 2016, <https://www.hrw.org/report/2016/06/29/they-can-arrest-you-any-time/criminalization-peaceful-expression-burma>.

^{lix} The GAD was transferred from the Ministry of Home Affairs to the civilian-controlled Ministry of the Office of the Union Government in early 2019.

^{lx} Dean, “Myanmar: Surveillance and the Turn from Authoritarianism?”

^{lxi} Dean, “Myanmar: Surveillance and the Turn from Authoritarianism?”

^{lxii} Between November 2015 and November 2017, 106 criminal complaints were made under the Telecommunications Law. Of these, 95 cases (or 90%) were made under the current NLD government. See Free Expression Myanmar, 66(d): *No Real Change: An Analysis of Complaints Made Before and After the 2017 Amendment*, December 2017, 16, <http://freeexpressionmyanmar.org/wp-content/uploads/2017/12/66d-no-real-change.pdf>.

^{lxiii} “Myanmar Election: Aung San Suu Kyi Will Be ‘Above President,’” *BBC News*, November 5, 2015, <http://www.bbc.com/news/av/world-asia-34729691/myanmar-election-aung-san-suu-kyi-will-be-above-president>.

^{lxiv} Interview, Naypyidaw, February 2013.

^{lxv} R. H. Taylor, “The Military in Myanmar (Burma): What Scope for a New Role?,” in Viberto Selochan, ed., *The Military, the State, and Development in Asia and the Pacific* (Boulder, CO: Westview Press, 1991), 145.

^{lxvi} U.S. Department of State, “2019 Country Reports on Human Rights Practices: Burma.”