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APPENDICES

Appendix I

HISTORIC DECISIONS AND AGREEMENTS PRIOR TO INDEPENDENCE

A. Decision Arrived at by the Shan-Kachin Committee at Panglong on 6 February 1947 at 2.30 p.m.

The Committee is of the opinion that the freedom for the Shans and the Kachins would be achieved sooner through the co-operation with the Burmese. As such the two races would send in their respective representatives to take part in the Executive Council of the Burmese Government during the transition period, with the following conditions:

- (1) Same status, rights, and privileges as enjoyed by the Burmese on democratic lines.
- (2) The Shan and Kachin members in the Executive Council would be responsible for all their respective internal affairs and would jointly be responsible for common subjects, for example, Defence, Foreign Affairs, Railways, Custom, and so forth.
- (3) This Committee supports the demand of the Kachins for their desire to have a distinct separate Kachin State.
- (4) The terms of agreement arrived at between the Burmese delegates and His Majesty's Government is not to be binding on the Shans and Kachins.
- (5) The right to secede after attainment of freedom from Confederation with Burma if and when we choose.

Shan Committee [Signatories]

Khun Pan Sing	Chao Shwe Thaike
Chaofa Luang of Tawngpeng	Chaofa Luang of Yawnghwe

Chao Hom Hpa	Chao Num
Chaofa Luang of North Hsenwi	Chaofa Luang of Laikha

Chao Sam Htun	Chao Htun E
Chaofa Luang of Muang Pawn	Chaofa Luang of Has-Muang Kham

Khun Paung	Tin E
Htun Myint	Kya Bu
Khun Saw	Chao Yape Hpa
Khun Htee	

Kachin Committee [Signatories]

Sinwa Naw (Myitkyina)	Zau Rip (Myitkyina)
Dinra Tang (Myitkyina)	Zau La (Bhamo)
Zau Lawn (Bhamo)	Labang Grong (Bhamo)

B. Decision Arrived at by the Combined Chin-Kachin-Shan Committee at Panglong on 7 February at 9.00 p.m.

The Chin Delegation having arrived on the night of the 6 February 1947 was welcomed to the meeting. It consisted of:

- (1) U Hlur Mung, ATM, IDSM, BEM, (Falam, Chin Hills)
- (2) U Thawng Za Khup, ATM (Tiddim, Chin Hills)
- (3) U Kio Mang, ATM (Haka, Chin Hills)

The terms of the decision arrived at yesterday by the Shan Representatives and the Kachin Delegation at their Meeting at 2.30 p.m. was duly read out and explained to the Chin Delegates who approved of the decisions and subscribed to the same with the following additions which was unanimously approved by all:

- (a) All rights and privileges as regards Central Revenue enjoyed by the Shans shall also be extended to the Chin and Kachins on population basis.
- (b) Any deficiency in local finance to be made good from Burma Revenues.

- (c) There shall be formed a Supreme Executive Council of the United Hills Peoples (SCOUHP) composed of representatives of Shans, Kachins and Chins which shall have full power of decision on all matters of policy between the Hill Peoples and the Government of Burma.

Shan Committee [Signatories]

Khun Pan Sing, Tawngpeng Chaofa Luang
 S.S. Thaike, Yawngghwe Chaofa Luang
 Chao Hom Hpa, Hsenwi Chaofa Luang
 Chao Num, Laikha Chaofa Luang
 Chao Sam Htun, Muang Pawn Chaofa Luang
 Chao Htun E, Has-Muang Kham Chaofa Luang
 Maung Pyu, Representative of Hsa-htung Chaofa Luang
 Khun Pung
 Tin E
 Tun Myint
 Kya Bu
 Khun Saw
 Chao Yape Hpa
 Khun Htee

Kachin Committee [Signatories]

Sinwa Naw (Myitkyina)	Zau Rip (Myitkyina)
Dinra Tang (Myitkyina)	Zau La (Bhamo)
Zau Lawn (Bhamo)	Labang Grong (Bhamo)

Chin Committee [Signatories]

Hlur Mung (Falam)	Thawng Za Khup (Tiddim)
Kio Mong (Haka)	

C. The Panglong Agreement 1947

Dated: Panglong, 12 February 1947

A Conference having been held at Panglong, attended by certain members of the Executive Council of the Governor of Burma, all Chaofa and representatives of the Shan State, the Kachin Hills, and the Chin Hills.

The members of the Conference, believing that freedom will be more speedily achieved by the Shans, the Kachins, and the

Chins by their immediate co-operation with the Interim Burmese Government.

The members of the Conference have accordingly, and without dissidents, agreed as follows:

- (1) A representative of the Hill Peoples, selected by the Governor on the recommendation of representatives of the Supreme Council of the United Hill Peoples (SCOUHP), shall be appointed a Counsellor to the Governor to deal with the Frontier Areas.
- (2) The said Counsellor shall also be appointed a member of the Governor's Executive Council without portfolio, and the subject of Frontier Areas brought within the purview of the Executive Council by Constitutional Convention as in the case of Defence and External Affairs. The Counsellor for Frontier Areas shall be given executive authority by similar means.
- (3) The said Counsellor shall be assisted by two Deputy Counsellors representing races of which he is not member. While the two Deputy Counsellors should deal in the first instance with the affairs of their respective areas and the Counsellor with all the remaining parts of the Frontier Areas, they should on Constitutional Convention act on the principle of joint responsibility.
- (4) While the Counsellor, in this capacity as Member of the Executive Council, will be the only representative of the Frontier Areas on the Council, the Deputy Counsellors shall be entitled to attend the meetings of the Council when subjects pertaining to the Frontier Areas are discussed.
- (5) Though the Governor's Executive Council will be augmented as agreed above, it will not operate in respect of the Frontier Areas in any manner which would deprive any portion of these areas of the autonomy which it now enjoys in internal administration. Full autonomy in internal administration for the Frontier Areas is accepted in principle.
- (6) Though the question of demarcating and establishing a separate Kachin State within a Unified Burma is one which must be regulated for decision by the Constituent Assembly, it is agreed that such a State is desirable. As a first step towards this end, the Counsellors for Frontier Areas and the Deputy Counsellors shall be consulted in the administration of such areas in the Myitkyina and the Bhamo Districts as are Part II Scheduled Areas under the Government of Burma Act of 1935.

- (7) Citizens of the Frontier Areas shall enjoy rights and privileges which are regarded as fundamental in democratic countries.
- (8) The arrangements accepted in this Agreement are without prejudice to the financial autonomy now vested in the Federated Shan States.
- (9) The arrangement accepted in this Agreement are without prejudice to the financial assistance which the Kachin Hills and the Chin Hills are entitled to receive from the revenues of Burma, and the Executive Council will examine with the Frontier Areas Counsellor and Deputy Counsellors the feasibility of adopting for the Kachin Hills and the Chin Hills financial arrangements similar to those between Burma and the Federated Shan States.

Shan Committee [Signatories]

Khun Pan Sing, Tawngpeng Chaofa Luang

Chao Shwe Thaike, Yawnghwe Chaofa Luang

Chao Hom Hpa, Hsenwi Chaofa Luang

Chao Hom, Laikha Chaofa Luang

Chao Sam Htun, Muang Pawn Luang

Chao Htun E, Hsa-Muang Kham Chaofa Luang

Khun Pung, Representative of Panglawng Chaofa Luang

People's Representatives: U Tin E

U Htun Myint

U Kya Bu

Khun Saw

Khun Htee

Chao Yape Hpa

Kachin Committee [Signatories]

Sinwa Naw (Myitkyina)

Zau Rip (Myitkyina)

Dinra Tang (Myitkyina)

Zau La (Bhamo)

Zau Lawn (Bhamo)

Labang Grong (Bhamo)

Chin Committee [Signatories]

U Hlur Hmang (Falam)

U Thawng Za Khup (Tiddim)

U Kio Mang (Haka)

Burmese Government [Signatory]

Aung San

D. Representation Made by the Shan State to the Frontier Areas Commission of Enquiry (FACE), 1947

- (1) The Shan States shall participate in the forthcoming Constituent Assembly, members to be nominated by the Shan States Council on population basis.
- (2) In the Constituent Assembly no decision shall be effected in matters regarding the Shan States or any change, amendment, modification effecting the Shan States in the future Constitution of the Federation, without a clear majority of two-thirds of the votes of the members from the Shan States.
- (3) Association with Burma shall be on Federal basis with —
 - (a) equal rights and status;
 - (b) full internal autonomy for the Shan States;
 - (c) right of secession from the Federation at any time after attainment of freedom.
- (4) Federation on subjects which cannot be dealt with by the Shan States alone, such as:
 - (a) Defence
 - (b) Foreign and External Affairs
 - (c) Railways, Post and Telegraph
 - (d) Coinage and Currency
 - (e) Customs, etc.

Which would be defined as common subjects by the Constituent Assembly.
- (5) The selection and appointment of the judges of the Supreme Court to interpret the Constitution should by Convention be approved by the majority of the Frontier members of the Federal Government.

E. Representation Made by the Frontier Areas Regarding the Constituent Assembly and the Federal Constitution, 1947

- (1) Representative members to the Constituent Assembly to be nominated by the Provincial Councils proportionately on intellectual basis, irrespective of race, creed, and religion as far as the Hill Areas are concerned.*
- (2) To take part in the Burmese Constituent Assembly on population basis, but no decision to be effected in matters regarding

- particular areas without two-thirds majority of votes of the representatives of the areas concerned.
- (a) Equal rights for all
 - (b) Full internal autonomy for all representatives of Hill Areas
 - (c) Right of secession at any time after attaining freedom.
- (3) It is resolved that due provision shall be made in the future Burmese Constitution that no diplomatic engagements shall be undertaken or appointments made without prior reference to the Hill States.
 - (4) In matters of common subjects, for example, Defence, and so forth, no decision shall be made without the prior consent of the majority of the representatives of the Hill States irrespective of the Burmese votes.
 - (5) The provision shall be made in the Constitution of the Federated Burma that any change, amendment, or modification affecting the Hill States, either directly or indirectly, shall not be made without a clear majority of two-thirds of the Representatives of the Hill States.
 - (6) When opinion differs as to the interpretation of the terms in the Constitution, the matter shall be referred for decision of the High Court of Judicature** at Rangoon comprising of the Chief Justice and two other Justices.
 - (7) The total number of the Burmese members in the Federal Cabinet shall not exceed the total number of the members of the Frontier States in the said Cabinet.

Note: * Special consideration for the Chin in view of divergence in language, custom, and difficult means of communication.

** Or the Supreme Court, the appointment or selection of which should by convention be approved by the majority of Frontier members of the Federal Government.

Source: Resolutions of the Steering Committee (Shan State) for Reform of the Constitution, Taunggyi (1961) Annex 6, 7, 9, 11, 12.

Appendix II

SHAN PROPOSALS TO TERMINATE THE OPIUM TRADE IN THE SHAN STATE

A. The 1973 Proposals by the Shan State Army (SSA) with Lo Hsin Han

- (1) The Shan State Army and its allies will invite observers from the United States Narcotics Bureau, or any similar body to visit the opium areas of Shan State and to transmit information about opium convoys on their wireless transmitters.
- (2) The SSA and its allies will ensure that all opium controlled by their armies is burnt under international supervision. The opium will be sold at a price to be negotiated later, but the basis for negotiation should be the Thai border price.
- (3) The SSA and its allies will attack all opium convoys which will not subject to an agreement based on these proposals.
- (4) In return for these temporary measures, the SSA and its allies will expect help in finding a more permanent solution to the problems of the Shan State.
 - (a) Because the opium trade can only flourish in a state of anarchy, and since this anarchy will never cease until the people of Shan State are allowed to have democratic elections and political self-determination, foreign organizations interested in an end to the opium trade will be expected to use their influence to persuade the Government of Burma to return to the legal Constitution of Burma.

- (b) Once the Shan State has a democratically elected government, those countries which will gain from an end of the opium trade will be expected to provide financial help for an economic and agricultural campaign to assist the people of Shan State to replace opium with other crops.
- (5) If the assistance is received, the political parties signatory to these proposals will ensure that the elected government of the Shan State will — after an agreed transition period — allow helicopters under international supervision to search out and destroy any opium field that still remain.

[Signatories]

Lo Hsin Han	Boon Tai
President	Vice-President
Shan State Unit Action Committee	Shan State Progress Party
Shan State	Shan State

B. The 1975 Proposals by the Shan State Army Jointly with the Shan United Army (SUA) and Shan State Army (East)

- (1) As representatives of the Shan people, the signatories to these proposals are concerned by the misery caused by narcotic addiction throughout the world and increasingly inside Shan State. However, as the opium trade thrives on anarchy, and as many Shan people depend on opium for their livelihood, its cultivation will never cease until Shan State has a democratic and representative government, supported by a majority of the Shan people, capable of carrying out long-term agro-economic programmes to replace opium with equally viable crops.

The signatories to these proposals guarantee that as soon as a democratic Shan government is elected, a treaty will be negotiated whereby opium is abolished after an agreed transition period in return for international aid and expertise.

During the intervening period of civil disorder, the signatories propose the following temporary measures:

- (a) The signatories will sell the annual Shan opium crop at the Thai border price to any recognized international or governmental body.
 - (b) The signatories will co-operate with the purchaser to prevent opium grown in Shan State being marketed by parties not subject to the terms of this agreement.
 - (c) The signatories will permit inspection inside Shan State.
 - (d) The signatories will assist and participate in any economic, agricultural or sociological research aimed at replacing opium with alternative crops.
- (2) To initiate negotiations for the sale of the 1975 opium crop, the following immediate steps are proposed:
- (a) Before 1 May 1975, the sale of 1 ton of opium at the current border price of 3,100 baht per viss.
 - (b) On the satisfactory conclusion of this sale, a price will be determined, on the basis of the prevailing border rate, for a further purchase of 5 tons of opium from each separate resistance organization that attends a Shan opium conference to be held on the Thai border in July 1975 where a fixed price for future opium sales and a long-term agreement will be negotiated.

Khun Loum-fa
 Secretary-General
 Shan State Progress Party
 (Shan State Army)

Sao Fah Lang
 Chief-of-Staff
 Shan United Army

Hsai Keow
 Vice-President
 Shan State Army (East)

Source: Shan State Army (SSA) Archives.

Appendix III

NOTES ON THE FILM, *OPIUM WARLORDS*

1. Introduction

For people seriously interested in Thailand, particularly northern Thailand, the subject of opium and the politics of Burma cannot be avoided although in reality not much opium (less than 100 tons, according to official figures) is produced in Thailand, and the politics of Burma and Shan State does not directly concern this country.

Nevertheless, it is impossible to talk about opium and the politics of Burma without mentioning Thailand, and vice versa. There are several reasons. Firstly, Thailand shares a long border (over 1,000 miles) with Burma. Secondly, a variety of ethnic groups (Mon, Karen, Karenni, Lahu, Lisu, Akha, Shan or Thai-yai — the latter named being ethnically Thai) straddle this border and their respective homelands form, since time immemorial, a buffer between the Thai and their ancient foe, the Burmese. Thirdly, these groups while maintaining a close and peaceful relationship with the Thai, have been at war with the Burmese Government for at least twenty years. Fourthly, Thailand serves as a transit and refining area for the 400–700 tons of opium (according to accepted figures though I find this high) from Shan State, and the cities of Thailand (Bangkok, Mae Hongson, Pang, Maesai, Chiangrai, and Chiangmai) are centres from where heroin trafficking is financed and controlled.

This state of affairs poses for Thailand a number of difficult and awkward problems. For instance, regarding opium and drug trafficking, Thai officials and even the government have often been accused by some foreign governments and bureaucrats, and sundry

journalists as well, of involvement in the trade, or of not being really serious about stopping the flow of drugs.

Furthermore, because the non-Burmese ethnic groups of Burma enjoyed cordial relations with the Thai, the Burmese Government or Rangoon have for long been extremely suspicious of Thailand. Rangoon would very much like to see Thailand involved in a mini-war with the rebels of Burma.

Recently, there has been attempts to link the rebellions in Burma with opium and heroin. Some credence have been given by certain governments to the allegation made by Rangoon that the rebels of Burma equals opium and drug trafficking. This implies that the eradication of opium and drug trafficking will be brought about with the elimination of these anti-Rangoon rebels.

As one who knows something about Burma, I think that the tying of the solution to the opium problem with the military victory of Rangoon is disturbing. Disturbing because some governments are accepting as a fact what in reality is politically motivated slander made by one warring party to discredit its enemies.

I will not say that anti-Rangoon rebels are not involved in opium and drug business but this is not the crux of the matter. The crucial point is: nothing much is known about Burma since no one (not even diplomats or U.N. officials) is allowed by Rangoon to travel about freely, or permitted to carry out independent studies of conditions within Burma. For example, no one really knows how much opium is produced in Shan State since there has been no field survey — the figure bandied about, 400–700 tons, is pure guesswork.

The film *Opium Warlords*, is an attempt by some Shan nationalists to tear apart the dark veil of secrecy imposed on their homeland by Rangoon. It is my hope that the film, while answering some of the question in your minds, will at the same time, raise many more questions which I will be honoured and happy to answer.

2. The Making of the Film

The film was first conceived of in 1971 by the SSA — Shan State Army — a nationalist organization led by former Rangoon University students.

The SSA was at that time faced with a serious new problem — that is, the Chinese Communist Party (influenced by the “Gang of Four” and the Red Guards) had decided to support the CPB. Since

Shan State adjoined Yunnan province, China, it was the strategy of both the parties to use Shan State as a battleground whereby the Burma Army would be drawn out and smashed — a killing ground, as it were. This strategy would bring considerable loss to Shan State especially in human lives as local people who already hated the Burma Army would be recruited as cannon fodder.

While such a development was unfolding within, there appeared in the outside world a growing concern for and interest in the outflow of opium from Shan State. This was a good opportunity to focus world attention on the situation in the Shan State. The SSA believed, perhaps too naively, that the threat of communism and the world-wide concern over opium would stimulate governments of the Free World to some positive action which would end anarchy and war prevailing in Shan State since 1959.

At that juncture, there appeared an Englishman, Adrian Cowell, who was interested in Shan affairs. He had in 1964 entered Kengtung, the eastern Shan State, and lived there for some months with a band of Shan guerillas, and had produced a film, *The Unknown War*, on the activities of this band.

Adrian Cowell and his cameraman, Chris Menges, spent more than a year (April 1972–July 1973) with SSA units in Shan State, and the film, *Opium Warlords* was the result.

3. Aftermath

The film was shown on TV, more widely in Europe than elsewhere, and it won many top prizes in 1976 at various film festivals in New York, Hong Kong and elsewhere.

However, though the film was a success, it did not have the impact the SSA hoped for on governments and international agencies. Instead of coming to see the opium problem as a real problem linked firmly to the social, economic and political problems of Shan State and Burma, politicians and bureaucrats especially persisted in seeing the opium question through eyes of Hollywood scriptwriters complete with heroic cops and powerful godfathers, or “opium kings”, played first by Lo Hsin Han, then by Khun Sa and his SUA and more recently by the CPB. The search for a solution to the opium problem became a search for scapegoats.

Worse, the hunt for a scapegoat is on its way to becoming, at present, a search for a military victory in Rangoon’s favour since

it is now believed by some governments that the eradication of opium hinges on Rangoon gained effective control of the country — meaning the defeat of various armed rebels.

Therefore, one must ask: Is a military victory by Rangoon feasible or possible? Rangoon has been fighting various rebels for a long time (Burmese communists and other leftists, Mon, and Karen since 1948; the Shan since 1959; the Kachin since 1961, and the Karenni since 1965). The only tangible result has been, to date, the increase in the numbers and types of rebels. At present there are some 25,000–35,000 armed rebels at the very least. As opposed to this, the Burma Army has 40,000–50,000 men in 100 battalions.

It is therefore not too difficult to conclude that military victory by either Rangoon or the rebels is not even conceivable for a very long time to come.

4. Conclusion

I would very much like to believe that serious and wholehearted efforts are being made to eradicate opium. Unfortunately, as things stand, I cannot but feel that very few people are genuinely interested in seeking a solution especially when governments and international agencies have shown very little willingness to tackle the problem at its source, that is, in Shan State. The usual excuse is that nothing can be done since Rangoon does not welcome international presence in Burma, and dislike foreign interference. This attitude is most incredible since the opium problem can never be solved so long as the area which produces the bulk of Southeast Asia's opium is ignored.

More incredible than this is the frenzied efforts by governments and international agencies to eradicate opium in Burma through Thailand — which is like trying to pull out a tooth in order to cure a stomach ache.

I sometimes wonder whether the opium problem has not become a goose that lays golden eggs — enriching, on one hand, the drug syndicates and traffickers and on the other providing multi-national and international bureaucracies with more jobs, funds and good living.

Chao Tzang Yawnghwe
(Eugene Thaike)
Chiangmai
February 1983