

## CHAPTER V

### The Arrival of Constructive Engagement

On February 23, 1991, the National Peace Keeping Council (NPKC), a junta of Thai military leaders led by General Sunthorn and General Suchinda, deposed the Chatchai administration in a bloodless coup on grounds of corruption. The day before the coup, General Sunthorn traveled to Rangoon with a forty-man delegation, many analysts suspect to inform the military leaders there of their Thai counterparts' intentions. The assumption was made then that the two governments would be good partners and that Thailand's Burma policy and policy toward the refugees would not experience any significant change.

#### Bangkok and Rangoon

On March 1, 1991, just days after the military coup d'etat, U Nyunt Swe delivered a letter of congratulations from Gen Saw Maung to Gen Sunthorn at the Supreme Command Headquarters as the representative of the first country to recognize the new leadership of Thailand, a reciprocal move for Thai recognition of the SLORC in 1988. A week later, the interim government chosen by the National Peace Keeping Council was installed for nine months, after which a general election was to be held.

Many governments and Burma watchers were waiting to see if there would be any significant policy adjustment by the new care-taker government. They were not kept waiting. The government quickly assured the curious that it would continue the

policy set by its predecessors. In a meeting with United States Senator Robert Kerrey, Foreign Minister Arsa Sarasin was said to have informed the congressman that, because of proximity, Thailand had to maintain good relations with Burma.<sup>1</sup> Furthermore, in his policy statement to the National Legislative Assembly, Prime Minister Anand Panyarachun emphasized his government's objectives to strengthen relations and develop economic, technical and cultural cooperation with the country's neighbors.<sup>2</sup> The Prime Minister later rejected an appeal by the European Community to pressure Rangoon towards reform, stating that it was not the ASEAN way of doing things.<sup>3</sup>

Two Thai delegations traveled to Rangoon in June for familiarization visits. The first was headed by Wichian Watthanakun, deputy foreign minister, and the second by Gen Wichit Sookmark, deputy chief of staff of the Supreme Command. During the visit of Wichian a memorandum on border demarcation along the Mae Sai and Ruak Rivers was signed, while his military counterparts and Burmese officers agreed to establish a direct communication line for exchange of information and secured Rangoon's assurances that Thailand would assist in curbing piracy in the Andaman Sea.<sup>4</sup> On Thai policy, Wichian said upon his return that "Even though we wish to see Burma make changes towards democracy and respect for human rights, we do not interfere in its internal affairs," and, "As for Western countries which condemn Burma and want to isolate Burma, Thailand does not agree."<sup>5</sup>

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<sup>1</sup> Thai Domestic Radio Service cited in FBIS-EAS-91-063. 29 March 1991.

<sup>2</sup> *Thai Rat*. 1 April 1991.

<sup>3</sup> *The Nation*. 4 June 1991.

<sup>4</sup> *Bangkok Post*. 23 June 1991.

<sup>5</sup> *Bangkok Post*. 23 June 1991.

At the local level, there had also been essentially no change. In mid-March, the sixth meeting of the Thai-Burma Border Committee was held at the offices of Task Force 34. There, the Burmese representative requested that the Thai not allow Karen troops to use the safety of Thailand to launch attacks against the Burmese Army in the Myawadi area and then retreat back across the border. The Thai delegation, in response, denied that any such practice had received government sanction.<sup>6</sup> Thailand, referring to an incident on March 13 when Burmese troops shot at a Thai plane, in turn asked that Burmese troops not fire on Thai aircraft which accidentally stray across the border.

This was the period that the term constructive engagement first appeared in Thai foreign policy lexicon. At the Twenty-fourth ASEAN Ministerial Meeting in Kuala Lumpur on July 19, 1991, "With Myanmar," said then Minister of Foreign Affairs Arsa Sarasin in his opening statement, "we believe in a policy of constructive engagement which would lead to Myanmar's fulfilling her role in contributing to the dynamic future of Southeast Asia".<sup>7</sup> From this point forth, Thailand's policy toward

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<sup>6</sup> **The Nation**. 15 March 1991. The Burmese delegate also requested that Thailand restrict a logging company, Sirin Tech Co., from logging in prohibited areas with the Karen. There was additional debate as to the utilization of an unclaimed island created in the Moei River by a change in the course of the river.

<sup>7</sup> **The Twenty-Fourth ASEAN Ministerial Meeting and Post Ministerial Conferences with the Dialogue Partners**. 19. Ironically, at the same time, Datuk Abdullah Bin Ahmad Badawi, the Malaysian foreign minister, in his opening speech essentially argued against the concept of constructive engagement stating that:  
 ...there has been an increasing tendency to link issues of environmental protection and human rights to development and economic cooperation. ASEAN feels very strongly about these issues. In our view, they should be looked at in a proper and balanced perspectives. These should not be used as conditionalities for aid and development financing. Insistence on such linkages could only unravel the very constructive and unique relationships we have built over the years. *Ibid*, 32 - 33.

Arguing against conditions tied to relations is arguing against the principle at the core of constructive engagement.

Burma was known as constructive engagement (See Chapter VII for complete analysis).

Thailand had been the focus of intense international criticism, mainly from the United States, because of its policy toward Burma. Arsa Sarasin said that US Secretary of State James Baker often raised the issue as did other American and foreign officials. In this context, Sisak Phonkaew, an official at the Thai Ministry of Foreign Affairs, suggested that to soften American criticism, the Thai employ the term constructive engagement, the name of the policy practiced by the Reagan administration toward apartheid South Africa and the Bush administration toward post-Tiananmen China.

In April 1992, Gen. Suchinda resigned from the posts of supreme commander and Army commander-in-chief to make way for his entry into politics. Replacing him at the head of the army was Gen. Itsaraphong, the former minister of interior.\* When a prime minister could not be found amongst the list of elected MPs, General Suchinda, as expected, took the position. He chose as his foreign minister, Pongphon Adireksan, an MP from Saraburi Province and son of one of the influential Chat Thai leaders, Praman Adireksan. Pongphon quickly proclaimed a continuation of the economically oriented policy toward Burma initiated during the Chatchai period. On April 21, 1992, General Suchinda and his cabinet were sworn into office in the presence of His Majesty the King. The following day, the new prime

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\* At the same time, other Class 5 officers were placed in influential positions throughout the military in what could be interpreted as Gen. Suchinda's moves to consolidate power.

minister, in a speech with the press, reinforced the proclamation for continuance of the *status quo* in policy toward Burma stating:

Many Western countries have tried to isolate Burma. However, Thailand is a neighbor of Burma and both also share some common interests. It is still necessary to maintain relations with Burma. I think we will still follow the policy laid down by the previous government.<sup>8</sup>

Suchinda's Burma policy was analyzed as conciliatory to members of the government who had economic interests there. Suchinda supposedly did not have many economic links to the Burmese, though his relationship with the country's leaders was reportedly good.<sup>9</sup>

While Suchinda was taking office in Bangkok, a change of leadership was coming to pass in Rangoon. Saw Maung, in a series of speeches, appeared to becoming increasingly mentally unstable; so, in Declaration No. 8/92 of the State Law and Order Restoration Council of April 23, 1992, it was reported that Senior General Saw Maung had retired for reasons of health. Succeeding him was General Than Shwe, the chairman of SLORC, who took the triple role of prime minister, minister of defense, and commander-in-chief of the Defense Services (Military). Than Shwe was an experienced military leader popular with the hard-liners in the government, but many saw Brig. Gen. Khin Nyunt, the head of military intelligence, as the officer being groomed by the still influential Gen. Ne Win to become the future leader of Myanmar, though he was rumored to be disliked by the army due to his lack of field experience.<sup>10</sup>

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<sup>8</sup> Thai TV Channel 7. 22 April 1992, cited in FBIS-EAS-92-078.

<sup>9</sup> Interview with military officer.

<sup>10</sup> AFP. 24 April 1992.

In Bangkok, General Suchinda met with a popular uprising in response to his self-appointment to premier. The showdown between the "angelic" and "demonic" parties ended in victory for the democratic forces but not without bloodshed and the fortunate intervention of His Majesty the King. The ousting of General Suchinda led to the re-installment of Anand Panyarachun and many other former ministers as the interim government.

At the ASEAN Post-Ministerial Meeting in Manila, in July, the new Thai government came under heavy criticism from Canada, the United States and Australia for its policy of constructive engagement. In her opening speech, Barbara McDougall, the Canadian Foreign Minister, called for military sanctions against Burma stating that her country appreciated ASEAN's "quiet diplomacy" but continued that "The time is ripe for more vocal and firmer action."<sup>11</sup> The U.S. Undersecretary of State expressed his concern over human rights abuses and the export of heroin, a major American concern in Burma. Gareth Evans, the Australian Foreign Minister, encouraged ASEAN to exert equal "energy to solving the Burma problem as it had done with Cambodia."<sup>12</sup>

Arsa Sarasin, in an a Bangkok Radio report, defended Thai policy, saying "...we feel that our modality is that we well seek opportunities for dialogue with Burma and encourage it to continue with its current policies."<sup>13</sup>

Prime Minister Anand voiced his support for the Indochina gateway concept in the following month when he advised foreign investors that "In [the] future the market for their

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<sup>11</sup> *Bangkok Post*. 25 July 1992.

<sup>12</sup> *Bangkok Post*. 25 July 1992.

<sup>13</sup> Bangkok Radio cited in FBIS-EAS-92-144.

products will not only be Thailand, but also the markets of Cambodia, Laos, Vietnam and Myanmar.”<sup>14</sup> He said Thailand could act as a commercial, distribution, technical assistance and training center and emphasized more economic links and more frequent exchange of visits which should not be limited to short-term economic gain.

### **Border**

Throughout 1991, the Burmese Army maintained their siege of Karen territory forcing more refugees to cross the border. March saw the SLORC employing the use of aircraft to bomb hilltop bases and secure strategic positions overlooking Mannerplaw. Predictably, the attacks sent a new stream of refugees across the border to send the total number of assisted refugees over 50,000 for the first time. An assault against Mannerplaw did materialize but the Karen and their allies managed to harry the Burmese Army supply lines forcing them to suspend the offensive.

In April, Thai authorities in Kanchanaburi demanded that relief efforts to the ethnic minorities cease. This development was a result of discussions between Thai and Burmese officials of the Thai-Burmese Border Committee and consequent discussions between Thai security agencies. Relief workers were told that aid could continue only if it went to non-combatants. Mon authorities were subsequently asked to move their headquarters out of the camps across the border, a request to which they complied. Two months later, the Ministry of Interior contacted the NGOs to inform them that they could resume assistance but on the condition that the Burmese Border Consortium, the new name of the Consortium of Christian Agencies, place a formal

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<sup>14</sup> Bangkok Post. 18 August 1992.

request with the MOI before supplies would be sent to the border. The ministry could withhold permission in cases where national security was threatened or if the activities were to be conducted in areas it deemed unsafe. After receiving the ministry's approval in Bangkok, they would have to contact provincial authorities and follow the same procedure. The procedure was formalized when the BBC received a letter at the end of May noting the stipulations for provision of aid. The letter stated, among the aforementioned conditions and procedures, that minimal assistance (food, health care, and sanitation) was to be provided exclusively to civilians with no publicity; that Thai citizens were to be taken into account whereas aid to the Thai may be required in some instances; and that if the NGOs failed to follow these stipulation, their permits could be revoked.<sup>15</sup>

Though the process proved tedious, after negotiations with provincial authorities as per the letter, the BBC aid program, formerly only officially approved for Tak, was now legal also in Mae Hong Son, Kanchanaburi and Prachuab Kiri Khan.

Even after the formalization of the relief program, Sangkhlaburi remained a sensitive area for refugees as in an effort to consolidate the Mon camps, Thai authorities ordered Day Bung camp to move to Hla Brad in the Loh Loe area. This was followed by a further movement of Panung Htaw, Krone Kung and Baleh Hnook in April of 1992. The combined camps came to be known as Loh Loe camp, and at its height, was home to some 8,000 refugees. Shortly thereafter, district authorities stated directly that all illegal immigrants, including Mon and Karen refugees, would have to return across the border by April 1992. The Ministry of Interior later confirmed this

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<sup>15</sup>Letter on Ministry of Interior Regulations to the CCS DPT. 31 May 1991.

policy as one of the National Security Council, but the NGOs lobbied the NSC, Ministry of Foreign Affairs and foreign embassies in an attempt to force reconsideration of Thai intentions.<sup>16</sup> Two Karen camps in the area, not willing to wait and be forced back across the border, opted to move further north to a less controversial site.

During the time of discussions on repatriation of Burmese refugees, the Burmese struck at the Karen base at Nai In Taung bordering Kanchanaburi. Another 1000 plus refugees fled to the camps there as the dry season offensive began. Camp numbers in Tak also increased as numerous Karen positions were attacked. The talks to move the Mon back to a site not far from the seized Karen base at Nai In Taung continued unabated despite the serious developments and pertinent questions of safety upon return.

The Mon, perhaps out of anger at Thai complicity with Burmese authorities, blew up a Thai logging truck inside Burma in January. Mon leaders were invited to discuss the incident with Thai authorities toward the end of the year, but upon crossing the border, were arrested and sentenced to three months imprisonment for illegal entry.

The UNHCR, around mid-year, decided to suspend interviews with ethnic minorities as they feared this activity would draw those already receiving sufficient assistance in the camps to Bangkok and seemed to reduce its role along the border even further. The UN organization had never had a presence on the Thai-Burma border and had not pushed very hard for it as they felt that the conditions of the Burmese camps in comparison to those on the eastern border were existing in quite

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<sup>16</sup> NGO Sources.

good conditions.<sup>17</sup> The refugees had freedom of movement and were receiving efficient assistance from NGOs. In February of 1992, however, Sadaka Ogata, High Commissioner of the UNHCR visited Bangkok for discussions on the Cambodian refugees. Jack Dunford, chairman of the Burmese Border Consortium, met with her and raised the issue of UNHCR's role on the Thai-Burmese border. Ms. Ogata, who had just prepared the United Nations report on human rights in Burma some months prior, agreed that the organization should press its mandate to the border and suggested that staff from the Bangkok office tour the area.<sup>18</sup> A month later, Guy Oulette contacted the BBC to ask for assistance in touring the border. The group traveled to Three Pagodas Pass where Oulette visited the Mon camp at Payaw and the southern Karen camps. Oulette returned to Bangkok and issued a statement to the extent the NGOs were doing a commendable job and that the embassies should support them.

Also in the beginning of 1992, in a relentless offensive, Burmese forces overran the KNU's Ye Gyaw, Thi Ker Ky, Bina and Shitha Camps as well as scored victories at the strategic Hill 4044 (Sleeping Don Hill) and at Htway Hpar Waycho Camp overlooking Manerplaw.

Troops from the 44th and 33rd divisions maintained pressure on Kawmura Camp initiating a frontal assault and heavy bombardment. Some 500 shells fell on Ban Wang Kaew, the Thai once again responding with smoke and high explosive shells. On March 13, a group of Burmese troops, in a previously successful strategy, tried to

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<sup>17</sup> Interview with a senior UN official.

<sup>18</sup> Interview with Jack Dunford, Chairman of the Burmese Border Consortium, April 1995.

cross the Moei River but were met by Thai troops, who lost one ranger with four others wounded.<sup>19</sup> This reaction to the Burmese crossing was significantly counter to past responses in that the *Tatmadaw* was not permitted to use Thai territory to mount an assault on the Karen stronghold. Many of the bases lost during the previous administration had been captured by the Burmese maneuvering through Thai soil to attack the exposed backs of the Karen camps. On the day of the fall of Sleeping Dog Hill, March 14, Burmese troops once again attempted to cross over into Thailand. Approximately 100 troops crossed the Moei River into Ban Nong Wang Dang, north of Kawmura, where they were engaged by Thai Border Patrol Police.<sup>20</sup>

In the next few days, tension along the border escalated. Three Thai logging trucks were seized by the Burmese to deliver ammunition and supplies to the front. In Mae Hong Son, Thai and Burmese troops exchanged fire when suspected Burmese troops shot at a Thai spotter plane and accidental cross border shelling continued.<sup>21</sup> The border incursions prompted the Thai Third Army Region command to send an artillery battalion from the 1st Cavalry Division based in Phetchabun to Mae Sot District. Colonel Niphan Sipaibun, Task Force 34 commander, said the bombing of Ban Wang Kaew was aimed to force Thai rangers away from that village so Burmese troops could cross. He said that the Burmese commander in Myawaddy had furthermore warned Thai troops to pull back from the border or risk bombardment from airstrikes.<sup>22</sup> Colonel Niphan, responding to the threat, said that "If Burma uses

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<sup>19</sup> **Bangkok Post**. 15 March 1992.

<sup>20</sup> *Ibid.*

<sup>21</sup> **Bangkok Post**. 17 March 1992.

<sup>22</sup> *Ibid.*

aircraft to attack our force, we will have to retaliate by using our airpower. Like the artillery, our aircraft will be used only in cases of air intrusion."<sup>23</sup>

On March 16, Arsa Sarasin warned that intrusions could create tension between the two countries and the following day, an official protest was handed to the Burmese Embassy to Thailand.<sup>24</sup> The Interior Minister General Itsaraphong Nunphakdi, meanwhile, traveled to Tak and Mae Hong Son to assess the situation. At Tak, the Interior Minister issued a stern warning to the Burmese:

"We want to let our neighboring country know that Thailand has a firm policy of maintaining friendship with it, but the neighboring country must respect the rights and sovereignty of our country. Thai territory is absolutely inviolable. We will not tolerate any harm to the Thai peoples' lives and property and the lives of Thai soldiers. We now have given a final warning that the Burmese shellings of our territory must stop."

And from Mae Hong Son:

"This is the annual season in which the Burmese Government launches suppression campaigns in its country. We have asked the Burmese that the campaigns not impact on Thai people's lives and property or violate Thai territory, but the Burmese have crossed into our territory at Ban Saeng, Mae Hong Son Province. At the national level, the diplomatic channel has been used to warn the Burmese; the Burmese ambassador has been informed. At the local level, the commander of the 3rd Army Region has issued an ultimatum that the intruders must leave Thai territory as soon as possible. Units of the 3rd Army Region have been deployed to push back the intruders. If they fail to dislodge the Burmese, large-scale forces may have to be used. I have been assigned by the supreme commander and Army commander to push the intruders back as soon as possible."<sup>25</sup>

The Thai at this point were accustomed to Burmese incursions and, with a strong statement from a military commander, demonstrated their position that they would not

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<sup>23</sup> Ibid.

<sup>24</sup> AFP. 18 May 1992.

<sup>25</sup> Radio Thailand Network. FBIS-EAS. 17 March 1992.

tolerate Burmese insults to Thai sovereignty. In the past, such strong statements were not as quickly forthcoming.

The day following General Itsaraphong's visit, the Burmese once again began shelling Manerplaw preparing for the final assault. Brigadier General Khin Nyunt had called for a victory over the DAB base by the March 27 Armed Forces Day.

Concurrently in Thailand, a meeting of all border security units was held and to reinforce the Interior Minister's words, another 1,000 troops and four more 105mm artillery pieces were sent to Doi Saeng at the Mae Hong Son border and two 105mm artillery pieces to Tak. Orders came directly from General Suchinda to protect the people and evacuate if necessary.<sup>26</sup>

The conflict failed to escalate further as on April 28, to the disbelief of many observers, Maj-Gen Maung Hla, commander of the 66th Army Division, announced the suspension of Operation Dragon King against the KNU and Rangoon withdrew six of sixteen battalions deployed against the Karen at Weepavichoo Mountain on the Salween River. The move was viewed with suspicion by the DAB as the Burmese had come so close to handing the ethnic minority armies a substantial defeat. The Karen and Kachin organizations, in a November joint communique, denounced the decision and claimed that military movement continued.<sup>27</sup> The unilateral cease-fire, however, held true, as no major offensive was mounted against the groups along the Thai border until late 1994.

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<sup>26</sup> Bangkok Post. 19 March 1992.

<sup>27</sup> The Nation. 18 November 1992.

Nevertheless, the SLORC did not desist in their fight against the ethnic minorities but instead engaged in a new set of tactics in Karen State by fully implementing the Four Cuts counter insurgency strategy by relocation of villagers into strategic hamlets or camps based in Burmese military zones to sever the essential link between ethnic minority armies and civilians who supply the former with food, funds, intelligence and recruits. Other areas were declared black free-fire zones to deter civilians from inhabiting or cultivating land close to the anti-Rangoon territory as anyone found within these zones would be assumed to be sympathetic with the anti-Rangoon forces and risk being shot.

Another practice adopted by the *Tatmadaw* was the conscription of laborers to work on infrastructure projects or to act as military porters. Extensive documentation exists as to the human rights abuses transpiring during these instances of forced labor (see Amnesty International Reports, Asia Watch or the detailed reports made by Kevin Hepner and Karen staff of the Karen Human Rights Group). Therefore, in 1992, a new type of refugee began to arrive in the camps - villagers fleeing forced resettlement or conscripted labor, many seriously ill or injured. Relief agencies provided for the newcomers as best they could, but efforts were subject to serious financial constraints.

In July, just months after the cessation of operation Dragon King, Khin Nyunt urged the ethnic minorities to join in the drafting of a new constitution with an aim to eventually return the country to civilian rule. The constitution was a matter of considerable debate, particularly amongst the resistance groups who denounced the convention as a vehicle to assure a future role for the Burmese military in politics. The SLORC selected most of the representatives in attendance, though members of Aung

San Suu Kyi's National League for Democracy and ethnic minority groups which had entered cease-fire agreements, such as the Wa, did send delegates.

### **Students**

The biggest overall issue for this period was the continued planning and opening of the Safe Area. Plans which emerged before the February coup, continued under the new leadership. At the onset of 1991, there were still outstanding questions concerning protection from an international body, particularly in light of student fears that the center would serve as a base for forced repatriation; that they would have to identify themselves and family; and that they would not be permitted to continue their political activities.<sup>28</sup> The UNHCR role remained vague - would Burmese students not reporting to the Safe Area still receive UNHCR assistance in Bangkok? Would UNHCR be permitted to interview and screen new arrivals? And, what would happen to those students screened out by UNHCR? The Cabinet, nonetheless, passed the Safe Area plan and its budget of some 16 million baht in late September 1991 after which renovations on the Pak Tho Police Camp began.

A campaign against Burmese illegal immigrants was also launched nationwide in 1991. Students arrested in Bangkok, were detained at the Immigration Detention Center, a normal procedure; but, uncharacteristically they were held for months before some 140 were imprisoned. Thai authorities then drove the group to Ranong in southern Thailand, opposite Victoria Point in Burma and began to take them across the narrow waterway to be handed to Burmese officials. In panic, the students jumped

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<sup>28</sup> Interviews with various students.

overboard and attempted to swim to safety. One small group managed to escape, while the remainder were recaptured.

In June, UNHCR lowered the amount of the allowance allotted to students from 3,000 baht to 2,500 baht which led many to protest in front of the agency's office. Immigration police seized the opportunity and took fifty of the protesters into custody and placed them in the Immigration Detention Center, though the students who were persons of concern to UNHCR were moved to better conditions at the Special Detention Center (SDC) at the Bang Khen Police Academy, a holding center for political prisoners or special cases. The students protested, however, when they learned that they would not be released, but would rather be transferred to the new Safe Area upon its completion.

Also at mid-year, the Burma Coordinating Group, a collection of relief agencies which had been providing unofficial but tacitly recognized support to the students along the border, suspended the informal aid program along the border due to "inadequate reporting to the aid agencies and generally poor accountability."<sup>29</sup> The BCG also cited ethical problems in providing aid to combatants, which many of the students were. NGOs did, however, allow the ABSDF to consider the issue and propose a suitable alternative policy.

### **Period Summary and Analysis**

The combination of the three administrations amounted to few substantial variations from past policy. The most important event for this period was the

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<sup>29</sup> Dunford and Basset. 18.

emergence of constructive engagement in the Thai political vocabulary. The term was borrowed from the American precedent more as a defensive tactic than for any real commitment towards change in Burma.

Along the border, the *Tatmadaw* seemed poised to make the coup de' grace but unexpectedly announced a unilateral cease-fire to the astonishment of the ethnic minorities and Burma watchers. Before the cease-fire, however, resistance to Burmese Army attempts to cross the border proved popular among supporters of the insurgents though it caused an escalation of tension. General Suchinda did not perhaps feel compromising Thai territorial integrity was imperative to his personal interests, the interests of the NPKC regime, or the interests of the state. Refugee numbers increased during the offensive in the Karen area while pressure continued on the Mon refugees to consolidate their camps and move closer to the border in what would later prove to be a creeping return of refugees.

The passing of the Safe Area plan and continued crackdown on students in the capital also highlighted the period as the government sought to better regulate student behavior and movement as their activities had become a political issue between Thailand and Burma with potential effects on trade. Serious questions on protection and UNHCR participation, however, did still remain.