

## The Kachin Crisis : Peace Must Prevail

The recent political unrest and military violence in the Kachin and northern Shan states has been on an unprecedented scale, raising serious questions over the goals of the quasi-civilian government of President Thein Sein and its ability to control the national armed forces (Tatmadaw). Since assuming office in March 2011, Thein Sein has received praise from around the world for a “reformist” agenda that has seen many political prisoners released, Aung San Suu Kyi’s National League for Democracy (NLD) win seats to parliament, ceasefires with the majority of armed ethnic opposition groups, and a gradual liberalisation of media, business and other aspects of national life. These are trends that the international community has been keen to encourage, with UN General-Secretary Ban Ki-moon and US President Barack Obama among world leaders visiting Burma/Myanmar.<sup>1</sup>

This honeymoon period is now over. As 2012 progressed, perceptions of the real nature of change under the Thein Sein government were challenged by a series of disturbing events in which serious violence and mass displacement of civilians occurred in several parts of the country. These included communal conflict in the Rakhine state in which 147 people died and more than 110,000 (mostly Muslims) were displaced,<sup>2</sup> and dozens of serious injuries, including Buddhist monks, in a police crackdown on protestors at the Letpadaung copper mine, a joint-venture project between the Tatmadaw-owned Union of Myanmar Economic Holdings and a Chinese subsidiary of a state-owned arms manufacturer.<sup>3</sup>

### Conclusions and Recommendations

- The government should halt all offensive operations against the KIO and other armed ethnic forces. Armed conflict will worsen – not resolve – Burma’s ethnic and political crises. The violence contradicts promises to achieve reform through dialogue, and undermines democratic and economic progress for the whole country.
- Ethnic peace must be prioritised as an integral part of political, economic and constitutional reform. Dialogue must be established to include ethnic groups that are outside the national political system.
- Restrictions on humanitarian aid to the victims of conflict must be lifted. With hundreds of thousands of displaced persons in the ethnic borderlands, a long-term effort is required to ensure that aid truly reaches to the most vulnerable and needy peoples as part of any process of peace-building.
- Economic and development programmes must benefit local peoples. Land-grabbing and unsustainable business practices must halt, and decisions on the use of natural resources and regional development must have the participation of local communities and representatives.
- The international community must play an informed and neutral role in supporting ethnic peace and political reform. Human rights’ progress remains essential, all ethnic groups should be included, and economic investments made only with the consultation of local peoples.

The most protracted violence, however, took place in northeast Burma during a government offensive against the Kachin Independence Organisation (KIO), an armed ethnic opposition group calling for ethnic rights and autonomy.<sup>4</sup> Until the Thein Sein government came to power, the Kachin region had witnessed 17 years of ceasefire. But since fighting resumed in June 2011, thousands of casualties killed or injured – as well as more than 100,000 internally displaced civilians – have been reported.<sup>5</sup>

Although President Thein Sein several times announced halts to army offensives in the Kachin region,<sup>6</sup> Tatmadaw attacks continued nonetheless, unveiling an unparalleled show of force, including aerial bombardments during December 2012 and January 2013 against KIO positions around Laiza where thousands of civilians were sheltering. At a time of supposed peace and reform, such images of military violence caused shock waves in both Burma and abroad.

Clearly, at a time of state transition, the political and ethnic challenges facing Burma are complex. After five decades of military rule and repression, sustainable and meaningful reforms are likely to take time. On a positive note, any visitor to the country can see the reduction in political restrictions compared to just two years ago, especially in Yangon and the main conurbations. These have brought a new mood of hope for change.

Many legacies of the past, however, still remain, and the violence in the Kachin region has happened under the new political system, holding the present government accountable for explanations and actions. Of especial concern, the intensity of army offensives in the Kachin region has strengthened opposition beliefs that a policy to marginalise the Kachin and other nationality peoples in northeast Burma was started

by powerful military and business interests under the former State Peace and Development Council (SPDC) regime and that this policy has been continued under the new government.

Events in the Kachin region are also being closely watched in other borderland areas where other ethnic groups, some of which have only recently agreed ceasefires, believe that a similar array of tactics – including a fast-moving mix of military pressures, peace offers, land-grabbing, political stasis and outside business deals – are being employed in their territories to advance government interests and undermine ethnic unity and opposition at this vital moment in the country's history. A perception remains that senior figures in Burma's ruling elite are playing a strategic game of "divide and rule" for time in order to build a new incarnation of military-dominated government.

After twenty months of fighting, the damage to community relations in the Kachin region is incalculable. Grave human rights abuses have been reported, countless property and lives destroyed, and entire communities displaced from their homes since government operations started in June 2011.<sup>7</sup> There also remains a risk of violence spreading, with Shan, Palaung and other ethnic parties similarly accusing government forces of coercive tactics in adjoining districts of the Shan state.<sup>8</sup>

Urgent action is required to address the political and humanitarian crisis. Following Thein Sein's latest announcement on 18 January of a unilateral ceasefire against the KIO, opportunities should exist for dialogue and reconciliation to resolve conflict, and preliminary peace talks have restarted. But in many areas low-intensity attacks by government forces have continued, while Kachin and other nationality leaders complain that there is little indication that the new peace talks will address the underlying

political and ethnic crises that have long needed to be solved.

It is therefore vital that all fighting is immediately halted, real political dialogue started, and humanitarian aid allowed to all communities affected by the conflict. If Burma is to see a long-wanted era of peace and democracy, armed violence should be ending – not resuming under the new political system. The Kachin crisis has now become a test case for how old injustices will be addressed.

### **A HISTORY OF UNREST**

Political and ethnic conflict has continued through each political era in Burma since independence in 1948. Every change in political system (in 1948, 1962, 1988 and 2011) has been followed by volatility and then peace talks that have sought to bring the opposing parties together. These include the 1963-64 nationwide “Peace Parley” under Gen. Ne Win’s “Burmese Way to Socialism” government, the post-1989 ethnic ceasefires under the State Law and Order Restoration Council (SLORC: subsequently SPDC) regime, and, most recently, the “Union Peace Making” initiative of President Thein Sein.

To date, none of these dialogue processes has brought inclusive peace to the country. In consequence, continuing political and ethnic conflicts have remained a fundamental reason for Burma’s post-colonial decline to the bottom of international league tables in every field from economic to humanitarian affairs.<sup>9</sup>

The consequences have been profound. In the early 21<sup>st</sup> century, many borderlands remain under the control of over 20 armed ethnic opposition forces, and there are large ethnic minority regions that have never come under central government authority since independence.<sup>10</sup> As a result, many social, political and economic differ-

ences continue to exist between the country’s Burman Buddhist majority, who mostly inhabit the central plains, and ethnic minority peoples in the borderlands, who make up an estimated third of Burma’s 60 million population.

The Kachin conflict is among the most protracted of Burma’s ethnic wars. Resistance to central government rule has continued through all four political eras since independence. The Kachin Independence Organisation was formed in 1961, following discontent over perceived ethnic inequality and discrimination, government neglect and plans to make Buddhism Burma’s state religion. Most Kachins are Christians and closely inter-linked by clan traditions. In subsequent years, the KIO rapidly grew into one of the best-organised armed opposition forces in the country, with health, education and other departments across the Kachin state and northern Shan state where an estimated 100,000 Kachins also live.

Despite its militant pedigree, across the years the KIO has been among the leading voices for dialogue and national unity to bring opposing parties in the country together. Early demands for separatism were replaced by federal goals, with the KIO becoming a founder member of the ethnic National Democratic Front (NDF) in 1976. The KIO also held peace talks with the Ne Win government in 1963, 1972 and 1980-81 before its late chairman Brang Seng agreed a ceasefire with the military SLORC government in 1994.<sup>11</sup> After immense loss of life, the Kachin region was at peace for the first time in over three decades.<sup>12</sup>

Today the 1994-2011 ceasefire period is widely regarded as one of lost opportunities. The Kachin region became one of the fastest-changing borderlands during the SLORC-SPDC era. Government officials said that they wanted to make a model of

the KIO ceasefire; displaced villagers resettled; tourists and international aid agencies returned; and the activities of faith-based and local community groups revived, including the Shalom Peace Foundation and Metta Development Foundation which set up programmes to support community development and conflict resolution in other parts of the country.

Disquiet, however, began to grow. Political dialogue was promised but never took place. Poverty and humanitarian suffering also continued, with the Kachin state becoming a particular epicentre for injecting drug use (mainly heroin) and the related spread of HIV/AIDS. Meanwhile regime officials and cronies, often close to the family of the SLORC-SPDC chairman Snr-Gen. Than Shwe, took over many of the lucrative but unsustainable business opportunities in the Kachin state, including logging, gold-mining, agriculture and the valuable jade mines at Hpakant.<sup>13</sup> KIO and other Kachin leaders, too, were involved in corruption and business deals.<sup>14</sup> But the KIO also stepped up education and development projects, including the new town of Laiza on the China border as well as a hydropower plant to supply electricity to the state capital Myitkyina.

Serious challenges remained. But as the years went by, the assumption grew in political circles in Burma that there would be no return to violence. The KIO was a visible participant in the SPDC's seven-stage roadmap for constitutional change and, when difficulties occurred, they were usually resolved through dialogue and the support of community and Christian leaders. Whatever the difficulties, the Kachin people were keen to take part in the new political era.

The dramatic breakdown of the KIO ceasefire in June 2011 therefore came as a major surprise to many observers both in Burma

and abroad. The scale of subsequent violence only compounded shock because it occurred under the new Thein Sein administration that was promising peace and reform with the NLD and other opposition parties in the country. Clearly, events in the Kachin region had taken a very regressive turn, with warnings for the whole country.

## TENSIONS RISE

For their part, government officials have never publicly explained many of their decisions in the Kachin region during the 2008-13 period. But Kachin leaders have consistently alleged that, from the outset, leading SPDC, Tatmadaw and business figures deliberately planned to marginalise the Kachin cause during the change from the SPDC to Thein Sein governments.<sup>15</sup> This, they argue, was for a combination of political and economic reasons that gained urgency during the last years of the SPDC government.

Other ethnic movements were also targeted, especially in northeast Burma, and Kachin politics need to be seen within the context of national events. But, in early 2013, evidence strongly suggests that the Kachin region has been treated differently to the rest of the country throughout this important time of government change.

In economic terms, the strategic and financial importance of the Kachin region dramatically increased towards the end of the SPDC. This was accentuated by a number of major economic agreements with China, the SPDC's most important international backer, during Snr-Gen. Than Shwe's final years in office. Key projects include the multi-billion dollar oil and gas pipelines to China through the northern Shan state, where the KIO 4<sup>th</sup> brigade is based, and the Myitsone dam (currently suspended) on the Irrawaddy confluence in the Kachin heartlands. Another six hydropower plants are planned on the N'Mai and Mali tribu-

taries alone. Under current conditions, most of the resources will go to China and financial windfalls to the Nay Pyi Taw government and related companies in Burma.<sup>16</sup>

As Chinese nervousness grew, Snr-Gen. Than Shwe travelled to Beijing in September 2010 to ensure agreement and personally guarantee the security of Chinese investments after the SPDC hand-over.<sup>17</sup> Accompanying Than Shwe were the next Tatmadaw Commander-in-Chief, Gen. Min Aung Hlaing, and a senior team of government ministers and officials. In effect, even before transition to the new political system, epoch-defining changes in the Kachin and northern Shan states were being agreed by Burma's military leaders without consulting the local peoples and parties. In the light of such deals, the Kachin state – followed by Rakhine and Shan – is estimated to be the largest source of approved Foreign Direct Investment in Burma since 1988, and this does not include other major economic areas, such as logging and agribusiness, where Chinese companies mostly work through local proxies.<sup>18</sup>

These economic and security imperatives then appear to have under-pinned the SPDC strategy to weaken the Kachin cause during the change to a new government era. It was a challenging and precarious time. With opposition groups critical of the new constitution and Western sanctions continuing, the ruling generals knew that they would have to select their targets carefully to maintain government dominance and stability in the years to come.<sup>19</sup>

It was against this backdrop that the KIO was singled out as an especial opponent in Nay Pyi Taw during the government change-over. By marginalising such a leading force as the KIO, regime strategists hoped that this would act as a warning to other ethnic parties. Not only was the KIO

regarded as an obstacle to business interests among the ruling elite but Snr-Gen. Than Shwe was personally critical of the KIO and its “federal” goals,<sup>20</sup> which were put forward through a 13-party ceasefire grouping led by ex-NDF parties at the National Convention to draw up Burma's new constitution. These claims were rejected,<sup>21</sup> and by mid-2009 Than Shwe had reportedly already decided to resume fighting the KIO.<sup>22</sup>

From mid-2009 onwards, the KIO was constantly kept on the back foot by government actions. Firstly, on the military front, the KIO and other ceasefire groups were ordered in April 2009 – without negotiation or warning – to transform their troops into Border Guard Forces (BGFs) under Tatmadaw control. While several forces, including the small New Democratic Army-Kachin (NDA-K),<sup>23</sup> agreed to this new status, the KIO, Shan State Army-North (SSA-N), United Wa State Army (UWSA) and most of the major parties refused.<sup>24</sup>

Equally ominous, in August 2009 the Tatmadaw first unveiled evidence of the intention to pursue military solutions in pursuit of government goals in northeast Burma. 37,000 refugees fled into China and as many as 200 people were killed or wounded when the SPDC sent in troops under the future Commander-in-Chief Gen. Min Aung Hlaing against the ceasefire Myanmar National Democratic Alliance Army (MNDAA) in the Kokang region to support a breakaway faction that agreed to the BGF orders.<sup>25</sup>

The Kachin and Kokang regions inter-join in the northern Shan state, and the military offensive was widely interpreted as a warning to the KIO, SSA-N, UWSA and other ethnic opposition forces in the area as the government change-over loomed. Eventually, after a September 2010 deadline passed, the KIO and other ceasefire groups

refusing to transform into BGFs were told by the SPDC that their status was considered to be on “pre-ceasefire” terms.

As military tensions deepened, the KIO and Kachin parties were then politically excluded from taking part in the 2010 general election and new political system – despite their willingness to join. For while ethnic nationality parties were allowed to stand for the legislatures in other parts of the country (including ceasefire groups<sup>26</sup>), the registration of the three Kachin parties that attempted to take part were rejected by the Election Commission: the KIO-backed Kachin State Progressive Party (KSPP) and Northern Shan State Progressive Party (NSSPP), and the United Democracy Party-Kachin State (UDPKS: supported by a NDA-K splinter group).<sup>27</sup> At the same time, although the KIO did nothing to disrupt the elections, the state media began to refer to the KIO as an “insurgent” group.<sup>28</sup>

The result was that, when President Thein Sein assumed office in March 2011, the KIO was in a military-political “no-man’s land”, Kachin nationality parties had not participated in the election, and the new legislatures representing the Kachin region were dominated by candidates from the military-backed Union Solidarity and Development Party (USDP) and Tatmadaw representatives, who were reserved 25 per cent of all seats.<sup>29</sup> In all the ethnic states, USDP and Tatmadaw representatives gained majorities, but only in the Kachin and Kayah (Karenni) states was the exclusion of nationality parties so complete.<sup>30</sup>

After decades of struggle and 17 years of ceasefire, the sense of marginalisation and disenfranchisement among the Kachin people was deep. A new political era was beginning with government authority still in outside hands and anxieties only increasing about the economic takeover of Kachin lands by outside interests.

## THE RETURN TO CONFLICT

Many competing stories surround the resumption of conflict between the government and KIO and its continuance after June 2011.<sup>31</sup> A blame game has continued, and it is difficult to construct an unprejudiced narrative of the descent into armed violence. Ostensibly, the state media claimed that the Tatmadaw had only responded in self-defence to protect Chinese workers after the KIO “opened fire” near Bhamo at the Tarpein hydroelectric project, a joint venture between Burma’s Electric Power Ministry and the Datang Hydropower company of China.<sup>32</sup>

These same claims of “self-defence”,<sup>33</sup> however, have been used as the Tatmadaw has gone on to launch sustained offensives across the Kachin region for 20 months, displacing over 100,000 civilians and culminating in the largest government offensive in over two decades in the aerial assault around the KIO headquarters at Laiza in late 2012 and early 2013.<sup>34</sup> Clearly, such operations are not carried out without long-term planning and military build-up, and it is not only the Kachin region that appears to have been targeted so systematically for Tatmadaw operations and harassment at a time when the Thein Sein government has been publicly advocating peace.

Even before the KIO ceasefire breakdown, Tatmadaw attacks had also started in March 2011 against another ceasefire group in northeast Burma, the Shan State Army-North, which – like the KIO and ethnic Kokang and Palaung forces – controls territories in the northern Shan state along or near the route of the projected oil and gas pipelines to China. Furthermore, although another ceasefire was agreed with the SSAN in January 2012, over 50 more clashes have since been reported as government units used the same self-defence explanation as they continued “regional clearance”

and “regional control” operations to impose Tatmadaw authority.<sup>35</sup>

Similarly, the Shan State Army-South (SSA-S) complained of 68 clashes with Tatmadaw forces that intruded into its territory in the year following its December 2011 ceasefire with the government.<sup>36</sup> Meanwhile ethnic Palaung armed resistance revived under the Ta’ang National Liberation Army in the face of Tatmadaw operations,<sup>37</sup> and in January 2013 Burma’s strongest armed opposition force, the ceasefire United Wa State Army, issued a statement with its Shan state allies calling on the government to stop offensives against the KIO and solve disputes with the ethnic peoples “peacefully and prudently”.<sup>38</sup>

As a result, while the government continued to promote peace talks with Chin, Karen, Mon and other ethnic opposition forces in the country, many citizens in the borderlands and rural areas of Burma claim to have seen no change or even a worsening of the situation under the Thein Sein administration from the days of the SPDC. Whatever the government publicly promised, the Tatmadaw still appeared to be continuing military operations on its own strategic terms and timetable.

## THE CHANGING LANDSCAPE

This apparent contradiction between government words and Tatmadaw actions raises fundamental questions about the nature of the Thein Sein administration, its strategies and who, in reality, is in control. For at a time of potentially epoch-shaping reform, the attempt to repress politics and impose military solutions in the Kachin region and China borderlands runs counter to a very different face of building democracy and ethnic peace that the Thein Sein government has sought to show other groups in Burma and the outside world. Without doubt, Burma has undergone

## ETHNIC ARMED GROUPS WITH NEW CEASEFIRE AGREEMENTS\*

1. United Wa State Army\*
2. National Democratic Alliance Army (Mongla)\*
3. Kloh Htoo Baw (formerly, Democratic Karen Buddhist Army Brigade 5)\*
4. Restoration Council of Shan State (also, Shan State Army-South)
5. Chin National Front
6. Karen National Union
7. Shan State Progressive Party/Shan State Army (also, Shan State Army-North)\*
8. New Mon State Party\*
9. Karen National Liberation Army Peace Council\*
10. Karenni National Progressive Party
11. Arakan Liberation Party
12. Pao National Liberation Organization
13. National Socialist Council of Nagaland – Khaplang faction

\* Those marked with asterisk also had ceasefires with the SLORC–SPDC government.

significant change towards socio-political liberalisation since the SPDC stood down in March 2011. But this only makes the recourse to armed conflict in the Kachin and Shan states appear so backward in preventing nationwide peace.

Credit for much of the progressive change after the SPDC has been attributed to President Thein Sein who, against most predictions, relaxed many restrictions and began to release political prisoners after taking office. Everything from long-needed social and economic reforms to allowing marginalised and repressed opposition voices back into the political process appeared possible.

After decades of military rule, many citizens were quick to respond. After boycotting the 2010 general election, Aung San Suu Kyi and the NLD won a landslide of seats to parliament in the April 2012 by-elections; political exiles began to return home; and a new “civil society” energy and space appeared in different communities across the country.<sup>39</sup>

Meanwhile, after a hesitant beginning, the government slowly rolled out an ethnic peace programme that by early 2013 had come to involve 13 armed ethnic opposition groups, including some that previously did not have ceasefires (see chart on p. 7). Most borderlands remain highly militarized.<sup>40</sup> But although the ceasefire agreements contained only basic provisions, many ethnic leaders were reported to describe government overtures as the “best opportunity in decades” for conflict resolution in the country.<sup>41</sup> All ethnic groups and parties want to be engaged.

In the wake of these changes, international approval was quick, with Western sanctions decreasing and a host of international organisations, including the European Commission and World Bank, setting up office in Burma. In general, it is recognised that democratic transition and conflict resolution still have a long way to go. But after decades of military rule, most Western governments and institutions concentrated – as a matter of strategy – on encouraging President Thein Sein whom, they believed, needed tangible support if democratic reform was to continue from the country’s military past. Certainly, the scope of change appeared dramatic during 2012 and, whatever Burma’s future, a return to the cycle of internal repression and international isolation of previous government eras appears unlikely.

Against this backdrop, the intensity of conflict in the Kachin region has rung alarm

bells that the direction and basis of reform under the Thein Sein government has been misjudged – or, at the very least, President Thein Sein does not have full authority. Thein Sein has undoubtedly appointed modernizing advisors. But in recent months, as events from the Rakhine state violence to Letpadaung copper mine protests warn, there remain many unresolved legacies and doubts from the past about how deep political and economic changes really go. Indeed senior USDP officials, the dominant party in government, admit that their objective is to implement the political system handed on by Snr-Gen. Than Shwe, who is in retirement in Nay Pyi Taw.<sup>42</sup> Meanwhile the Tatmadaw continues to state publicly that it wants to “play the leading role in national politics.”<sup>43</sup>

For their part, Kachin leaders recognise that the KIO has been outmanoeuvred by the dramatic changes of the past two years.<sup>44</sup> In early 2012, the KIO was just one opposition group among many – from the NLD to Karen National Union (KNU) – outside the new political system attempting to bring about national change. Twelve months later, in a remarkable change in alignments, it is the KIO that often appears isolated and the Thein Sein government that has strategically engaged with the NLD, KNU and most other opposition groups in the country, winning global recognition in the process.

Kachin leaders, however, remain adamant that, far from being an accident of history, the KIO’s exclusion is not an exception but a continuation of the SPDC’s “divide and rule” decision – for a variety of economic, political and strategic reasons – to marginalise their cause during the transition to a new era of government. On this basis, they regard the plight of the Kachins and other nationality peoples in northeast Burma as an ever more important test-case in examining the real intentions and possibilities

behind the new political system. As they argue, the prospects for Kachin parties had already been marginalised under the SPDC, but the actual ceasefire breakdown and recourse to armed violence occurred with the arrival of the new government.<sup>45</sup>

## **THE WORSENING ENVIRONMENT**

As conflict continues, anti-government resentment and popular support for the KIO have risen among the Kachin population under the Thein Sein administration, reflected by exile media and protests around the world in an often bitter propaganda struggle.<sup>46</sup> This has been fuelled not only by the violence of operations by Tatmadaw troops, who are mostly Buddhist Burmans, in Kachin communities that are mostly Christians but also by a pattern of events that appear consistent with sidelining Kachin interests and avoiding political dialogue to resolve long-standing crises that need to be addressed.

A number of examples stand out. Firstly, as the oil and gas pipelines to China come close to completion, the economic imperatives of government strategies in the Kachin region have not diminished. A warning letter from the KIO Chairman Zawng Hra to China's President Hu Jintao in March 2011 asking him to stop the controversial Myitsone dam, because it could lead to "civil war",<sup>47</sup> is today widely regarded as the final signal that caused the government to move towards offensive operations against the KIO in June 2011. And while President Thein Sein did subsequently postpone the Myitsone dam as protests mounted around the country, suspicion remains strong that the intention still exists for the project to be renewed.<sup>48</sup> There are powerful vested interests – both local and international – at stake.

Chinese lobbying is intense and, as suppression of protests at the Chinese-backed Letpadaung copper mine has showed, there

are influential stakeholders, including the Tatmadaw, driving economic policy under the Thein Sein government.<sup>49</sup> Equally striking, business groups close to the government have often appeared partisan or even involved in the Kachin conflict. Reports have continued of the Tatmadaw using the ground cover of companies such as Yuzana, which is owned by a USDP MP, to launch operations, especially in the Hukawng valley and Hpakant jade mine areas,<sup>50</sup> while other companies, such as the AGD Bank and Air Bagan (owned by the Htoo Group), have reportedly provided financial donations for government troops in the Kachin state.

This links to a second concern – that, far from being error-driven, the government's handling of the conflict has remained highly strategic to continue marginalizing the Kachin cause. The new political institutions in Nay Pyi Taw and the Kachin state have been ineffective, and President Thein Sein's public calling of a halt to offensives has seen no let-up in Tatmadaw operations on the ground.<sup>51</sup> By-elections, meanwhile, were also suspended for the Kachin state in the April 2012 polls. In consequence, the belief has grown that, in the Kachin case at least, the offer of peace talks or ceasefires has been used as a distraction and delaying tactic as part of the longer-term campaign to ensure the foundation of a new system of military-backed government.

In particular, while most of the peace agreements with other ethnic forces have been achieved by Thein Sein's "minister without borders" ex-Gen. Aung Min,<sup>52</sup> until May 2012 negotiations with the KIO were led by the hardliner ex-Col. Aung Thaung, a USDP leader and former Industry-1 minister who has widespread business interests across the country. Indeed it was Aung Thaung who was involved in the SPDC exclusion of Kachin parties in the 2010 general election and the attempt to

force the KIO to become a BGF.<sup>53</sup> And although Aung Min has since been brought into the Kachin process under the President's Union Peace Making initiative, KIO leaders complain that he is unable to negotiate political and military issues and that Tatmadaw commanders still use every peace talk pause in the fighting to re-supply front-line positions and increase the military pressures.<sup>54</sup> In such circumstances, real dialogue has yet to take place.

The KIO, too, has been accused of militancy and intransigence, with a USDP member in parliament recently warning that if the KIO does not accept an "olive branch, then we should send them bullets instead".<sup>55</sup> But finally the gap between government rhetoric and reality were forced into the open in the Tatmadaw offensive at the end of 2012 when Russian-built helicopter gunships, one of which crashed, and Chinese-produced aircraft attacked KIO positions around its headquarters at Laiza in the first unveiling of such aerial tactics in Burma.<sup>56</sup> In a targeted operation that began at Christmas, government spokesmen have continued the "self-defence" premise that the Tatmadaw was only supplying outposts in the face of KIO interruptions.<sup>57</sup> But as pictures of aerial bombardments and civilian casualties circulated around the world,<sup>58</sup> the military-owned Myawady News did admit to the Tatmadaw using assault "airstrikes" against the KIO in the region.<sup>59</sup>

Eventually, through the intercession of China – the one party both the government and KIO feel they have to pay heed to – new peace talks were held in the border town of Ruili in February 2013, and fighting has since gradually declined.<sup>60</sup> But the intensity of Tatmadaw operations – and President Thein Sein's apparent lack of authority – caused renewed questions to be raised about the real direction of government in Burma and whether Western recognition had been accorded too early.<sup>61</sup>

Those supporting Western engagement do not want to be complicit with repression in the country.

This leads to a third continuing area of concern – the perception that the international community has been excluded or manipulated over the conflict in the Kachin region and broader ethnic challenges in the country. For while Western donors have supported peace initiatives elsewhere in the borderlands, the door to the Kachin region has remained largely shut by the government and – with the exception of China – international influence in halting conflict has been minimal.<sup>62</sup>

As a mark of change, a plethora of internationally-supported programmes evolved during 2012 under the Thein Sein government, including the Norway-backed Myanmar Peace Support Initiative, the Euro-Burma Office-supported Working Group on Ethnic Coordination and Japan's Nippon Foundation project.<sup>63</sup>

As the months passed by, however, ethnic groups became concerned that this has provided the government with considerable legitimacy and advantages that will not lead to sustainable or inclusive peace unless independent programmes and "do no harm" principles are carefully employed by international groups that seek to intervene.<sup>64</sup> At the same time, over six billion dollars of international debt has been written off, pressures for political and ethnic reform reduced, aid and development prioritised, and ethnic parties expected to find ways to fit in with the government's political roadmap. But as ethnic analysts reported, not only does the Thein Sein government have no budget or plan for peace building in the life of the current parliament, but its chosen intermediary – the European Commission-supported Myanmar Peace Centre<sup>65</sup> – appears as an extension of government, reporting to the President's office.<sup>66</sup>

This raises questions as to who and what the international community is actually supporting – as well as risks of “too much, too soon”.<sup>67</sup> Equally concerning, despite international encouragement for peace, access has been limited for humanitarian organisations to the victims of conflict in the Kachin region, the majority of whom have fled into KIO territory.<sup>68</sup> Both UN and non-governmental organisations have been restricted, and only in late February 2013 did an ICRC convoy finally reach to KIO territory again after a reported eight-month break in international shipments to areas outside government control.<sup>69</sup>

After months of bitter fighting, all sides began to re-assess the military and political situation anew.

## **THE HUMAN COST**

In March 2013, in the wake of President Thein Sein’s visit to Europe, hopes are rising that new approaches will be started to resolve the Kachin conflict while an uneasy stand-off exists. In the meantime, great suffering has occurred. Independent verification is impossible. But Kachin groups allege that, since Tatmadaw operations began in June 2011, over 100,000 persons have been internally-displaced, 66 Christian churches destroyed, 364 villages wholly or partially abandoned, and arbitrary arrests and grave human rights abuses perpetrated across the Kachin region.<sup>70</sup> Destruction has occurred from the northern Shan state throughout the China borderlands into the central Kachin state, with significant disruption also occurring in the important Hpakant jade mine region to the west.

KIO guerrilla attacks, too, have been pervasive, with the government alleging 64 KIO attacks on Tatmadaw outposts, 122 on roads and bridges, and 71 on rail-lines during the same period.<sup>71</sup> Both sides are guarded about combatant casualties. The

government admits to 1,095 clashes; the KIO claims over 2,400.<sup>72</sup> But up to 5,000 losses killed or wounded have been reported, with most occurring on the government side as troops attacked in large numbers in difficult and often hostile terrain.<sup>73</sup>

Inevitably, the scale of such conflict has caused unhelpful damage to community relations. The Kachin Baptist Convention warned that force is “creating mistrust” and “cannot achieve sustainable peace”;<sup>74</sup> the Catholic Bishop Francis Daw Tang claimed the lives of the people were being “destroyed by war, their families fragmented” in “unequal warfare”;<sup>75</sup> and the UN Special Rapporteur on human rights Tomás Ojea Quintana expressed concern that “the escalation” in military operations had brought “death, injury and destruction to the civilian population”.<sup>76</sup>

At the same time, as evidence of the growing socio-political openness in Burma, there has been increasing discussion about the Kachin crisis in political, media and community-based circles. After decades of censorship and security rule, this marks a significant change from the past. 88 Generation Student leaders have distributed humanitarian aid in KIO territory to counter the impression that this is an ethnic Burman-Kachin war; there have been concerts and public events in Yangon and other towns to raise charity funds and awareness of the Kachin crisis; a peace march set off from Yangon to Laiza; and NLD leader Aung San Suu Kyi said that, if invited, she is always willing to take part in mediation efforts to achieve peace.<sup>77</sup>

Ultimately, then, as this groundswell of sympathetic efforts show, it will be for the peoples of Burma to resolve the Kachin and other ethnic conflicts in the country. In the past two years, President Thein Sein’s calls to halt Tatmadaw offensives have been welcomed by the public, even if not imple-

mented in the field. And Thein Sein again encouraged ethnic leaders, many from ceasefire groups, at the 66<sup>th</sup> Union Day celebration in February when he called for participatory approaches, forgiveness and mutual respect to achieve peace in the new era of democratically-elected government. “Public aspiration”, he said, “was to end the armed conflicts and to make the country to stand tall among the world nations.”<sup>78</sup> Due to face-to-face negotiations, there were now “rays of peace”.<sup>79</sup>

The question is how these hopes will be fulfilled.

### **THE WAY TO PEACE**

Despite Burma’s long legacy of conflict, protagonists on the different sides have often recognised that routes to peace do exist. But this, they know, will require the movement of all parties from entrenched positions so that genuine and inclusive dialogue can be found to resolve political and ethnic challenges that, in many respects, date back to the dawn of independence in 1948.

For the moment, an uneasy peace exists in many parts of the country. The new parliamentary system is slowly beginning to operate. But all political attention is now concentrating on the next general election in 2015, when parties on all sides expect the outcome to provide a much clearer indication of the country’s political future.

Meanwhile ceasefires are continuing with the majority of armed ethnic opposition groups in the country. But they, too, are focusing on the 2015 general election and the political processes underway, wondering how their causes will find just solutions in the years ahead. “All of the problems in this country could be solved if the political system were fixed,” the KIO’s deputy army chief Gen. Gun Maw has said.<sup>80</sup> Up until

now, no real political dialogue has taken place.

Despite the obvious challenges, in early 2013 an outline of structures for dialogue and conflict resolution began to emerge on both the government and ethnic opposition sides. On the government side, coordinated through a Union Level Peace Team under Thein Sein, peace progress is planned in three stages – backed by ceasefires, dialogue and development to build confidence – from the state to union levels and then to ethnic parties, including those from ceasefire groups, contesting elections to the legislatures in 2015.<sup>81</sup> In the process, although the Border Guard Force order appears to have been relaxed, the armed wings of ethnic opposition groups will be expected to transform from independent into national structures.

In contrast, although it is difficult to generalise for all ethnic forces, during the past year the main ethnic lead has come from the United Nationalities Federal Council (UNFC), a 11-party alliance of ceasefire and non-ceasefire groups – most of which are present or former NDF members – which was formally established in February 2011.<sup>82</sup> Including the KIO, KNU and SSA-N, the change from the SPDC to Thein Sein governments galvanised a response from ethnic parties which recognised that national political events in the country could be passing them by.

Military unity has not been achieved, and individual groups have had their own meetings and ceasefire agreements with the government over the past two years. But concerned by Tatmadaw operations against the KIO, SSA-N and other ethnic forces in northeast Burma, a greater consensus has been agreed and a determination that political negotiations should be carried out by the UNFC as a bloc. In essence, the UNFC is calling for a “federal” union. But to

achieve peace, UNFC members believe a broader six-stage process will be needed from the state to national levels, involving other parties and civil society representatives as well as a union conference, similar to the historic Panglong meeting in 1947 where the principles of ethnic unity and autonomy for the future union were agreed. As a first step, a nationwide ceasefire including the KIO is regarded essential.

The challenge, then, is whether these two different visions for peace can work together. In the past, Burma's military leaders have rejected the concept of federalism, equating it with separatism.<sup>83</sup> They have also refused to meet with opposition groups in alliances. But in recent months, as dialogue has increased, there have been indications that the advisors around Thein Sein have begun to understand better the realities and goals of ethnic opposition calls. On 20 February, the government's chief negotiator Aung Min met with UNFC leaders, including the KIO, KNU and SSA-N, in the Thai city of Chiang Mai for "frank and friendly" talks,<sup>84</sup> and understanding is growing that a peace process must develop that truly addresses ethnic rights and grievances. As Aung Min subsequently told a peace conference in Yangon, "Why did the ethnic groups rise against the government? It is because they don't enjoy equality, autonomy and rights. We must give them to them. To do so, we need to consider power as well as wealth sharing."<sup>85</sup>

Against this, suspicion remains widespread among ethnic leaders of government intentions, especially after conflict of such intensity with the KIO over the past two years. On 1 March the Nay Pyi Taw parliament overwhelmingly backed the annual budget allocating the military over one-fifth of public funds;<sup>86</sup> Tatmadaw commanders still appear to have day-to-day authority in decision-making in ethnic borderland areas; a parliamentary report confirmed

"massive" land-grabs by the Tatmadaw around the country;<sup>87</sup> and confidence has yet to be established that President Thein Sein – although feted in the West – has the leadership role and support to really usher progressive reform through.

Furthermore Tatmadaw operations in the Shan state, in apparent defiance of ceasefire agreements, are causing concern that armed conflict might further re-ignite. In late February, more clashes occurred with the SSA-S, while the SSA-N wrote a letter to President Thein Sein titled "Appealing to the stop the Burma Army offensive" after fierce fighting broke out.<sup>88</sup>

Speculation thus grew that, while the rest of the country was concentrating on national peace talks, the Tatmadaw under Vice Snr-Gen. Min Aung Hlaing was continuing a long-term strategy of seeking to undermine ethnic opposition movements by force, even if under the cover of peace.<sup>89</sup> Shan analysts believed that the next target might be the United Wa State Army,<sup>90</sup> which warned against "the comeback of dark images of the past military dictatorship era".<sup>91</sup> And even in ethnic areas where new ceasefires had been agreed, the Karen Human Rights Group claimed that local communities were still "losing ground".<sup>92</sup> The cessation of conflict may have made territories more accessible to business groups, but the environment remained highly militarized and many local peoples were still leaving their lands. In late February, the KNU Chairman Gen. Mutu Say Poe informed the government that, given the tentative stage of peace, it is "too early for development".<sup>93</sup>

For these reasons, KIO, KNU and other ethnic leaders have made it very clear that, after decades of conflict, they do not intend to give up the right to self-determination and armed struggle until real political solutions are achieved. The exact political

details are likely to take time, as well as the issues of conflict transformation and disarmament. But ethnic parties are concerned about three benchmark issues in the meantime: how processes can be set up outside of present parliamentary structures so that political and economic issues can be discussed by groups that are currently marginalised; if the current political system is re-formable, there need to be indications of how;<sup>94</sup> and related to this, how the 2008 constitution, which guarantees 25 per cent of parliamentary seats for the Tatmadaw, can be amended to ensure sustainable and democratic government for the future.<sup>95</sup>

Vital times for the establishment of ethnic peace, justice and democracy now lie ahead.

## CONCLUSION

After two years in office, the Thein Sein government is in a powerful position. As in all eras of political change since 1962, the country's ruling generals have ensured that the Tatmadaw retains authority over the process of transition. In consequence, the present system of quasi-civilian government – dominated by the Tatmadaw and pro-military USDP – appears likely to continue until the next general election in 2015 at least.

At the same time, much has undoubtedly changed in Burma over the past two years. By advocating reform on key social, economic and political issues, the Thein Sein government has built bridges with the National League for Democracy, won international approval, and gained both credibility and a breathing space for the new system of government. Such profile and prestige hardly seemed likely when Thein Sein first became President in March 2011.

Daunting challenges, however, remain and, as the communal violence in the Rakhine state or rural protests over land-grabbing

warn, there are a host of mounting pressures facing the government if democratic reform is to continue and Burma end its history of state failure and socio-economic under-achievement.

The Kachin conflict and state of strife in many ethnic borderlands therefore stand out as an urgent crisis that can no longer be ignored. For while the government, as a key element in its reform promises, has reached ceasefires with a majority of armed ethnic opposition groups, many areas remain highly militarized, the Tatmadaw still operates across the country on its own terms, and ethnic nationality peoples continue to feel excluded in both national life and the new politics of Nay Pyi Taw. Equally critical, land loss and the increasing entry of outside and international business interests into the ethnic states are only exacerbating tensions at a sensitive political time. Conflict continues, hundreds of thousands of minority citizens remain displaced, and ethnic rights are yet to be guaranteed.

Opportunities for peace and meaningful change do now exist. In private, leaders on all sides believe that the routes to political and economic reform are not as difficult as often thought. But to achieve this, it is vital that all parties – from the government and Tatmadaw to NLD and different ethnic groups – work together, and this means that excluded parties are brought back into the political process and that discussions begin about how the parliamentary system and 2008 constitution can be reformed to truly represent all peoples in the country.

If compromise can be found, then progress could be rapid. But if military solutions are still preferred – or arbitrary and exclusive policies continue to the benefit of vested interests – then another generation of conflicts will be likely. It is time to move from promises and talk to tangible political solutions.

## NOTES

1. In 1989 the then military government changed the official name from Burma to Myanmar. They are alternative forms in the Burmese language, but their use has become a politicised issue. Myanmar is not commonly used in the English language. Burma will be used in this report and is not intended as a political statement.
2. For different reports, see e.g., Ei Ei Toe Lwin, "Myanmar government warns of crackdown on Rakhine State", Myanmar Times, 29 October 2012; Human Rights Watch, "New Violence in Arakan State", 27 October 2012; Thomas Fuller, "Ethnic Hatred Tears Apart a Region of Myanmar", New York Times, 29 November 2012.
3. See e.g., Yadana Htun, AP writer, "Suu Kyi to Head Probe into Copper Mine", The Irrawaddy, 2 December 2012; Jonah Fisher, "Burma police 'used white phosphorous' on mine protesters", BBC News, 14 February 2013. China's Wanbao company is a subsidiary of Norinco, a weapons manufacturer.
4. The Kachin Independence Army (KIA) is the KIO's military wing.
5. For recent analyses of the conflict, see e.g., Bertil Lintner, "A well-laid war in Myanmar", Asia Times, 2 February 2013; Anthony Davis, "Pyrrhic victory in Myanmar", Asia Times, 31 January 2013.
6. There is some confusion over how many times and on what terms Thein Sein ordered government forces to halt offensives in the Kachin region. On at least two occasions he was publicly explicit, while on other occasions his comments were generalized or expressed privately. For public examples: see e.g., Soe Than Lynn, "Order to end attacks puts ceasefire back on table", Myanmar Times, 19-25 December 2011; President Thein Sein, "All must try to see national race youths who brandished guns using laptops: Government not divided into hard-liners and soft-liners", New Light of Myanmar, 2 March 2012; Hla Hla Htay and Win Ko Ko Latt, "Myanmar declares ceasefire in Kachin", Myanmar Times, 21 January 2013.
7. See e.g., Human Rights Watch, "'Untold Miseries': Wartime Abuses and Forced Displacement in Burma's Kachin State", 20 March 2012; Kachin Baptist Convention, "Statement on the current conflict affecting Kachin people", 30 January 2013; Mizzima News, "Religious persecution, rape still evident in Kachin State", 5 February 2013. See also note 70.
8. Nang Mya Nadi, "Armed group claims military attacking sites slated for resettlement", Democratic Voice of Burma, 25 February 2013; S.H.A.N., "Fresh attack 'does not augur well for peace': Shan army", 21 February 2013; S.H.A.N., "SSA: keeping our side of the bargain", 21 January 2013; Palaung Women's Organisation, "The Burden of War: Women bear burden of displacement", October 2012.
9. In the United Nations Development Programme's 2011 Human Development Index, Burma was adjudged 149th out of 187 countries, below all its Asian neighbours except Nepal.
10. For contemporary overviews, see e.g., "Ethnic Politics in Burma: The Time for Solutions", TNI-BCN Burma Policy Briefing Nr 5, February 2011; Burma News International, *Deciphering Myanmar's Peace Process: A Reference Guide 2013*, (Wanida Press, Chiang Mai, 2013).
11. A former headmaster, for Brang Seng's views, see "Maran Brang Seng: In his own words", Burma Debate, Vol. I, No. 3, December 1994/January 1995, pp.17-22.
12. The KIO claimed over 30,000 civilians had died by 1986 alone: KIO, "Policy Statement", 1987.
13. For a detailed analysis of economic change since the SLORC-SPDC ceasefires to the present, see, John Buchanan, Tom Kramer and Kevin Woods, *Developing Disparity: Regional Investment in Burma's Borderlands*, BCN-TNI, Amsterdam, 2013.
14. See for example, Global Witness, "A Disharmonious Trade: China and the continued destruction of Burma's northern frontier forests", October 2009.
15. A consistency of views has been put to TNI over the past few years by many Kachin political, military and community leaders from different backgrounds. The perception that the Kachin cause has been systematically discrimi-

- nated against by Tatmadaw and government leaders is persistent.
16. See note 13.
  17. Clifford McCoy, "China, Myanmar reaffirm strategic vows", *Asia Times*, 16 September 2010.
  18. See, Buchanan, Kramer and Woods, *Developing Disparity*, p.39.
  19. Among many objections, a main concern was that 25 per cent of all seats in the legislatures would be reserved for military appointees, making future constitutional amendments appear unlikely.
  20. Bertil Lintner, "A well-laid war in Myanmar", *Asia Times*, 2 February 2013.
  21. Despite this rejection, the KIO and other ceasefire groups recognised the 2008 referendum and forthcoming general election. They requested that their proposals remained in the political records so that they could be raised again under the new parliamentary system in which they wanted nationality parties to take representative part.
  22. Bertil Lintner, "A well-laid war in Myanmar", *Asia Times*, 2 February 2013.
  23. The NDA-K was an armed faction in the Pangwa area, led by Ting Ying who had broken away from the KIO in the late 1960s. Following a 1989 ceasefire with the government, Ting Ying became heavily involved in business. See also notes 27 and 29.
  24. See e.g., "Ethnic Politics in Burma: The Time for Solutions", TNI-BCN Burma Policy Briefing Nr 5, February 2011. The SSA-N is also known today by its earlier name of Shan State Progressive Party/Shan State Army.
  25. Tom Kramer, "Burma's Cease-fires at Risk: Consequences of the Kokang Crisis for Peace and Democracy", Transnational Institute, Peace & Security Briefing No. 1, September 2009.
  26. For example, the Pao National Organisation. For an analysis, see, "Ethnic Politics in Burma: The Time for Solutions", TNI-BCN Burma Policy Briefing Nr 5, February 2011.
  27. The UDPKS was headed by Za Lum, the NDA-K leader at the National Convention, and the KSPP by Dr Tu Ja who had led the KIO team.
  28. See e.g., *New Light of Myanmar*, 15 October 2010.
  29. For a post-election analysis, see, "Burma's New Government: Prospects for Governance and Peace in Ethnic States", TNI-BCN Burma Policy Briefing Nr 6, May 2011. Representatives from Kachin territories were elected to four legislatures: the lower and upper houses at the national level in Nay Pyi Taw and the regional Kachin state and Shan state assemblies. The KSPP and NSSPP were planned as state-based – not ethnic-based – parties. Ting Ying, leader of the former NDA-K which had become a BGF, was allowed to stand as an independent and elected to the upper house. A new Unity and Democracy Party (Kachin State) also won nine seats in the legislatures; but the party was formed by government and USDP officials and thus not regarded as a representative nationality party. There were also many Kachin districts, including two constituencies, where no polls took place.
  30. "A Changing Ethnic Landscape: Analysis of Burma's 2010 Polls", TNI-BCN Burma Policy Briefing Nr 4, December 2010. Around the country, 16 ethnic parties won seats to the legislatures.
  31. For an early analysis, see, "Conflict or Peace? Ethnic Unrest Intensifies in Burma", TNI-BCN Burma Policy Briefing Nr 7, June 2011.
  32. *New Light of Myanmar*, "Tatmadaw columns inevitably counterattack KIA troops for their threats and armed attacks", 18 June 2011.
  33. See e.g., The Government of the Republic of the Union of Myanmar, Press Release, Ministry of Foreign Affairs, 25 January 2013.
  34. See note 5.
  35. S.H.A.N., "Fresh attack 'does not augur well for peace': Shan army", 21 February 2013.
  36. S.H.A.N., "SSA: keeping our side of the bargain", 21 January 2013. The SSA-S is often referred to by its political name of Restoration Council of Shan State.
  37. Villagers have been reportedly displaced by government operations in three townships. See, Palaung Women's Organisation, "The Burden

of War: Women bear burden of displacement”, October 2012.

38. “Joint Statement of Special Region No.2 (Wa State), Shan State Special Region No.3 (SSPP/SSA) and Shan State Special Region No.4 (Mongla) on the Escalating War in Kachin Land”, 10 January 2013. The situation of Shan, Palaung, Pao, Wa and other ethnic groups in the Shan state is beyond the scope of this briefing. Ceasefires with the government now exist with most armed ethnic forces and, despite the ongoing clashes, stakeholders on all sides have reported encouraging trends. But a struggle of similar complexity to the Kachin region is taking place, and the outcome is likely to be just as critical for future politics and stability in Burma. As with the KIO, a particular concern of the ethnic forces is that, following the 2009 offensive in Kokang, the Tatmadaw’s strategy is to use military pressures to try and cut links between their territories and undermine their influence in political and economic talks.

39. See e.g., Tom Kramer, *Civil Society Gaining Ground: Opportunities for Change and Development in Burma* (TNI, Amsterdam, 2011).

40. See note 10. In addition to government forces and around 20 ceasefire and non-ceasefire groups, there are also nine ethnic forces, previously ceasefire groups, on the government side that agreed to become Border Guard Forces under the SPDC and as many as 50 other militia backed by the Tatmadaw.

41. Ashley South, “Hopes for peace in Myanmar”, Myanmar Times, 5 November 2012.

42. Tha Lun Zaung Htet, “Burma’s Former Supremo Still ‘Interested in Politics’”, The Irrawaddy, 28 January 2013.

43. “Objectives of the 68th Armed Forces Day 2013”, New Light of Myanmar, 4 March 2013.

44. See note 15.

45. Ibid.

46. See e.g., [www.kachinnews.com](http://www.kachinnews.com) and <http://kachinlandnews.com>. Government reports can be seen in the state-run [www.myanmar.com](http://www.myanmar.com) and military-run [www.myawady.com.mm/en/](http://www.myawady.com.mm/en/). In addition to protests in Western and Asian cities, over a thousand Kachin people protested opposite

Laiza in China in January 2013 to express solidarity with their ethnic cousins across the border.

47. Thomas Maung Shwe, “KIO warns China: Myitsone Dam could spark ‘civil war’”, Mizzima News, 20 May 2011.

48. Mizzima News, “Myitsone Dam project expected to resume in 2015, says CPI”, 24 January 2013.

49. See note 3. For a broader China analysis, see, Peter Lee, “China seeks copper firewall in Myanmar”, Asia Times, 15 December 2012.

50. See e.g., “Burma army takes KIA post on Stilwell road”, Kachin News Group, 15 February 2013; “Burmese gov’t troops death rate high: KIA”, Mizzima News, 11 October 2012.

51. See note 6.

52. For an interview with Aung Min, see, “A Minister without Borders”, The Irrawaddy, 19 September 2012.

53. Seamus Martov, “What Does the Future Hold for Aung Thaung & Sons?”, The Irrawaddy 11 May 2012; Phanida, “Kachin party ineligible to form, junta minister says”, Mizzima News, 14 July 2010.

54. “KIO not ready for peace talks this week, as army resupplies frontline”, Kachin News Group, 28 February 2013. For an analysis of KIO talks, see, Burma News International, *Deciphering Myanmar’s Peace Process*, pp.105-11. Between June 2011 and February 2013, the KIO and government officially met 12 times for peace talks. See also note 89.

55. “Govt to build ‘understanding’, as army ramps up offensive”, Democratic Voice of Burma, 28 January 2013.

56. See note 5.

57. “Naypyitaw denies air strikes on Kachins”, Mizzima News, 2 January 2013; Anthony Kuhn, “Fighting Escalates Between Myanmar And Rebel Group”, NPR, 7 January 2013; Thomas Fuller, “A Cease-Fire With Rebels in Myanmar Doesn’t Hold”, New York Times, 19 January 2013.

58. See e.g., Saw Yan Naing, “After A Week of Airstrikes, Kachin Fighting Rages On”, The Irrawaddy, 4 January 2013; Amnesty

International, Myanmar: Protect civilians caught in the Kachin state conflict, investigate attacks”, 15 January 2013.

59. “Army admits aerial assault on Kachin rebels”, Democratic Voice of Burma, 2 January 2013; Simon Roughneen, “Myanmar launches airstrikes on Kachin rebels”, Christian Science Monitor, 2 January 2013.

60. At the time of writing, Tatmadaw units have seized many KIO outposts around Laiza but not tried to capture the town. It is thought that, by surrounding the town, the Tatmadaw may have accomplished its initial objectives. Meanwhile occasional clashes between Tatmadaw and KIO troops continue to be reported in different parts of the Kachin region.

61. See e.g., Martin Petty, “Analysis: Air assaults raise doubts about Myanmar’s reformist rulers”, Reuters, 6 January 2013; Human Rights Watch, “Burma: Rights Abuses Endanger Reform: Government’s Commitments to Change Falling Short”, 1 February 2013; Janet Benshoof, “It’s time for the int’l community to address Burma’s constitution”, Democratic Voice of Burma, 20 February 2013. See also note 67.

62. A variety of UN and international bodies, including the USA and Japan, have sought to become involved in Kachin mediation efforts but, to date, none – with the exception of China – have been allowed real involvement.

63. For charts and an analysis, see, Burma News International, *Deciphering Myanmar’s Peace Process*.

64. See e.g., Paul Sein Twa, “Burma peace funds must do no harm”, Karen News, 17 July 2013.

65. European Commission Press Release, “EC President Barroso, Minister Aung Min Sign Joint Declaration at Myanmar Peace Centre”, 3 November 2012.

66. S.H.A.N., “Peace not on national agenda”, 29 January 2013; Burma News International, *Deciphering Myanmar’s Peace Process*, p.40.

67. Bertil Lintner, “Misguided engagement in Burma”, Development Today, Nr 6-7/2012, 3 July 2012; Hanna Hindstrom, “Norway defends controversial peace initiative”, Democratic Voice of Burma, 31 May 2012; Carey L. Biron, “Debt Relief Package for Myanmar Unusually Generous”, Inter Press Service, 28 January 2013;

Lex Rieffel and James W. Fox, “Too Much, Too Soon? Foreign Aid and Myanmar”, Nathan Associates, March 2013.

68. IRIN, “Myanmar: Kachin conflict displaces tens of thousands”, 31 October 2012.

69. Kachin News Group, “ICRC aid convoy allowed access to Laiza after delay”, 1 March 2013; “Kachin Group Accuses Burmese Army of Blocking Red Cross Aid”, The Irrawaddy, 2 March 2013.

70. Kachin Women's Association Thailand, “State terror in the Kachin hills”, 28 February 2013; Asian Human Rights Commission, “Special Dossier: Cases under the Unlawful Associations Act 1908 brought against people accused of contact with the Kachin Independence Army”, January 2013. See also note 7.

71. Republic of the Union of Myanmar Information Team Press Release, “3/2013”, 18 January 2013.

72. Ibid; Burma News International, *Deciphering Myanmar’s Peace Process*, p.7.

73. Anthony Davis, “Pyrrhic victory in Myanmar”, Asia Times, 31 January 2013; Edward Chung Ho, “Time for Thein Sein to come clean about Burmese losses in Kachin state”, Kachin News Group, 22 September 2012.

74. Kachin Baptist Convention, “Statement on the current conflict affecting Kachin people”, 30 January 2013.

75. Mizzima News, “Religious persecution, rape still evident in Kachin State”, 15 February 2013.

76. “Statement of the Special Rapporteur on the Situation of Human Rights in Myanmar”, 16 February 2013.

77. Tha Lun Zaung Htet, “Suu Kyi Says Kachin War Should ‘Stop Immediately’”, The Irrawaddy, 16 January 2013. Aung San Suu Kyi clarified her views after criticism in Kachin and other opposition circles that the NLD appeared too quiet on the conflict: Mizzima News, “NGOs criticize Suu Kyi’s ‘failure’ to address Kachin conflict”, 10 January 2013. After entering parliament in April 2012, the party has taken care to follow legal process, and in January 2013 Aung San Suu Kyi caused surprise when she said the way to Kachin peace was “up to the government”: AFP, “Suu Kyi says Kachin peace

‘up to government’”, Democratic Voice of Burma, 7 January 2013.

78. “All stakeholders have to assume responsibility for ensuring long-term benefit by translating the temporary peace into a lasting peace”, New Light of Myanmar, 14 February 2013.

79. Ibid.

80. Lawi Weng, “Constitution at Heart of Conflict, Says KIA Leader”, The Irrawaddy, 5 November 2012.

81. See e.g., Burma News International, *Deciphering Myanmar’s Peace Process*, pp.35-42.

82. Ibid, pp.56-8.

83. Burma’s post-independence constitution was federal in principle though not in name, and it was over the issue of federalism that Gen. Ne Win seized power in 1962. In recent decades, the issues have never really been debated among the opposing sides. Ethnic leaders generally see federalism as a union system that includes autonomous rights as opposed to a unitary system under central state control.

84. “Union Peace Working Committee, UNFC hold talks, issue joint-statement”, New Light of Myanmar, 21 February 2013.

85. “Regional autonomy, resource sharing key to solving Myanmar’s internal conflict, minister says”, Eleven Media, 4 March 2013.

86. Tha Lun Zaung Htet, “Burma Parliament Approves Controversial Defense Budget”, The Irrawaddy, 1 March 2013.

87. Htet Naing Zaw and Aye Kyawt Khaing, “Military Involved in Massive Land Grabs: Parliamentary Report”, The Irrawaddy 5 March 2013.

88. S.H.A.N., “Burma Army reinforcing troops in recent battle scene with RCSS/SSA”, 1 March 2013; S.H.A.N., “Despite President’s new ceasefire directive Burma Army continues offensive on SSA”, 26 February 2013.

89. It is not only the KIO which has accused the Tatmadaw of using peace talks, “self-defence” claims and development promises as a means to strengthen its objective of regional control. As ceasefires spread during 2012, other ethnic

forces complained that the Tatmadaw was bringing up troops to reinforce positions, build new roads and then order ceasefire groups into limited positions. See also notes 92 and 93.

90. S.H.A.N., “Fresh attack ‘does not augur well for peace’: Shan army”, 21 February 2013. See also note 38.

91. Ibid.

92. Karen Human Rights Group, “Losing Ground: Land conflicts and collective action in eastern Myanmar”, March 2013.

93. Saw Khar Su Nyar, “KNU’s tells Govt – it’s too early for development”, Karen News, 23 February 2013.

94. As in any democratic system, there are discussions about the most suitable form for Burma. See e.g., Richard Horsey, “Shifting to a Proportional Representation Electoral System in Myanmar?”, Conflict Prevention and Peace Forum, 31 January 2013.

95. Lawi Weng, “Constitution at Heart of Conflict, Says KIA Leader”, The Irrawaddy, 5 November 2012; Saw Eh Na, “KNU leader: 2008 Constitution does not benefit ethnic people”, Karen News, 11 February 2013.

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## TNI-BCN Project on Ethnic Conflict in Burma

Burma has been afflicted by ethnic conflict and civil war since independence in 1948, exposing it to some of the longest running armed conflicts in the world. Ethnic nationality peoples have long felt marginalised and discriminated against. The situation worsened after the military coup in 1962, when minority rights were further curtailed. The main grievances of ethnic nationality groups in Burma are the lack of influence in the political decision-making processes; the absence of economic and social development in their areas; and what they see as Burmanisation policies by governments since independence that have translated into repression of their cultural rights and religious freedom.

This joint TNI-BCN project aims to stimulate strategic thinking on addressing ethnic conflict in Burma and to give a voice to ethnic nationality groups who have until now been ignored and isolated in the international debate on the country. In order to respond to the challenges of political changes since 2010 and for the future, TNI and BCN believe it is crucial to formulate practical and concrete policy options and define concrete benchmarks on progress that national and international actors can support. The project will aim to achieve greater support for a different Burma policy, which is pragmatic, engaged and grounded in reality.

The Transnational Institute (TNI) was founded in 1974 as an independent, international research and policy advocacy institute, with strong connections to transnational social movements, and intellectuals concerned to steer the world in a democratic, equitable, environmentally sustainable and peaceful direction. Its point of departure is a belief that solutions to global problems require global co-operation.

BCN was founded in 1993. It works towards democratization, respect for human rights and a solution to the ethnic crises in Burma. BCN does this through facilitating public and informal debates on Burma, information dissemination, advocacy work, and the strengthening of the role of Burmese civil society and political actors in the new political system.

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