



## BRIEFING PAPER No.3

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# AN UNEASY PEACE

### THE PROBLEMS OF CONFLICT DURING THE PEACE PROCESS IN BURMA

Although a number of initial peace agreements involving ethnic armed groups have been signed (see Analysis Paper No.1), sporadic fire fights and human rights violations continue to be reported in those ethnic areas covered. While there has been a tendency towards suggesting that such reports are indicative of the UOB Government's deceitfulness, there is a failure by many observers to fully understand the enormity of the problem the country faces in relation to dealing with the military apparatus.

Since 1962, and the seizing of power by General Ne Win, the Burma Army has made a concerted effort to fully militarise ethnic areas in order to completely control their populations. After implementing a scorched earth policy known as the four cuts campaign in the seventies, the Burmese military further increased its presence in ethnic areas and fully mobilised its troops through a number of operations against ethnic armed forces during the eighties and nineties. To ensure the complicity of ethnic populations in pacified areas, the Burma Army (BA) created a vast network of military outposts close to ethnic villages both in designated black areas, or free-fire zones, and brown areas, or contested territory where both ethnic opposition and government forces operate. As a consequence the military, both BA and resistance forces, has solely dominated and exploited the lives of those civilians in areas where they operate. It is hoped that this domination will be eroded by the new government's peace initiatives; however, this can only be accomplished by encouraging reforms on both sides.

Many seemed to believe that the signing of initial peace agreements would see immediate results and a decline in reports of Human Rights abuses and clashes. Not surprisingly, this has failed to occur. Burma Army convoys are still resupplying and rotating troops in ethnic areas and clashes, based on years of mutual mistrust, continue to ensue. One of the main reasons for this is the fact that it is impossible to immediately dismantle a system that has been in place since the 1990s and that there still remains to be acceptable trust between all parties. The failure to adequately address the conflict in Kachin State further weakens the Burmese government's position, and conversely a number of ethnic leaders continue to air their lack of faith in the new Government.

Many have seen the continuing re-supply of Burma Army positions as evidence of the Burmese Government's deceit in relation to dealing with ethnic groups and further evidence of a hidden agenda. However, the Burma Army has consistently re-supplied its units once a year usually between January and March. Failure to resupply them, therefore, would result in Burmese units having no food or supplies; in addition, this topic had been discussed during the initial negotiation meetings and arrangements made for its continuation.<sup>1</sup>

Most recently however, the greater concern is the incident in Shan State in early February in which Burma Army troops attacked a base of the Shan State Army – South. The reason for the attack remains unclear but it may have been a pre-meditated manoeuvre to derail the peace process and discredit the government. Burmese Army commanders resolved the situation quickly the next day and, as per the January agreement, Burmese Troops were only deployed around major population centres and not in the countryside.<sup>2</sup> It has been suggested that the Burma Army, working alongside People's Militia Forces (PMF) are deliberately attempting to obstruct the peace process to further maintain their own positions of power.<sup>3</sup>

Further issues occurred in Shan State in relation to the territorial scope of the agreement. Fighting broke out late February between SSA-South forces and Burma Army units in Monghai, north-west of Tachilek. The SSA-South agreement states that its troops can operate freely away from major roads and population centres. The Burma Army insists that the agreement only covers Homong-Mongta, an area that Government peace negotiator Aung Min acknowledged was not large enough to accommodate the SSA-South's needs. In total there have been at least eleven clashes between the SSA-South and the BA since the signing of the initial agreement on 2 December 2011.<sup>4</sup>

A further incident happened in Karen State when Karen Border Guard Force (BGF) battalions 1011 and 1019, under the command of Pah Nwee, the former DKBA 999 Battalion commander, seized weapons from the Klo Htoo Baw Battalion's Klo Htoo Hla headquarters. The Klo Htoo Baw battalion, which refused to join the BGF program, signed a ceasefire agreement with the government on 3 November 2011.<sup>5</sup> According to media sources President Thein Sein reacted quickly and ordered the BGF to return the weapons.<sup>6</sup>

There are further concerns in Karen State; exiled media have also reported an increase in troops and the purported construction of 200 new outposts. However it is likely that such a claim may have been misinterpreted. DVB quotes KNU Vice-president David Thackerbaw as saying that:

After the initial ceasefire agreement, we allowed them to deliver supplies [to Burmese Army units in KNU territory]. And now they've set up around 200 outposts in the area and restricted locals from going within a 2,000 yard radius of an outpost or 500 yards from a road. This is making the locals uncomfortable – making it look like we have surrendered.<sup>7</sup>

While such restrictions may have been implemented it is unlikely that the Burma Army has constructed 200 new outposts since signing the agreement, although it is probable that there has been increased activity around those 200 outposts that already exist in Karen and Mon areas where the KNLA operate. Shortly after the article was published another, on 23 February 2012, in Mizzima, reported that the KNU had demanded that all Burma Army units withdraw from Karen territory due to the fact that:

Eyeball-to-eyeball confrontations with them are likely. Even if there are no confrontations, if these government gun-wielding soldiers loiter in our area, it will not be good for us.<sup>8</sup>

The article also states that Saw Hla Ngwe, joint-secretary No.1 had said that there could be armed conflicts with their [BA] troops if the government sent rations and supplies to their frontlines. Why this would happen, considering the fact that Vice-president David Thackerbaw has already stated that it had been agreed that the Burma Army could re-supply is unclear, but does further suggest that the KNU remains uncertain on its position. It must be noted that conflicting positions within the KNU are being reported frequently and to such a degree that KNU General Secretary, Thramu Zipporah Sein had to clarify that there had been "no split" although there were "different ideas and strategies."<sup>9</sup>

It is becoming increasingly clear that neither side in the conflict were prepared for the speed of the peace process and therefore have no contingencies in ensuring its success. The Burma Army itself appears to be uncertain how to deal with ethnic groups that have signed peace agreements while it is also employed in Kachin State fighting the Kachin Independence Army. How the Burma army has been instructed in its dealings

with ethnic groups during a time of peace is unclear. But an army that has seen ethnic populations and the groups that represent them as enemies over the last five decades would require a great amount of re-education. A story, reported by the Free Burma Rangers, of a KNLA unit passing a Burma army patrol and shaking hands provides evidence of what can happen,<sup>10</sup> yet it still remains an isolated incident in relation to reported events throughout the country. Unfortunately it is not only the Burma army that needs to reassess its position at a time when peace can be achieved. Ethnic armed forces present similar attitudes in relation to the Burma army and more needs to be done by ethnic leaders and army commanders to prepare their troops for peace. As the KNLA officer's quote testifies, with the presence of Burma and KNLA Army units in close proximity then conflict is likely, primarily because attitudes to years of mistrust and abuse have not been addressed.

A number of problems remain that cannot be immediately addressed and both sides must be prepared to acknowledge this. The tensions between the Thein Sein government and high ranking military officers who still see ethnic groups as separatists will require time and much effort before they are eased. The continuing conflict in Kachin State will test the Burma Army not because it is unable to change, but because during war, it cannot.

Equally, ethnic leaders must also realise their own inadequacies which through a time of conflict may have strengthened their resolve but in a time of peace create an obstacle to the improvement of their people and their lands. While history and the crimes that have been perpetrated against them must not be forgotten, at the same time the past should not be used as a device to prevent any future progress or to maintain the status quo.

Many observers fixate on the fact that the current leadership consists of the same army officers that were responsible for the numerous abuses that occurred over the last sixty years of conflict. And it is unfortunate that in a country that has been so dominated by the military since its independence that the political elite of the country, including many ethnic groups, primarily consists of individuals borne out of the military. This is regrettable, but at the same time has to be accepted.

Similarly, the 2008 constitution, which ingrains the power of the military, will always remain a contentious issue, and as long as it exists in its current form can give rise to further problems. There is little doubt that the constitution needs to be amended, and it should be done as part of a future legitimate political process; the issue should not be used to prevent further peace negotiations.

Conflict in Shan and Karen states have erupted recently not over the lack of desire on all sides to establish peace, but rather a lack of clarity on the way forward. For the last sixty years all parties have been so heavily involved in waging war that they have little understanding of what is required to maintain peace. As long as a number of vested interests continue to play a leading role in the governance of the country, putting their own interests above those of the people, then peace will remain elusive

## Notes

<sup>1</sup> Author's personal phone conversation with KNU Central Committee Member, 22 February 2012

<sup>2</sup> 'Naypyidaw agrees not to attack Shan Rebels Again', The Irrawaddy, 13 February 2012

<sup>3</sup> Personal correspondence with Shan observer, 23 February 2012

<sup>4</sup> SHAN, 22 February 2012

<sup>5</sup> The agreement was finally ratified at a state level on the 12 December 2011

<sup>6</sup> A KNU insider informed the author that the situation had been discussed in parliament and the BA commander in charge of the BGF had been ordered to return the weapons

<sup>7</sup> 'Burmese army sending more troops to Karen state' Nay Thwin, DVB, 20 February 2012

<sup>8</sup> The quote is attributed to a KIO officer, but this is most likely due to a misprint and should be a KNLA officer.

See 'Withdraw all government troops: KNU', Myo Thant, 23 February 2012

<sup>9</sup> 'KNU lays out ceasefire plan, denies split' Frances Wade, DVB, 23 February 2012

<sup>10</sup> 'Ceasefire, Continued attacks and a friendly encounter between enemies', FBR, 3 February 2012