

Ending Burma's Conflict Cycle? Prospects for Ethnic Peace

Since the end of 2011, Burma/Myanmar's¹ government has held peace talks with all major ethnic armed opposition groups in the country. The talks represent a much needed change from the failed ethnic policies of the last decades. They are an important first step by the military-backed Thein Sein government – which came to power in March 2011 – towards achieving national reconciliation and peace in the country, which has been divided by civil war since independence in 1948. By February 2012, initial peace agreements had been reached with most ethnic armed opposition groups.

Solving Burma's ethnic conflicts requires breaking with the practices of the past. After the 1962 coup d'état, successive military-backed governments refused to take ethnic minority political demands into account, primarily treating ethnic concerns as a security threat requiring a military response. After 1988 they also established cease-fire arrangements in some parts of the country which did not address ethnic conflict, but rather established a 'neither war nor peace' situation.² This is part of a long and consistent pattern, with the military government focusing on 'managing' conflict rather than solving it.³

The uncertainty of the cease-fire situation also facilitated unsustainable economic developments, including uncontrolled logging and mining activities, leading to loss of livelihoods among local communities and environmental degradation, causing new grievances to develop.⁴ Meanwhile fighting continued against ethnic forces in other borderlands where cease-fires had

Conclusions and Recommendations

- The new cease-fire talks initiated by the Thein Sein government are a significant break with the failed ethnic policies of the past and should be welcomed. However, the legacy of decades of war and oppression has created deep mistrust among different ethnic nationality communities, and ethnic conflict cannot be solved overnight.
- A halt to all offensive military operations and human rights abuses against local civilians must be introduced and maintained.
- The government has promised ethnic peace talks at the national level, but has yet to provide details on the process or set out a timetable. In order to end the conflict and to achieve true ethnic peace, the current talks must move beyond simply establishing new cease-fires.
- It is vital that the process towards ethnic peace and justice is sustained by political dialogue at the national level, and that key ethnic grievances and aspirations are addressed.
- There are concerns about economic development in the conflict zones and ethnic borderlands as a follow-up to the peace agreements, as events and models in the past caused damage to the environment and local livelihoods, generating further grievances. Failures from the past must be identified and addressed.
- Peace must be understood as an overarching national issue, which concerns citizens of all ethnic groups in the country, including the Burman majority.

not been agreed. Military campaigns of the *Tatmadaw* (armed forces) against these ethnic forces have been accompanied by severe human rights abuses, and have directly targeted the civilian population, causing large numbers of people to be displaced or seek refuge in neighbouring countries.⁵

Ethnic conflict has ravaged the country since independence, and cannot be solved overnight. Cease-fire agreements negotiated at the local level between different armed ethnic opposition groups and the government are important first steps. However, in order to end the civil war and achieve true ethnic peace, the current talks must move beyond establishing new cease-fires. It is vital that the process is fostered by an inclusive political dialogue at the national level, and that key ethnic grievances and aspirations are addressed. Failure to do so will undermine the current reform process in the country and lead to a continuation of Burma's cycle of conflict.⁶ The breakdown of the cease-fire in Kachin State with the Kachin Independence Organisation (KIO) in June 2011 represents a major failure in national politics, and serves as a clear reminder that the longstanding ethnic conflict in the country will not be solved easily. Despite ongoing peace talks with the KIO, *Tatmadaw* military operations continue in Kachin State and northern Shan State.

Furthermore, it is important that peace is not just seen as a matter that solely involves the government and ethnic armed opposition groups. Instead, for real ethnic peace to be achieved, it is essential that peace is addressed in a much broader way as an urgent matter that concerns all citizens.

OLD CEASE-FIRES AND CONTINUING CONFLICT

The first ethnic cease-fires were established by the State Law and Order Restoration Council (SLORC), the military government that ruled the country during 1988-1997

and was superseded by the State Peace and Development Council (SPDC). Following ethnic mutinies that caused the collapse of the once-powerful Communist Party of Burma (CPB) in 1989, newly formed ethnic forces quickly agreed to truces offered by the SLORC. These include the Myanmar National Democratic Alliance Army (MNDAA) in the Kokang region, the United Wa State Army (UWSA) in the Wa region, and the National Democratic Alliance Army (NDAA) in the Mongla region. They had lost trust in the CPB's mostly-Burman leadership and saw that China had ended its once massive support to its sister party. They were also war-weary, and wanted to develop their isolated and impoverished regions.

Soon after, members of the pro-federal National Democratic Front (NDF), an alliance of ethnic armed opposition groups formed in 1976, came under increased military pressure, and a number of them also agreed to cease-fires. Some of them, such as the Kachin Independence Organisation (KIO), Shan State Army-North (SSA-N) and New Mon State Party (NMSP), felt that after decades of war and destruction, the cease-fires were an opportunity for a new effort to find a political solution to the conflict at the negotiating table. However, other present or former NDF members such as the Karen National Union (KNU), Chin National Front (CNF) and Karenni National Progressive Party (KNPP) refused to enter into cease-fires, as they wanted to reach a political agreement first. Later, some other armed groups, such as the Democratic Karen Buddhist Army (DKBA), which broke away from the KNU in 1994 after an internal conflict, also entered into separate cease-fire agreements with the military government.

Burma's long-running conflicts thus continued throughout the SLORC-SPDC era, with no decisive process towards peace that involved all sides. Nevertheless, after decades of conflict, the SLORC-SPDC cease-fires had significant impact on the political

landscape as well as huge socioeconomic implications. These included both positive as well as negative developments. In areas where fighting halted, they put an end to the bloodshed and curtailed the most serious human rights abuses. The end of fighting also brought relief for local communities, and allowed development and the functioning of civil society. However, these cease-fires were merely military accords, and lacked a peace process as a follow-up in order to find a political solution. Furthermore, the truces provided space for economic exploitation and large-scale natural resource extraction, mainly by companies from neighbouring countries, causing environmental damage and loss of local livelihoods.⁷

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*The people were going through a hell of
untold miseries*”

President Thein Sein⁸

The cease-fires remained an important policy of SLORC's successor, the State Peace and Development Council, which was in power during 1997-2011. However, in April 2009, the SPDC suddenly announced that all cease-fire groups transform into separate Border Guard Forces (BGFs). This controversial scheme, which would divide groups into smaller separate units under *Tatmadaw* control, caused great tension between them and the government. Tensions further rose after the *Tatmadaw* occupied the Kokang region in August 2009, following an internal conflict within the MNDAA, ending a 20-year old cease-fire. The main cease-fire forces thus refused to transform into BGFs before the final deadline of 1 September 2010, and were told by the SPDC it would now consider their status to be as it was before the cease-fires were agreed upon. At the same time, fighting continued with the KNU,

KNPP and Shan State Army-South (SSA-S) that, despite occasional talks, had never agreed to formal cease-fires. The risks of escalating ethnic conflict were increasing, and in November 2010 a new alliance was formed, the United Nationalities Federal Council (UNFC), by the “cease-fire” KIO, SSA-North and NMSP, as well as “non- cease-fire” KNU, KNPP and CNF, to seek new ways to promote the ethnic nationality cause.

Meanwhile, the SPDC seemed more pre-occupied with creating a new political order for the whole country, including the Burman-majority heartlands. As part of a ‘Seven Step Roadmap to Democracy’, the SPDC introduced a new constitution in 2008, and held national elections in November 2010, which were won by the military backed Union Solidarity Development Party (USDP). The elections were not free and fair, and there was no level playing field, as the election law and procedures greatly favoured the USDP and provided huge challenges for opposition parties.⁹ Finally on 30 March 2011, after over two decades of SLORC-SPDC rule, the regime chairman Sr-Gen. Than Shwe dissolved the SPDC and handed over power to a new quasi-civilian government, led by new President Thein Sein, a former general and SPDC member.

NEW PEACE TALKS BY THE THEIN SEIN GOVERNMENT

Although it is early days, the advent of a new government has caused a significant change in the political atmosphere in Burma, raising the prospect of the most fundamental reform and re-alignments in national politics in decades. Government spokespersons say the new Thein Sein administration is trying to achieve four main objectives: to improve relations with the National League for Democracy (NLD) and Aung San Suu Kyi; to address ethnic conflict; to solve the economic crisis; and to improve relations with the international

community.¹⁰ Among these, Burma's troubled history since independence warns that addressing ethnic conflict stands out as perennially the most difficult and urgent task for the government to grapple with.

Recent cease-fire talks between ethnic armed ethnic opposition groups and the Thein Sein government have raised hopes for a peaceful solution to over 60 years of civil war in Burma. Fighting initially escalated following the open breakdown of the KIO and SSA-N cease-fires after the inception of the Thein Sein government. But since September 2011, government representatives from the different regional levels ('State Level Peace Making Group') and the national level ('Union Level Peace Making Group' or 'National Level Peace Making Group') have met with all key ethnic armed opposition groups, including those that had cease-fires with the SPDC and those without. Subsequently, most of the large ethnic armed groups have entered into cease-fire agreements with the government. This priority in focusing on Burma's ethnic conflicts, along with the inclusive approach being adopted, represent a welcome break with the past.

For his part, President Thein Sein publicly called for peace negotiations with all ethnic armed groups in August 2011. "We have opened the door to peace", he said in address that was published in the state media. "Not only KIO but also any anti-government armed groups in Shan State and Kayin [Karen] State can hold talks with respective governments if they really favour peace".¹¹ The move is part of an overall policy change by the Thein Sein government during July-August 2011, which also included several other significant steps, including meetings between opposition leader Aung San Suu Kyi and high-ranking government officials, and later also with President Thein Sein on 19 August 2011.¹²

It has taken time, however, for a consistent peace talk process by the government to emerge. The peace talks at the regional

levels were to be followed by discussions at the national level with the 'National Peace Making Group'. This group is led by Aung Thaung and his deputy Thein Zaw, two former ministers under the previous SPDC regime and currently representatives from the military-backed USDP.¹³ However, they were also present at some of the initial talks at the regional level. In addition, other government representatives started to initiate talks with armed opposition groups as well (see below).

In September 2011, the *Amyotha Hluttaw* (Upper House) and the *Pyithu Hluttaw* (Lower House) also set up legislative peace-making committees.¹⁴ These committees could play an important role during the national level talks that have been informally proposed by the government in meetings with armed groups (see below). However, these committees are dominated by members from the USDP. Representatives of the Nationalities Brotherhood Forum, an alliance of five ethnic political parties that won seats in the 2010 elections, argue that these committees should "include representatives from our brotherhood of ethnic parties, representatives from the parliaments, scholars, and other persons of integrity, led by the new government". The political alliance also called for a nationwide cease-fire to be immediately followed up by a national peace workshop.¹⁵ However, the President has not yet provided a clear roadmap on how to move beyond establishing new cease-fire agreements, nor set a time-frame for such a process.

On 6 September 2011, a government delegation led by Aung Thaung and Thein Zaw met with representatives of the UWSA - the largest armed opposition group in the country - in Kengtung, Shan State.¹⁶ The two sides signed a cease-fire agreement which does not include any political issues, but rather confirms the status quo and thus freezes the conflict. The four points include: continuing the cease-fire; re-opening liaison offices; reporting on any troop

movements outside their respective areas in advance and in agreement with the other party; and holding further discussions in the future.¹⁷ The smaller NDAA (Mongla Region), bordering the UWSA region, signed a similar agreement the following day.

A UWSA delegation visited Nay Pyi Taw on 1 October 2011 to follow up on the agreement, including allowing for the return of staff from the government's health and education departments to the Wa region, as well as of international agencies providing support to ex-poppy growing communities. These had been asked to withdraw by the central government following the UWSA's refusal to accept the BGF proposal. On 28 December 2011, a government delegation visited the

“
*I trusted them and they also trusted me. I am very
satisfied with this meeting.*
”

Minister of Railways Aung Min (after meeting with
NMSP)¹⁸

Wa region to conclude a six-point agreement with the UWSA. The agreement reaffirmed the previous agreement, and further stated the need to develop the Wa region and improve education and health services, as well as to continue negotiation on the participation of representatives from UWSA areas in the country's new parliamentary system.¹⁹

The agreement does not address the UWSA's political demands, but nevertheless presents a welcome shift away from the possibility of war that had been looming since the UWSA's refusal to accept the transformation into BGFs. A similar follow-up six-point agreement was also signed a day earlier between the Union level Peace Making Group led by Aung Thaung, and NDAA representatives at the NDAA headquarters in Mongla.²⁰

Another cease-fire force, the DKBA, split into separate groups during the SPDC-Thein Sein government transition, with part of it converting into BGFs in August 2010. DKBA units that refused to do so resumed fighting on election day 7 November 2010, and temporarily occupied the border town Myawaddy. In September 2011, DKBA leaders met with Aung Thaung and Thein Zaw as well as Karen State government officials in Moulmein, but no official agreement was reached. On 3 November, 2011 these DKBA units, now calling their organization Kloh Htoo Baw ('Golden Yellow Drum'), signed a five-point initial peace agreement similar to the UWSA terms in Karen State capital Hpa-an with the Karen State Peace Making Group.²¹ A further six-point agreement with a union level peace making group led by Aung Thaung was signed in Hpa-an on 11 December, which confirmed the previous agreement and also included agreement "not to secede Kayin State from the Union" and "to cooperate with the Union government in the fight against narcotic drugs".²²

Later, Thein Sein appointed Railway Minister Aung Min as another government representative for talks with ethnic armed groups. Aung Min operates under the direct mandate of President Thein Sein. He has been able to build up trust and better personal relationships with the armed groups, offering to be a direct line of communication with the President for them, and in the meetings he has held with them the atmosphere was generally seen as positive and reconciliatory. Aung Thaung and Thein Zaw, in contrast, are perceived by ethnic armed groups as hardliners from the SPDC era, and they do not have their trust.²³

A division of labour now seems to have emerged, where Aung Min is now dealing with the KNU, Chin National Front, Shan State Army-South, Karenni National Progressive Party and the New Mon State Party, while Aung Thaung and Thein Zaw are in charge of negotiations with the

UWSA, NDAA, Kachin Independence Organisation the Shan State Progress Party–Shan State Army–North. Initially, some armed groups complained that they were approached by several actors for talks with the government whose status and mandate was unclear. But in many respects, such confusion represented the diversity of personalities and departments in different areas of the country during a time of change. Under the previous SPDC, military government action was tightly and centrally controlled.

Finally, during 19-20 November 2011, Aung Min held talks with a number of armed ethnic groups in the Thai town of Chiangrai. This included non-cease-fire groups the KNU, the KNPP, the SSA-South and CNF, as well as groups who had a cease-fire in the past, including the KIO. The NMSP, also a former cease-fire group, refused to attend, saying that it would only meet jointly with other ethnic allies as a co-member of the United Nationalities Federal Council (UNFC), which had been formed the previous year. Initially, the UNFC's position was that it would only enter into negotiations with the government as a group, but later all members (including the NMSP) entered into separate talks with the government.

The first group to agree to Aung Min's overture was the SSA-South, whose leader Yawd Serk proposed four points, which were all accepted by Aung Min's delegation: cessation of hostilities; political negotiations; setting up of a special development zone, and cooperation in the eradication of narcotics.²⁴ The two sides met again on 2 December 2011, in the Shan State capital Taunggyi, to sign an initial peace agreement.²⁵ The agreement with the SSA-South is significant, as it is one of the larger ethnic armed opposition groups that had never had a cease-fire. Earlier attempts by the SSA-South to enter into peace talks with the government at the end of the 1990s were rejected by the SLORC-SPDC military regime.²⁶

The second large group to enter into an initial peace agreement with Aung Min was the KNU, which has been in armed opposition against the central government since 1949. Until recently, the KNU had refused to enter into a truce in the absence of any political agreements. The KNU, which is based in the Thai-Burma border, has good contacts with the international community and international campaign groups. There are also over 100,000 Karen refugees in official camps in Thailand along the Burma border, and a cease-fire with the KNU would be a first step to facilitate their return to Burma.²⁷

Aung Min first met with KNU leaders in the Thai border town Mae Sod on 12 October 2011, and although no agreement could be reached, the KNU responded to the government's initiative by forming a 'Committee for Emergence of Peace'. This committee held discussions with Aung Min in Chiangrai in November 2011, and subsequently met with a government delegation led by Aung Min in the Karen State capital Hpa-an on 12 January 2012.

Apart from Aung Min, two other Union-level ministers participated in the meeting.²⁸ According to a KNU statement: "The KNU delegation reached an initial agreement with the Burmese government's representatives towards a ceasefire agreement. When the delegation returns to our headquarters, the KNU leadership will discuss about subsequent steps required in this dialogue with the Burmese government." The KNU team also signed an 11 point agreement with the government "to be continuously discussed at the Union level peace-making talk".²⁹

On 8 January, 2012, an initial peace agreement was also signed between the CNF and the Chin State Peace Making Group in the presence of Aung Min.³⁰ Later that month, a truce was signed by Aung Thuang and representatives of the Shan State Progress Party / Shan State Army (often referred to as the SSA-North).³¹ In early February,

Aung Min's delegation signed similar agreements with the NMSP and KNPP.

In summary, therefore, by February 2012 the government had signed initial peace agreements with the UWSA, NDAA, DKBA, SSA-South, CNF, KNU, NMSP and KNPP. Truces were also agreed with some smaller organisations. The agreements are similar to each other, and contain four basic points: ending the fighting and reaching a cease-fire; establishing liaison offices; informing each other in advance in case of troop movements outside each others' zones; and conducting further talks in the future. Some also contain pledges on working together on issues such as drug control, education, development and the resettlement of group members. Of the

armed opposition groups. Even groups such as the SSA-South, with whom the government in the past refused to have cease-fire talks, are now included in the process. Furthermore, the government dropped all preconditions and, in meetings with the armed groups, Aung Min recognized that the previous ceasefires had not been successful because they did not benefit the people. He also made clear that the government has now dropped earlier demands for armed groups to convert into BGFs.³³

This approach by Aung Min stands in contrast with that of the former SPDC's focal point for dealing with the armed ethnic groups, Lt.Gen. Ye Myint. Ye Myint was unable to build a rapport with them, and was regarded by cease-fire groups as a messenger only. It was also unclear to whom he reported, and what information and messages he actually passed on to Senior General Than Shwe, the SPDC chairman. Trust did not develop with him, and some ethnic representatives described their meetings with him as "very tense", complaining that he only came "to give a lecture".³⁴

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*The biggest challenge for our country is national unity,
which can be seen only after peace is built among all the
nationalities equally*
”

Former Prime Minister Khin Nyunt after being released
from house arrest³²

ethnic organizations that have had talks, only the KIO has so far refused to enter into a new cease-fire, saying that the old truce was broken by the government and that any new agreement must have a political basis. In addition, despite KIO complaints, government military operations have continued during the recent period of peace talks (see below). However, both the KIO and government have agreed to meet again in the near future for further talks.

BREAKING WITH THE PAST

Despite continuing difficulties and suspicions, the initiatives for peace by the Thein Sein government represent a significant break with the past. First of all, the talks for the first time include all major ethnic

In contrast, Aung Min has taken a more conciliatory approach, focusing on building trust. "Aung Min replied that the situation today was unlike in the past, because in the past all military leaders had to listen to orders from one person, Snr-Gen Than Shwe, but today that is not the case," said a Mon monk present at the meeting with the NMSP. "Aung Min said that current president Thein Sein was a person who wanted to have peace and political change in Burma, and signing a ceasefire agreement was a first step for building trust."³⁵ According to a KNPP official: "It is a good first step. U Aung Min talked openly with us. We think we can trust him, and we believe that we can hold another meeting."³⁶

Significant also is that all of the new agreements are in writing, unlike the informal verbal truces of the past, when only the

KIO had a written agreement. Furthermore, the contents of the new agreements have been made available to the public through government media.

Perhaps most importantly, in his meetings with armed groups Aung Min promised “ultimately a national conference in the style of Panglong”. This is a reference to the 1947 Conference at the town of Panglong, resulting in the historic Panglong Agreement between representatives from some ethnic groups (Shan, Kachin and Chin) and the Burma national liberation movement led by Aung San about the principles for a future Union of Burma.

While this is a very welcome initiative, it has not yet been formally announced by the government, and has also not been part of any of the written agreements that have so far been signed with armed groups. The government has yet to make clear what such a conference will look like, what process will lead up to this, or provide a timetable. Clearly, these are key issues to be resolved in making the current peace process successful. It is vital that such a process is both inclusive and participatory.

In addition, Aung Min told the ethnic armed groups that there will be talks “at the national level on socioeconomic recovery/development plans”.³⁷ Burma is a poor country by any international standards, and health, humanitarian and other socioeconomic indicators are consistently worst in the ethnic states and borderlands. While their territories are rich in natural resources, ethnic community leaders complain that the government has been keen to extract these for profit but has done very little to reinvest revenues back into the local communities. Following the truces of the 1990s, the cease-fire groups were promised aid and development by the military government. However, instead the uncertainty of the situation created a ‘cease-fire economy’,³⁸ where all conflict parties made deals with companies from neighbouring countries – especially China – to exploit the

natural resources from Burma’s borderlands. Large-scale unsustainable logging and mining caused great damage to the livelihoods of local communities, as well as to the environment.

Socioeconomic development is important as a peace dividend, and is key to rebuilding war-torn and neglected ethnic areas. However, economic development in itself will not solve ethnic conflict and, if carried out in inappropriate and inequitable ways, is even likely to bring about new conflicts. Economic development, especially large-scale infrastructure and agricultural projects, should therefore benefit local communities, who should also have a say in how these projects are developed and managed. Failure to do so will not only have a negative impact on conflict resolution and national reconciliation, but also create new grievances among ethnic communities, thus contributing to Burma’s cycle of conflict.

These issues are especially important now that several large-scale development projects, financed by foreign investment, are planned by the government in ethnic areas. These include the Dawei Deep Seaport on the Gulf of Martaban in southern Burma, various large dams in Shan and Karen States, Chinese-built oil and gas pipelines from a new deep-sea port in Rakhine State to Yunnan province in China, and several other infrastructure projects.³⁹ These projects will have a profound impact both on the future of ethnic states and the country as a whole. It is vital that policies are developed now to ensure that these developments benefit local communities and the country as a whole, and not just foreign investors, central government and a small group of favoured businessmen. They must also be carried out in a sustainable way.

Finally, the role of civil society in the peace process is new. In the talks between Aung Min and armed groups, representatives from Myanmar Egress, a civil society organisation based in Yangon, were present.

They have also played an advisory role to Aung Min as well as the President. In the talks between the government and the KNU in mid-January, representatives of Karen civil society, the electoral Karen People's Party that won seats in the 2010 elections, local media and an international observer were invited to attend the public signing of the initial agreement (although not the negotiations itself).⁴⁰ These are another welcome and significant break with the past, when all negotiations and their outcomes were shrouded in secrecy.

TOO LITTLE AND TOO LATE?

Ethnic conflict has ravaged the country for decades, and cannot be resolved overnight. Despite the welcome policy changes of the new government in solving ethnic conflict,

“ We have talked with the government for 17 years, but
nothing came out of it ”

KIO Vice Chief of Staff Gun Maw⁴¹

and the progress made in recent months, serious challenges remain ahead. The resumption of open conflict in northeast Burma in the Kachin and Shan States is the first great test for the government's reform agenda.

Initially, fighting restarted in the northern Shan State when the *Tatmadaw* attacked positions of the SSA-North, ending a truce dating back to 1989. The KIO is also based among the Kachin population in the northern Shan State and subsequently, after 17 years of cease-fire, fighting spread to the Kachin State when clashes broke out between *Tatmadaw* and KIO troops near a strategic hydroelectric dam on 9 June 2011.

For the moment, there is no common understanding of who started the fighting in Kachin State, with the government putting the blame on the KIO.⁴² What is

clear are the serious humanitarian consequences: following the outbreak of hostilities in June, some 60,000 civilians have become displaced in Kachin State and northern Shan State.

Government tensions have, to some extent, been reduced with the SSA-North following the release from prison of the detained SSA-North leader Gen. Hso Ten, as well as Hkun Htun Oo and several other leading Shan politicians. A *de facto* truce has been reintroduced between the government and SSA-North (a UNFC member), while all sides reconsider their positions.

No such breakthrough, however, has been achieved in the Kachin State or northern Shan State where KIO forces have remained under pressure from the *Tatmadaw*. Various meetings between different government representatives (from the regional 'Kachin State Peace and Stability Coordination Committee' as well as the union level 'National Peacemaking Group') and the KIO, as well as an exchange of letters between the two sides, have so far failed to produce a new agreement. On 29 November the KIO met in the Chinese border town of Ruili with a government delegation led by U Aung Thaung and Thein Zaw, but also including Aung Min.⁴³ In a meeting on 18 and 19 January, 2012, again in Ruili but this time without Aung Min, both sides agreed to "continue the negotiation between them through political means", and to "coordinate matters related to military units of both sides in the hot spots to control military activities and building trust."⁴⁴

To explain the depth of the current crisis, KIO leaders say that, during 17 years of cease-fire, they were promised a political dialogue, but this never materialised. Instead, the SPDC demanded that the KIO convert into BGFs (a demand that was only withdrawn after the fighting had started) and the national Election Committee refused to accept the registration of the KIO-backed Kachin State Progressive Party

(KSPP) to participate in the 2010 elections, excluding them from the political process. The exclusion of the KIO, they believe, was quite deliberate on the government side – even though the KIO had attended the National Convention and cooperated with the SPDC’s “political roadmap”.⁴⁵

In addition, the KIO points out that it already had a cease-fire agreement, which was broken by the Thein Sein government when the *Tatmadaw* attacked KIO positions on June 9, 2011. Therefore, the KIO wants any new agreement to include a political settlement.⁴⁶ Complicating matters is the inconsistency that negotiations with the KIO have been conducted by different government delegations. At the moment, the government’s delegations in meetings with the KIO are led by U Aung Thuang (former Minister of Industry and now USDP legislator) and U Thein Zaw (former Minister of Communication and now USDP legislator), and not by Aung Min, who had met the KIO during previous peace talks. In September 2011, Ohn Myint, Minister for Cooperatives and former Myitkyina-based *Tatmadaw* Regional Commander, also approached the KIO for talks but KIO leaders refused to see him as they felt his mandate was unclear.⁴⁷

On 12 December, media reports quoted a spokesperson of the President office in Naypyitaw as saying: “The president instructed the military on Saturday not to start any fighting with the KIA (Kachin Independence Army) in Kachin State, except for self-defence. All military commands were sent the president’s instruction.”⁴⁸ President Thein Sein’s order to halt all offensive action by the *Tatmadaw* in Kachin State is also an unprecedented and positive step towards building peace and reconciliation. However, fighting in Kachin State and northern Shan State has continued, according to government officials, because the order has been proving hard to implement on the ground.⁴⁹ It is unclear whether this is a sign that President Thein

Sein is unable to control the army and/or some hardliners in the new government, who may be unhappy with some of his reforms. They may also object to giving ethnic groups more political rights. At the same time, security remains a prime concern for *Tatmadaw* commanders, and the territorial safeguarding of government projects, such as the projected gas pipelines through the northern Shan State to China, is regarded as a national cause for which the *Tatmadaw* has the right to autonomously take pre-emptive action.

The fall-out, however, from the government’s failure to address the Kachin crisis is serious. The fighting in Kachin State and northern Shan State has antagonised and potentially radicalized a new generation of Kachin youth, who had not seen fighting in their areas during their lives. It has created strong anti-Burman sentiments that were not there in the past. Local communities in Kachin State are now skeptical about talk of peace-building. Said a representative of a local NGO in Kachin State: “If we would come to tell them now we want to work on peace, they will say we are anti-Kachin, and would see us as a traitor.”⁵⁰ Public support for the KIO in Kachin State increased dramatically following the KIO’s refusal to concede to the government’s demand to convert into BGFs, and further grew after the outbreak of hostilities. In contrast, public resentment against the KIO had increased after the cease-fire agreement in 1994, for their perceived failing to press forward a clear political agenda and focusing too much on lucrative business contracts – especially logging and mining.

The irony is that the KIO, which was the main armed ethnic opposition group that followed the SPDC roadmap, participated in the National Convention and supported the constitutional referendum, is now fighting the central government again, while the main group that refused to sign a cease-fire with the SPDC without any political agreement – the KNU – has just signed a

preliminary truce with the Thein Sein government. Furthermore, while the previous cease-fire with the KIO was established by the SLORC-SPDC military governments, fighting in Kachin State has resumed under the new quasi-civilian government of President Thein Sein.

For sustainable peace, such anomalies and inconsistencies must be addressed if the failures of the past are not to continue into Burma's new political era.

TOWARDS A NATIONAL PEACE MOVEMENT

Until recently, peace in Burma has been seen as an issue that only involves armed opposition groups and the government. Clearly, in order to achieve national recon-

“ *Everybody wants peace, nobody wants fighting. The more killing there is, the more the cycle of hatred grows* ”

Kachin development worker⁵¹

ciliation, ending armed conflict is a prerequisite. However, it is important that peace is also seen as something that concerns all citizens of all ethnic groups in the country, including the Burman majority.

It is very important to realise that Burma is a divided society and that there also exist disagreements between non-armed actors, which may have the potential to lead to future conflict and violence. There exists deep mistrust and even hatred within and between ethnic communities. Decades of civil war and military rule have further exacerbated old grievances, and generated new ones.

The most obvious ethnic divide is between the Burman majority and the other ethnic nationalities. Ethnic minorities feel marginalized and discriminated against. Their main grievances are lack of influence in the

political decision-making processes; the absence of economic and social development in their areas; health and humanitarian neglect; and what they see as the military government's "Burmanisation" policy, which translates into repression of their cultural rights and religious freedom. Few ordinary Burmans are aware of or understand the grievances and aspirations of the country's other diverse ethnic groups.

At the same time, many people among minority communities in the conflict zones view ethnic Burmans as the 'enemy'. In isolated and war affected areas in the ethnic states, the only Burmans local communities will encounter are soldiers in the *Tatmadaw*. The military campaigns of the *Tatmadaw* against armed opposition groups have directly targeted the civilian population, and have often been accompanied by gross human rights violations, including extra-judicial and summary executions, torture, rape, forced relocations, the confiscation of land and property, and forced labour.⁵² However, mistrust towards Burmans among ethnic communities also includes the government as well as democratic opposition parties among the Burman majority.

Furthermore, in Shan State some of the smaller minority groups, such as the Wa, Akha and Lahu, resent what they see as the dominance of the majority Shan population. These sentiments mirror the feelings of minorities towards the Burman population. There are also conflicts within ethnic communities that need to be addressed. For instance, there are tensions between various Karen groups in the country, such as between those based in Karen State of whom the majority is Buddhist, and those living in the former capital Yangon, who are mostly Christian and have better access to international donors and policy makers.

Lastly, Burma's Muslim population has probably suffered the most from religious and ethnic discrimination. Anti-Muslim riots have taken place on numerous occa-

sions in several towns in central Burma. Muslim community leaders claim that these attacks were instigated, or at least tolerated, by the military government.⁵³

Tensions are particularly high in Rakhine State, where a Muslim minority, often known as Rohingya, face ethnic and religious discrimination. During 1991 and 1992, about 250,000 minority Muslims fled to Bangladesh following a *Tatmadaw* campaign. Most of them have since been repatriated to Rakhine State by the UN High Commissioner for Refugees, but they face limited freedom of movement, forced labour, and administrative barriers to marriage, and many are not recognised as Burmese citizens. Historical conflicts between minority or ethnic groups, such as

“
Our people have been living in the dark for more than 50 years. It is good that the sun has come up. However, if we are unable to prevent continued inequality and discrimination, another eclipse is bound to come
”

SSA-South leader Yawd Serk (to Aung Min)⁵⁴

between the “Muslim Rohingya” and “Buddhist Rakhine” population in Rakhine State, further complicate the religious landscape and exacerbate tensions.⁵⁵

There are a number of ethnic civil society organisations working for peace in Burma. The most well-known is the Shalom Foundation and its Ethnic Nationalities Mediators Fellowship, which has mediated in talks between the government and ethnic armed groups. There are several other ethnic organisations that have been involved in similar activities, including faith-based organisations (Christian and Buddhist). Some of them have also tried to address conflict not only between, but within ethnic groups.⁵⁶

However, until very recently, there have been no civil society organisations representing the majority Burman population fostering peace and reconciliation in the country. “Peace should be a national issue,” says a representative of a Kachin civil society organisation. “No Burman NGOs are working on peace, because peace is framed only as an ethnic issue.”⁵⁷ For real ethnic peace to be achieved in Burma, it is vital that mutual understanding and trust is built between all communities in the country. This requires the involvement of all sectors in society.

While there is some logic to limited participation in cease-fire talks between representatives of armed opposition groups and the government (plus some observers), talks about the political future of the country should include other key stakeholders. These include ethnic nationality parties and civil society organisations, as well as parties and communities among the ethnic Burmans. It is unlikely ethnic conflict in the country will be solved overnight, and it is therefore vital that a process is established which is inclusive, transparent and builds trust and mutual understanding.

NOTES

1. In 1989 the military government changed the official name of the country from 'Burma' to 'Myanmar'. Using either 'Burma' or 'Myanmar' has since become a politicised issue. The terms can be considered alternatives in the Burmese language. The UN uses 'Myanmar', but it is not yet commonly used in the English language. Therefore 'Burma' will be used in this report. This is not intended as a political statement.
2. Tom Kramer, "Neither War nor Peace, The Future of the Cease-fire Agreements in Burma", TNI, July 2009.
3. Tom Kramer, "Burma's Cease-fires at Risk, Consequences of the Kokang Crisis for Peace and Democracy", TNI, September 2009.
4. Global Witness, "A Conflict of Interest, The Uncertain Future of Burma's Forests", October 2003.
5. Over 450,000 people currently remain internally displaced in the south eastern region of Burma. Thailand Burma Border Consortium (TBBC), "Burmese Border Displaced Persons", December 2011. In December 2011, TBBC was providing food to 135,000 refugees in camps in Thailand. There are also over 55,000 internally displaced persons in Kachin State following the breakdown of the cease-fire with the Kachin Independence Organisation (KIO) in June 2011. UNOCHA, "Myanmar, Monthly Humanitarian Update", December 2011-January 2012.
6. For analysis of Burma's cycles of conflict see: Martin Smith, "State of Strife: The Dynamics of Ethnic Conflict in Burma", Policy Studies 36, East West Center, (Washington DC), 2007.
7. See Kramer "Neither War Nor Peace".
8. New Light of Myanmar, "The President Delivers Inaugural Address to Pyidaungsu Hluttaw", 31 March 2011.
9. See TNI-BCN Burma Policy Briefing Nr 4, "A Changing Ethnic Landscape, Analyses of Burma's 2010 Polls", December 2010.
10. Communication with representative of armed group attending talks with Minister for Rail Transportation Aung Min, November 2011.
11. New Light of Myanmar, "Individuals and organizations in the nation that have different views from the government should not take account of disagreements; Work with us for common goals in the national interests", 18 August 2011.
12. International Crisis Group, "Myanmar: Major Reform Underway", Asia Briefing No.127, Jakarta/Brussels, 22 September 2011.
13. Aung Thaung (a former Minister of Industry) is Secretary-1 of the USDP. Thein Zaw (a former Minister of Communication) is a Lower House USDP representative of Myit-kyina Township constituency in Kachin State.
14. These are the National Race Affairs and Internal Peace-Making Committee, chaired by Thein Zaw in the Lower House, and by San Tun, another USDP member, in the Upper House.
15. Independent Mon News Agency, "Brotherhood of five ethnic state parties calls for nationwide ceasefire", 4 October 2011. The five parties are the Phalon-Sawaw Democratic Party, the Chin National Party (CNP), the All Mon Regions Democracy Party (AMDP), Rakhine Nationalities Development Party (RNDP), and the Shan Nationalities Democratic Party (SNDP).
16. Wai Moe, "Govt Talks with Wa, Mongla Group Conclude", The Irrawaddy, 8 September, 2011.
17. Unofficial translation of UWSA agreement with government representatives, 6 September 2011.
18. Lawi Weng, "Burmese Govt Holds Peace Talks with Mon Armed Group", The Irrawaddy, 22 December 2011.
19. New Light of Myanmar, "Six Agreements Signed at Second Union Level Peace Talk", 29 December 2011.
20. New Light of Myanmar, "Union Level Peace Making Group, Special Region 4 Sign Agreement", 30 December 2011.
21. New Light of Myanmar, "Kayin State Peace Making Group, Kaloh Htoo Baw armed group (former DKBA) sign initial Peace Agreement", 5 November 2011. The five-points include: to reach a cease-fire agreement; temporary settlement of the Kaloh Htoo Baw armed group at Sonsemyaing; opening of temporary liaison office of Kaloh Htoo Baw armed group in Myawaddy; bilateral coordination to be made in

advance for travelling carrying arms beyond areas included in the agreement; holding future talks on peace and stability in the region. For background see “Burma’s Longest War”.

22. New Light of Myanmar, “Six Points Agreed in Union Level Peace Talk with Klo Htoo Baw (Former DKBA)”, 13 December 2011.

23. International Crisis Group (ICG), “Myanmar: A New Peace Initiative”, Crisis Group Asia Report No.214, 30 November 2011, p.22.

24. S.H.A.N., “SSA South reaches ceasefire agreement with Naypyitaw”, 20 November 2011.

25. New Light of Myanmar, “Initial Peace Agreement Inked Between State Level Peace Group and RCSS/SSA”, 4 December, 2011.

26. The previous military government replied that, because the SSA-South originated out of remnants of the Mong Tai Army (MTA) that refused to surrender with the main body of the MTA in January 1996, it could only lay down its arms like the MTA but not have a separate cease-fire.

27. For background see: Ashley South, “Burma’s Longest War, Anatomy of the Karen Conflict”, TNI-BCN, March 2011, p.31-33.

28. These were Minister of Industry U Soe Thein and Minister for Immigration and Population U Khin Yi.

29. New Light of Myanmar, “State Level Peace-Making Group, KNU Peace-Making Group Sign Initial Agreement”, 14 January 2012. KNU, “Statement on Initial Agreement between KNU and Burmese Government”, January 14, 2012, Office of the Supreme Headquarters, Kawthoolei.

30. New Light of Myanmar, “Initial Peace Agreement Inked Between State Level Peace Making Group and CNF, 9 January 2012.

31. S.H.A.N., “Naypyitaw – SSA North agree to uphold Three Causes on the basis of Panglong”, 30 January 2012.

32. Myanmar Times, ‘The Strength of the Nation Lies Within’, 23-29 January 2012.

33. Communication with representative of armed group attending talks with Railway Minister Aung Min, November 2011.

34. Interviews with representatives of various cease-fire groups, including KIO, UWSA and NDAA (Mongla) during 2009-2010.

35. Lawi Weng, “Burmese Gov’t Holds Peace Talks with Mon Armed Group”, The Irrawaddy, 22 December 2011.

36. Saw Yan Naing, “Govt Peace Delegation meets Ethnic Rebels in Thailand”, The Irrawaddy, 6 February 2012.

37. Communication with representative of armed group attending talks with Railway Minister Aung Min, November 2011.

38. See Kramer “Neither War nor Peace”.

39. See South “Burma’s Longest War” and Kramer “Neither War nor Peace”.

40. Interview with persons present at the talks, January 2012.

41. Interview with KIO Vice Chief of Staff Gun Maw, 17 October 2011.

42. New Light of Myanmar, “Government Already Acceded to Peace Proposals of KIO to Most Possible Degree, Clarification of Leader of the Spokespersons and Information Team Union Minister for Information U Kyaw Hsan on Government’s Endeavours to Enable Ethnic Armed Groups to Undergo Transformation in Accord with the Constitution (Press Conference 1/2011)”, 13 August 2011. See also remarks by Aung Min to NMSP quoted in: Lawi Weng, “Burmese Gov’t Holds Peace Talks with Mon Armed Group”, The Irrawaddy, 22 December 2011.

43. New Light of Myanmar, “Trio and KIO Meet for Peace Talks”, 1 December, 2011.

44. New Light of Myanmar, “Union Level Peace-Making Group meets Representatives of KIO”, 20 January, 2012.

45. These views have been repeated by KIO leaders in interviews since the KIO cease-fire before and after the cease-fire broke down.

46. Interview with KIO Vice Chief of Staff Gun Maw, 17 October 2011.

47. Interview with KIO Vice Chief of Staff Gun Maw, 17 October 2011.

48. Agence France-Presse, “Myanmar tells army to stop attacks on rebels”, 12 December 2011.

49. Soe Than Lynn, ‘Govt, KIO Agree to More Talks’, Myanmar Times, 23-29 January 2012.

50. Interview with representative of local NGO from Kachin State, 13 February 2012.
51. Interview with Kachin Development Worker, 16 October 2011.
52. See for instance Amnesty International, "Crimes Against Humanity in Eastern Myanmar", June 2008.
53. Human Rights Watch/Asia, 'Crackdown on Burmese Muslims', July 2002.
54. Amnesty International, 'Myanmar: The Rohingya Minority: Fundamental Rights Denied', 18 May 2004.
55. S.H.A.N., "SSA South reaches ceasefire agreement with Naypyitaw", 20 November 2011.
56. See Tom Kramer, 'Civil Society Gaining Ground, Opportunities for Change and Development in Burma', TNI-BCN November 2011.
57. Interview with representative of Kachin NGO, 6 October 2011.

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 the military government's Burmanisation policy, which translates 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 2010 and 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.

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BCN was founded in 1993. It works towards democratisation and respect for human rights in Burma. BCN does this through information dissemination, lobby and campaign work, and the strengthening of Burmese civil society organisations. In recent years the focus has shifted away from campaigning for economic isolation towards advocacy in support of civil society and a solution to the ethnic crises in Burma.

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Burma Policy Briefings

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