The Karen National Union held its 15th Congress at Lay Wah, 7 Brigade, on 26 November 2012. This congress heralded in a pivotal moment in the resistance group’s history as it occurred at a time of political in-fighting in relation to how best to negotiate a ceasefire agreement with the Thein Sein Government. The previous month had seen the incumbent KNU leadership, led by Tamla Baw and a number of hard-line leaders attempt to dismiss its military commander, General Mutu, its Justice Minister, David Taw and the head of the KNU’s humanitarian wings Roger Khin. The reason given for the attempted dismissal was the fact that the three had been:

... repeatedly violating KNU protocol.

The actions of some of the hard-line members of the Executive committee in attempting to dismiss the head of the army, and what was seen as an attempt by the leadership to remove the more moderate negotiators involved in the peace process, threatened to divide the organisation and derail the peace process. While the group was able to mend some of the divisions, large differences remained between the two factions. The timing of the dismissals occurred just before the KNU 15 Congress and the election to either continue the current leadership, or replace it. The results of the congress would decide not only the future of the Karen National Union, but also of the peace process in Karen State.

BACKGROUND

The KNU Congress is recognized as the KNU’s supreme legislative body and it is here that the Chairman, General Secretary, Joint Secretaries 1 and 2 and the Executive Committee (EC), the Central Standing Committees (CSC) and candidate members are elected. The seven KNU districts are responsible for electing the representatives, usually the District chairman and the Brigade commander, to attend the four yearly KNU congresses and two delegates are chosen to become members of the Central Committee. In addition, Central Committee members would provide the ministers for the Health, Education, Culture, Forestry, Mining and Finance.

The congresses, and those elected during them, have consistently provided a barometer for the political desires of the KNU which had, since 1974 and the leadership of Bo Mya, taken a much more right-wing and pro-capitalist stance.
in September 1974, the 9th KNU Congress was held at P’Hoo Lu, on the Moei River, it was here that a more right leaning shift in policy was endorsed. All of the previous congresses which had been heavily left leaning and Kawthoolei Nationalities United Party (KNUP) influenced, were ignored and left out of the official records. It was at this congress that 10 new articles were written and included among them was the following declaration:

‘The KNU is the sole organ for the development of the Karen national cause the elite of the Karen national revolution. The KNU is the highest organ for all Karen people and represents all Karen people.’ ³

The Congress also stated that the KNU’s aim was ‘national democratic revolution’ and that ‘Patriotism is our sole ideology. We will never accept dogmatism’ and perhaps more importantly:

In recognition of the difficulties of the past, the need for ‘self-criticism’ was accepted as were warnings against ‘warlordism’ or ‘leftist and rightist divisions or adventurism and opportunism.’⁴

Despite the latter, during the leadership of General Bo Mya, the four yearly congresses were suspended for twelve years. Consequently, there were no congresses held until 1991 with Bo Mya directly appointing the members himself prior to that date. These were normally a senior KNLA officer and a political governor.⁵

After the fall of the KNU’s Headquarters at Manerplaw in 1995, General Bo Mya had continued to hold on to the reins of power. However, there was growing discontent amongst a number of younger leaders, or Young Turks, consisting of Padoh Kwe Htoo Win, Roger Khin, Htoo Htoo Lay, Col. Oliver, Klee Say, Em Marta and David Htaw. These younger leaders were supported by 6 Brigade commander Shwe Hser and although Bo Mya agreed to step down it wasn’t until the year 2000 when he would at least nominally hand over power.

The 12th Congress, held in 2000, saw General Bo Mya finally defeated by only one vote and the appointment of the more moderate President Ba Thein Sein.⁶ It was during the leadership of President Ba Thein Sein that General Bo Mya, who remained as Head of the Defence Department,
Bo Mya, would lead to the first substantive peace talks since the mid-nineties and would also see General Bo Mya, in January 2004, visit Rangoon to meet with Khin Nyunt.

A number of KNU members believed that the 12th Congress, which saw a number of moderate leaders take high positions in the organisation and subsequently in the 2004/5 peace talks including, Htoo Htoo Lay, David Taw, Kwe Htoo Win and Roger Khin, as an affront, and as a result a number of individuals in the organisation who saw their roles gradually undermined by the inclusion of such moderates stated that:

> After the 12th KNU Congress, some “leaders” who got important positions in the central committee [are] getting corrupted. Using their important positions and “Karen national affair” as a tool (or) as stepping-stone, they have been accepting various ways of bribery from different groups and individuals for their sake of own personal interest. Since then their highest aims and objects [sic] [are to] abandon from our Karen national interest and [have] changed as follows.

1. To be able to stick to highest positions in the KNU central committee by all mean.
2. To place the most corrupted individuals (who would be able to bribe them) into the KNU central committee.
3. To eliminate anyone, by all means, who notice (or) realised the way they corrupt and tried to correct it.7

After the 13th Congress, at the end of 2004, which saw the same leadership retained amid the failing health of General Bo Mya, there was growing dissatisfaction with some individuals that threatened to split the organisation. Two of these, Nerdah Mya and Timothy Laklem, a Bo Mya confidante, failed to receive appointments during the 13 Congress, and as a result began to agitate for the 7th Brigade’s commander, Htain Maung, to support them and split from the Karen National Union, as a result a joint statement was issued:

> …the KNLA Nr.7 Brigade and the GHQ battalions will no longer recognise any of [the] so call “Statement” or “Order”, influenced by those selfinterest[ed] individuals who use the Karen national affair as their tool for personal benefit.8

In an interview on the 31st of July 2006 with the Mizzima News Agency Padoh Mahn Sha refuted the 7th Brigade’s allegations stating that:

> We reject all of these. In electing someone to be a leader, we have certain procedures and rules and regulations. In the KNU, no one leader is forever. All leaders are elected and chosen from the army. There are also people who are not chosen by the army. But if someone violates the KNU rule and regulations for example if they surrender to the enemy, and if they violate the rules and regulations, appropriate actions are taken according to the KNU rules and regulations.

And their accusation that the leaders are manipulating the armed wing is also false. There is no leader that is manipulating the armed wing. Among our leaders there are about three people who are over the age of 80. There is also a group who are playing in between to create confusion among the group. But among the leaders there is no one who is deceiving or manipulating the army. And their accusation of the leaders being forming groups among the KNU is also baseless.9

The death, from illness, of General Bo Mya, in December 2006 would give those who wanted to split the organisation the opportunity. While Nerdah Mya would eventually disassociate himself from the 7th Brigade split, both Timothy Laklem and the Brigade Commander Htain Maung would create a new pro-government faction, the KNU/KNLA Peace Council.
The KNU suffered a further blow with the assassination, on 14 February 2008, of the KNU’s General Secretary, Padoh Mahn Sha La Phan. This was followed shortly after by the death of President Ba Thein Sein on 22 May 2008. The group’s Joint Secretary-1, Colonel Htoo Htoo Lay, took the temporary position of General Secretary and with the forthcoming 14 KNU congress was tipped as favourite for the new leadership position. It was also hoped that a number of moderates would be elected to higher positions.

However, Colonel Htoo Htoo Lay resigned prior to the congress due to ill health. Consequently, the results of the election surprised many within the KNU and outside observers. The three week long 14th congress, held in October 2008, saw the appointment of the 88 years old, force 136 veteran, Tamla Baw as President. His daughter, Naw Zipporah Sein became the first female General Secretary. David Thackerbaw, former Joint-Secretary-2, was elected vice-president, Saw Hla Ngwe (David Thackerbaw’s former colleague in the Karen Information Centre), Joint-Secretary 1 and Dot Lay Mu (former head of the Federation of Trade Unions – Kawthoolei) Joint-Secretary 2.

THE PEACE NEGOTIATIONS

As a result of the congress, perceived hardliners within the organisation took over control of the leadership and despite clear differences of opinion on the way forward, accepted the new Burmese Government’s offer to discuss terms for peace. To negotiate, the Karen National Union, at its first emergency CSC meeting in November 2011, created a Peace Building Committee. The Committee was headed by David Thackerbaw as Chairman, General Mutu Say Po, as vice-Chairman, and David Taw as Secretary. Exploratory negotiations had already begun in October 2011 in Mae Sot, Thailand (for more information on the Karen Peace Negotiations see Briefing Paper No.1 - Burma’s Ethnic Ceasefire Agreements). As negotiations continued a further body, which was more representative of military interests, was formed. This body, the Military Affairs Committee (MAC), was formed in late January 2012 and was led by General Mutu Say Po and Saw Htoo Htoo Lay as Secretary. It was the MAC that would continue further discussions.

According to KNU negotiator David Taw:

The meetings have great potential . . . In comparison with not having meetings, if we negotiate with each other it will reduce suspicions and it will create a friendly atmosphere. We’re satisfied. We’ve become more familiar and frank.11

Although David Taw and many of those on the Military Affairs Committee were optimistic about the negotiations, others, primarily led by David Thackerbaw, the KNU Vice-president, were more negative, stating that:

I’m cautious, very cautious, there is no certainty, we’re still not sure of the real agenda. We hear the President has good intentions towards moving the country to democracy, but the indicators we have say something different.12

As further meetings between the two sides were held, divisions inside the organisation became more evident as a numbers of leaders sought to slow down the speed of the process. The Karen National Union had opened a Liaison office in Kyauk Kyi supported by the Norwegian funded Myanmar Peace Support Initiative (MPSI). A number of high ranking leaders within the KNU, especially David Thackerbaw and Naw Zipporah Sein, were openly hostile to the MPSI believing it to be a vehicle to support business interests despite the fact that the funding went to the Committee for Internally Displaced Karen People (CIDKP) and Karen Office for Relief and Development (KORD) both of which are humanitarian arms of the KNU.
Suspicious about the MPSI were further raised in May, when Saw Htoo Htoo Lay, Secretary of the KNU’s Military Affairs Committee was present when the Government issued 30 Karen IDPs with Burmese ID cards. The ceremony, at the KNU Liaison office in Kyaukkyi, was also attended by Minister of Immigration Khin Yi, and Norway’s Deputy Minister of Foreign Affairs Torgeir Larsen. According to one individual, from the Karen Women’s Organisation (KWO), who raised the matter at an MPSI meeting that day, Zipporah Sein had been unaware of the ceremony, an assertion denied by Charles Petrie of the MPSI.13

With divisions growing inside the KNU the leadership suspended the military affairs committee and consequently removed moderate leaders from the negotiations. The move was an attempt by the hard-line faction to take back control of the process and slow its pace. During its time the Military Affairs Committee had drafted a military code of conduct to be discussed at the next meeting with the Government.

On 3 September 2012, the KNU negotiating team met with the Government at the Zwekabin Hotel in Pa-an. Discussions about the building of military camps, encroaching on restricted territory and ethical standards for military staff were led by the KNU’s Colonel S’ Sha Tu Gaw, Major Saw Kler Doh and Major Saw Ta M’La Thaw and not, surprisingly, the KNLA GOC, General Mutu. At the end of the meeting both sides signed the Code of Conduct, with Zipporah Sein, signing on behalf of the KNU. The Burmese delegation agreed to give the code of conduct to its commanders for discussion and final approval.

Not long after the meeting, rifts between the KNU leadership and its executive committee led by Zipporah Sein and David Thackerbaw intensified and threatened to divide the organisation. On the 23 September 2012, General Mutu, Saw David Taw, Saw Roger Khin and a number of military leaders, opened a liaison office in Pa-an without the consent of the Executive or Central Committee. As a result, the KNU, using the term Supreme Headquarters, issued the following statement:

Today, September 27, 2012, Lt. Gen. Mutu Say Po, together with a 30-men group consisting of some district and brigade leaders, is intending to go to Pa-an town to meet with the Burmese (Myanmar) government and open a central level liaison office on September 29.

As this trip is not arranged by the Karen National Union (KNU) as well as by the Karen National Liberation Army (KNLA), the KNU Supreme Headquarters does not have any knowledge of agenda of the group.

In the negotiation meetings, every agreement signed by the two sides has been performed as the agreement between the Burmese government and the KNU. It is not a special, separate agreement between the KNLA and the Burmese government.

The KNLA is under the administration of the Defense Department, which is one of the 14 departments of the KNU.

The KNU has firmly resolved to achieve genuine peace by resolving the political problems by political means. In order to achieve that end, the KNU has laid down a program to conduct negotiations progressively and systematically.14

Shortly after the event, the EC called its Central Standing Committee (CSC) to make a decision in relation to how best to handle the behaviour of General Mutu and his colleagues. Despite the fact that less than half of the CSC appeared at the meeting, those who did, granted power to the EC to dismiss General Mutu, David Taw, and Roger Khin. However this was a move that was primarily illegal due to the fact that not all CSC
members had attended the meeting. In addition to the dismissals, Brigade 5 commander, Baw Kyaw Heh was made acting commander in chief of the armed forces by the EC.

The opening of the Pa-an office, which was established by General Mutu primarily at the request of Brigade and District leaders, threatened to split the KNU along brigade lines, with Brigades 1, 3, 4, 6, and 7 supporting General Mutu and 2 and 5 loyal to the EC.

This problem occurred at a time of political stress for the Executive Committee. After four years in power a new congress, the 15th, had been scheduled for the end of the October or November. These elections could have seen what was considered to be a hard-line KNU leadership replaced by moderates who had been instrumental in the peace process. As a result, the suspension of the Military Affairs Committee and the discharge of the three leaders, could be seen as the first steps in influencing the forthcoming congress and possibly holding on to the reins of power.

After a number of meetings to try and prevent the split growing, an unprecedented statement was issued by the Central Standing Committee, it noted that:

On October 25 and 26, 2012 the Karen National Union (KNU) Central Standing Committee (CSC) held a special emergency meeting at Lay Wah, in Pa-an District, and efficaciously resolved the problems, which had been brewing within the KNU.

The meeting was attended by 40 Central Standing Committee and Central Standing Committee Candidate (CSCC) members.

At the meeting, matters concerning dismissal of the three leaders according to the decision of the KNU Central Executive Committee (CEC) meeting held on 29-9-2012.

The CSC members freely, frankly and thoroughly deliberated upon the problems, which had been brewing within the organization. With a mind to strengthening national unity, and enhancing the unity, interest and advancement of the organization, all the participants decided to wipe out the weaknesses, which had taken place within the organization, start with a clean slate, continue shouldering the original duties entrusted by the KNU 14th Congress and proceed to the 15th Congress.

After resolving the problem of weaknesses that had arisen within the organization, through consultation and under the guidance and the leadership of KNU, all the participants of the meeting agreed to march on, in accordance with the basic principles and policies of the KNU.15

Not necessarily addressing the factional issue, the statement instead merely suggested that they would forget what happened to maintain unity, and continue as before. During the dispute, Saw David Taw, then justice minister, passed away due to ill health.

A further concern then emerged was the location of where to hold the 15th Congress. The EC faction wanted to hold it in Papun, where they supposedly had stronger support, while General Mutu wished to hold it in 7th Brigade. Although there was much speculation in the press as to the motivations for the different locations, as a purportedly democratic organisation where district leaders nominate the candidates, such geographical matters should hardly have been a concern. It was eventually agreed, after a vote was held, that Lay Wah, in 7th Brigade, would be the venue.
The 15th Congress

The 15 Congress was held from November 26 to December 26 and was attended by 171 KNU representatives from all Brigade areas. To control the election process a 7 person election committee was formed and led by the chief election commissioner Pastor Robert Htwe, head of the Karan Relief Centre (KRC). The election committee was responsible for designing and implementing the election process and for counting votes and announcing appointments.

At the beginning of the congress KNU President Tamla Baw resigned stating that:

I advise those who remain working in the KNU, that they have to work in the right way and to develop and bring on the new leaders. When electing new leaders at this Congress, please elect the right people who have the ability and the intelligence to analyse the political situations. Leaders are not those who are followers but can lead the people.

He also noted that:

. . . the KNU is the Karen national revolutionary organization and is working hand-in-hand with all people for the emergence of peace. In this case we should not blame and oppose our heroes who sacrificed their lives during our struggle.16

After deliberation and various discussions on how the movement could best proceed in relation to its policies and future role, the 171 representatives voted to elect members to the Central Committee. After votes were counted the names of those elected were announced and the ballots burnt by the election committee. The voting for the Executive Committee leadership was much closer than expected with neither Zipporah Sein nor General Mutu receiving the necessary 51%. As a result a new vote was called for. David Thackerbaw asked that the new vote be a secret ballot, a request that was refused. After the second vote, General Mutu won be a clear majority and after the result was announced the ballots were again burnt. Both Major Hla Ngwe Joint Secretary – 1, and David Thackerbaw Vice-president, lost their positions during the election process. David Thackerbaw, dismissive of the results, later that day called for a recount; however, with the ballots burnt after the original results had been announced and with no support for such a move from any other of the attendees the results were upheld.17

After the congress, the KNU released the following statement:

1. The 15th Congress of Karen National Union was held in its 7th Brigade area in Pa-an District, Kawthoolei from November 26 to December 26, 2012. The Congress was attended by a total of 245 people consisting (171) representatives and (74) observers.

2. The Congress reviewed and approved the political situation analysis and activity reports of the KNU from its past four-year term. The Congress also reviewed and reaffirmed the constitution, political objectives and basic programs of the KNU.

3. The Congress also adopted future work plans to increase women participation in politics and national affairs, build unity among Karen people and enhance administration and organization. It also decided to formulate economic and development policies and establish a human rights committee for the protection of people from abuses.

4. The Congress elected the new Central Executive Committee of the Karen National Union.
1. General Saw Mutu Sae Poe - Chairman

2. Padoh Naw Zipporah Sein - Vice-chairman

3. Padoh Saw Kwe Htoo Win - General Secretary

4. Padoh Saw Thaw Thi Bwe - Joint Secretary (1)

5. Padoh Mahn Mahn - Joint Secretary (2)

6. Padoh Saw Roger Khin - Committee Member

7. Padoh Mahn Nyein Maung - Committee Member

8. Padoh Saw Tha Main Htun - Committee Member

9. Padoh Saw Tha Main Htun - Committee Member

10. Brigadier General Saw Jonny - Committee Member

11. Brigadier General Saw Baw Kyaw Hei - Committee Member

5. The Congress also appointed Brigadier General Saw Jonny, the Commander of 7th Brigade, as new General Operation Commander and Brigadier General Saw Baw Kyaw Hei, the Commander of 5th Brigade, as Deputy General Operation Commander of the Karen National Liberation Army.

6. The KNU reviewed the current ceasefire and peace processes of the Burmese government and views that there is a grave and urgent need to work on reaching political dialogue. The KNU believes that there must be a nationwide ceasefire prior to the dialogue.

7. The KNU is very concerned over the Burmese authorities’ violent crackdown on people’s movement while the Government is engaging in ceasefire negotiations and peace processes with ethnic armed resistance groups. However, the KNU welcomes the Government’s initiative of establishing a commission to investigate and seek for truth.

8. The KNU pledges to continue to work in collaboration and cooperation with other ethnic and democratic forces, while keep working on the current peace process, towards establishment of a genuine federal union in order to achieve democracy and equality and self-determination of all ethnic nationalities.

Although not being elected to the EC, David Thackerbaw held on to the Department of Alliance Affairs while Major Hla Ngwe returned to his military position. Other ministry appointments were:

- Saw Hke Hser: Head, Finance Department
- Saw Lah Say: Head, Education Department
- Saw Ah Toe: Head, Interior and Religious Affairs Department
- Saw Dot Lay Mu: Chief of Judge and Head of Agricultural Department
- Saw Hla Tun: Head, Organizing and Information Department
AFTER THE CONGRESS

With an ostensibly moderate leadership now leading the Karen National Union much negative speculation has appeared in the media suggesting that the leadership was Business orientated and did not have the people’s interests as a main priority. Such speculation was further strengthened by the new leadership’s decision to accept President Thein Sein’s invitation to visit him in Nyapyidaw on 5 January 2012. The delegation led by General Mutu also included KNU General-Secretary Padoh Kwe Htoo Win, Secretary-2 Saw Mahn Mahn, and Central Executive Committee members Saw Roger Khin, Mahn Nyein Maung and Saw Hla Tun. According to Mahn Nyein Maung speaking after the meeting with the President:

We are still suspicious of each other, but this is due to the long years of fighting . . . However, on our part we are trying our best to build up [mutual] trust, as trust is very important in peace talks . . . We will try our best to struggle for peace and will not turn back on the peace process . . . many people have died and many suffered the consequences of civil war... we don’t want any more suffering.19

In addition to meeting with President Thein Sein, the delegation also met with the Commander-in-Chief of the Defense Services, Vice-Senior General Min Aung Hlaing. According to Mahn Mahn:

We met with the commander-in-chief for the first time and our visit is intended to strengthen ceasefire between the government and KNU. Moreover, we agreed to cooperate closely in the process of ceasefire,20

Shortly after the meeting the KNU issued the following statement:

1. In compliance with the invitation of President U Thein Sein of Myanmar government, the entourage of the Karen National Union leadership had met with President U Thein Sein and Vice-President Sai Mauk Kham at Nay Pyi Daw on 5/01/2013.
2. The entourage of KNU Leadership had also met with Chief of staff, Vice-Senior General Min Aung Hlaing at Ba Yint Naung Hall on 6/01/2013.
3. The entourage had also met with Rangoon Karen elders on 6/01/2013.
4. On meeting with both the President and the Chief of Staff, the following emphases had been discussed:
a) The aspect of cease-fire agreement is to be concrete and enabling trust building for both sides;
b) Matters concerning fierce fighting within Kachin State; and,
c) Dialogue to be further developed to political level and cease-fire agreement to be implemented to give assurance and trust for the people.

In striving for the concrete accomplishment of cease-fire agreement and for the development of further dialogue to a political level, the Karen National Union shall collaborate with the nationalities.\(^2\)

THE FUTURE

The new leadership has shown that despite much negative criticism from their detractors, in and outside of the KNU, it is more than prepared to put the wishes of the people above those of the Organisation. The opening of the Liaison office in Pa-an, in defiance of the KNU EC, at the request of local leaders suggests that the new leadership is more progressive and open to implementing the will of the people.

It is envisioned that a more moderate Karen National Union leadership will be able to secure a lasting peace, a peace that will ensure equality and protection for the people and much needed development for Karen State. Working alongside other Karen actors including Community Based Organisations and Karen political parties, the Karen National Union finally has a chance to give the Karen people the peace they deserve.

While the Karen people have made their choice to support a Leadership that is more able to provide the opportunity for peace, it is essential that the Burmese Government recognise this fact and grasps this chance not only to bring peace to Karen State but also to other ethnic areas. There has never been such an opportunity for an end to the myriad conflicts and both the Burmese Government, and the Burmese Army, must recognise this fact.
Notes

1 The Committee for Internally Displaced Karen People (CIDKP) and the Karen Office for Relief and Development (KORD)
2 ‘KNU Appoints New Commander’ Saw Yan Naing, The Irrawaddy, 4 October 2012
4 Ibid
5 KNU administrative officials often also had military ranks; a measure introduced by the KNUP in 1963 and they were supposedly senior to military commanders.
6 The leader of the KNU held the title of President until the most recent congress when it the leadership role was renamed Chairman.
7 ‘The Stand of the KNLA Nr 7 Brigade and G.H.Q. Battalions’, 30th July 2006
8 Ibid.
9 Ibid.
10 Personal conversation with Colonel Htoo Htoo Lay in January 2013.
11 ‘KNU satisfied with third ceasefire meeting’, Phanida, Mizzima, 21 December 2011
12 ‘KNU stand by ethnic alliance’ Report by KIC, 12 January 2012
13 The Author was present at the meeting in Chiang Mai, Thailand, on the 30 May 2012
14 ‘Statement of KNU Supreme Headquarters on Opening of Central Level Liaison Office in Pa-an’, 27 September 2012
15 Position Statement of the KNU Central Standing Committee Special Emergency Meeting, 27 October 2012
16 ‘KNU President General Tamla Baw resigns and urges Congress to elect ‘right leaders’’, KIC, 4 December 2012
17 Personal Conversation with KNU EC Member, 6 January 2013. The burning of the votes and other issues relating to the election have caused some controversy see http://dictatorwatch.org/
18 Statement of Karen National Union 15th Congress, 27 Dec 2012
20 ‘KNU secretary believes Commander-in-Chief will lay emphasis on ceasefire for State development’, 07 January 2013
21 ‘The Communiqué of Karen National Union on meeting with President U Thein Sein’, 9 January 2013