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State of Conflict

Finding peace in Myanmar in 2021

Despite a ceasefire that began on 10 May and the COVID-19 pandemic, low-intensity conflict continued throughout 2020. The Union Peace Conference 21st Century Panglong (UPC) was held from 17-19 August 2020, and while there remains far to go, the general outcome of the meeting was treated favourably by several ethnic leaders and it is hoped there will be a stronger basis for future talks in 2021.

That said, however, intermittent clashes continued in some ethnic states throughout the year and there is little to suggest that such clashes in some states will stop as peace negotiations continue in 2021.

Skirmishes occurred in Karen State largely in areas controlled by the Karen National Liberation Army Brigade-5 area (Mutraw District). Clashes have largely been linked to the Myanmar military's construction of a road linking Kyaukkyi in Bago Region and into Papun.

The reconstruction of the old road originally began in early 2018. The construction was halted temporarily but has since resumed. The KNU has claimed that the reconstruction of the road would allow further Myanmar military (Tatmadaw) expansion into KNU controlled areas, while the Myanmar military has said that existing roads need to be upgraded or they will deteriorate.¹

In large part, the reason for such continued clashes is the interpretation by both sides of clauses in the Nationwide Ceasefire Agreement. On December 1, 2020, the KNLA's 5th Brigade issued a statement expressing its impatience with the Nationwide Ceasefire Agreement.

According to Brigadier General Tamala Taw the 5th Brigade G1,

Even though we have signed the NCA, there has been no implementation, particularly, of the NCA Chapter 3 and Article 25 of Chapter 6. None of these issues – ceasefire areas, deployment of troops, the common definition of some terms used in the NCA, and the avoidance of using the public spaces mentioned in the NCA as military outposts or encampments – these have never been discussed.

The lack of discussion of the interim period in the NCA Article 25 of Chapter 6 has led to a decline in trust. In the bilateral meeting of KNU and the Myanmar government in 2012, there was a KNLA proposal for the relocation of military bases from civilian areas and troop routes to be moved. We have been waiting for this to happen for more than eight years now, but so far no action has been taken, so it leaves us in a state of despair. This has been seen as giving the military a huge advantage in the ground – trust has now been further eroded.²



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Further tensions occurred after two Myanmar soldiers killed a woman and robbed her. Villagers gathered and called for the withdrawal of four military outposts from their region.³ The military arrested the two soldiers, and the Tatmadaw True News Information Team said the military would take harsh action against them.

The protestors also raised the killings of five civilians by five different infantry battalions of the Myanmar military during the period Jan. 2 to July 16 villages adding further importance to calls for the military to withdraw outposts from Karen territory, a request that is unlikely to be fulfilled due to what the military has categorized as security reasons.

Clashes have continued in Shan State throughout the year not only between the Restoration Council of Shan State (RCSS) and the Myanmar military but also fighting between other ethnic groups operating in the area. Most recently, on November 19 and 24, there were two clashes between the Tatmadaw and the TNLA in Moegok Township. On December 5, there were clashes between the RCSS and the Shan State Progress Party (SSPP) in Thibaw Township and clashes between the RCSS and the Ta'ang National Liberation Army (TNLA) in Namatu Township on December 7 and 10.

In addition, to continuing skirmishes it has been reported that extortion and kidnapping allegedly by the TNLA has risen since June. The armed group reportedly has fixed amounts demanded from people, depending on their perceived wealth. Several business owners have recently been kidnapped in Mogoke. Most of the victims paid ransoms out of fear of being killed or seized a second time according to media reports.⁴

The Myanmar Army and the Kachin Independence Army (KIA) fought in Kachin State with Kachin forces saying that the Tatmadaw entered their territory without notice. The Kachin Independence Organization also clashed in Northern Shan State in June despite the ceasefire being in place, such occurrences are likely to continue next year despite the ceasefire as the KIA continues to evaluate its role with its non-signatory allies in the Federal Political Negotiation and Consultative Committee (FNPCC), led by the UWSA, and its role in ethnic politics overall as signatory groups move forward with the process.

There were no reported skirmishes between the New Mon State Party and Myanmar military in Mon State. Although tensions remain over territorial borders with the Karen National Union a problem that has led to several clashes in the past.

There were no reported skirmishes in Karenni State although the Myanmar military's presence in the state is still a cause of concern for residents. The main armed group the Karenni National Progressive Party has yet to sign the Nationwide Ceasefire Agreement.

Fighting in Chin state is largely confined to Paletwa between the Arakan Army, where it is based, and Myanmar military. The Chin National Front (CNF) an NCA signatory issued a warning to the Arakan Army (AA), asking the armed group to withdraw from Chin State's Paletwa Township in July this year, a request that has yet to see any action taken.

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Rakhine state has seen the most intense armed engagements throughout the country as the Myanmar military continued clearance operations against the Arakan Army (AA)). Since November 2018, fighting in northern Rakhine State and neighbouring Paletwa Township in Chin State has displaced over 236,000 people.⁵

However, the AA on November 12 issued a statement requesting the civilian National League for Democracy (NLD) government and military authorities hold additional polling by Dec. 31 after the Union Election Commission suspend polling as part of the election due to the conflict.

The AA, which is designated as a terrorist organisation by the government, promised to assist in coordination with the government and other organizations to create a stable environment to hold voting. The Office of the Commander-in-Chief of the Defence Services welcomed the group's suggestion, saying it would coordinate to hold voting. The two sides then met virtually on November 25, when representatives discussed how to get food and medical supplies to civilians in conflict areas as well as the issue of holding elections.

Japan's special envoy to Myanmar, Yohei Sasakawa, is reportedly playing a role in the developing negotiations and has worked closely with military chief Senior General Min Aung Hlaing, who reportedly asked him for help. In addition, other ethnic leaders have also welcomed Japan's involvement.⁶

On December 9, representatives of the Myanmar military and Arakan Army (AA) met in person to discuss the possibility of a bilateral ceasefire.⁷ While nothing is certain and 2021 may see a resumption of hostilities, such negotiations by both sides may see further talks take place and should the terrorist designation be removed the AA involvement in the peace process.

It is hoped that such trust-building can be further utilised to bring about some compromises and will lead to the Arakan Army re-thinking its current goal of 'confederation status' a somewhat ambiguous term in relation to most, but not all, ethnic armed organisations that are calling for a 'Genuine Federal Union' a concept that is central to current peace negotiations and shared at least ostensibly by the NLD and military.

The fact that the military is prepared to discuss matters with the Arakan Army should at least see a lessening of conflict in Rakhine State, however, several issues need to be resolved including the release by the Arakan Army of abductees and the removal of the AA from the proscribed terrorist organisations' list by the NLD and military.

While it is likely that minor skirmishes will continue in Karen State between the military and troops of the KNLA's Brigade 5 over infrastructure, such low-level clashes should not be seen as indicative of conflict in all of Karen state. While minor infractions may occur, these are hugely dealt with at a local level and are more likely to be associated with local business dealings than ethnic aspirations. One example of such was the recent arrest of two members of the KNU/KNLA-PC who were detained for drug distribution by the NMSP in Karen State's Kawkaik township which is under the control of the New Mon State Party (NMSP).⁸



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Most likely clashes, especially at the beginning of the year will be between different ethnic armed organisations, ceasefire and non-ceasefire, as can be seen by continuing clashes between the RCSS and TNLA.

Similar to the AA the TNLA also needs to rethink its objectives in regards to a federal union the main problem with the TNLA is that is seeking four townships Kyaukse, Namhsan, Manton and Namkham Townships to be placed under its control, however, the 2008 constitution only designated two townships for the Ta'ang - Manton and Namhsan. The TNLA maintains that the Ta'ang should be able to control the additional two townships as their people are present in the other two areas. However, this is disputed, and it is believed, for example, that a large majority of the people in Namkham are Shan and Kachin with a much smaller Palaung presence. It must be noted, however, that in a democracy, no territory can be placed under the control of an armed group – unlike the arrangement made in the past between the Tatmadaw and the UWSA. It should depend on the will of the population in the area.

While 2021 has seen minor conflicts continue, especially so far in Shan and Karen States, such clashes should not be seen as a consequence directly of a flailing peace process. There is little doubt that negotiations have much further to go and conflict mechanisms need to be strengthened, but as long as all parties remain steadfast, especially with the Tatmadaw, whose sincerity in the process remains questionable, there remains an opportunity that a much more robust agreement can be achieved.



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Notes

- ¹ <https://www.irrawaddy.com/news/burma/knu-myanmar-military-stop-road-building-dispute-settled.html>, accessed 21 December 2020
- ² <http://karennews.org/2020/12/interview-knla-out-of-patience-with-nca-demands-government-and-military-takes-civilian-concerns-for-the-removal-of-troop-and-army-bases-seriously>, accessed 21 December 2020
- ³ <https://www.irrawaddy.com/news/burma/thousands-villagers-myanmars-karen-state-protest-army-killings-civilians.html> accessed 21 December 2020
- ⁴ <https://www.irrawaddy.com/specials/myanmar-covid-19/myanmar-civilians-demand-protection-tnla-kidnappings.html> accessed 21 December 2020
- ⁵ <https://www.aseantoday.com/2020/12/ceasefire-in-myanmars-rakhine-conflict-prospects-for-peace-or-false-dawn/> accessed 21 December 2020
- ⁶ <https://www.irrawaddy.com/opinion/analysis/japans-stepped-negotiating-role-welcome-development-myanmar.html> accessed 21 December 2020
- ⁷ <https://www.aseantoday.com/2020/12/ceasefire-in-myanmars-rakhine-conflict-prospects-for-peace-or-false-dawn>, accessed 21 December 2020
- ⁸ <https://www.bnionline.net/en/news/nmsp-and-knuknla-pc-clash-related-drug-arrest> accessed 23 December 2020