

The Kachin Conflict

The Search for Common Narratives



Pillars representing the different Kachin ethnic groups, Manau Ground, Myittha, Kachin State



About the Author

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The International Management Group (IMG)

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Methodology and sources

This paper is based on observations, interviews, primary and secondary sources in English, Myanmar, Jinghpaw¹, Lisu and Shan languages – including media, academic papers and unpublished sources – collected over a year in Kachin State and immersion in Kachin culture and politics. It encompasses analyses based on trips to various locations in Kachin and Northern Shan States between May 2009 and August 2013.² It also relies on a decade of study, research, discussion and observation of Myanmar by the author. It focuses on the experiences of political, religious leaders, civilians and internally displaced persons (IDPs) during the recent conflict. It proposes an analysis of the narratives of war and peace, highlighting the communication strategies at play in the search of legitimacy from both parties to the conflict, and the reinvention of the notions of war and peace in light of the rapidly evolving political situation. The recent evolution of various narratives of the conflict show the complexity of notions of war and peace as they are encapsulated in the collective Kachin memory, as well as the reinterpretation of these by local leaderships for political ends. These changing narratives are part of Kachin political identity, and for warring parties, became a justification for gaining control over a resource-rich and strategically located territory.

A particular challenge in the data collection process was access to official primary sources (both Tatmadaw – armed forces - and government); however this was counterbalanced by interviews and use of open sources to inform the analysis of this report.

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KEY RECOMMENDATIONS

In the course of compiling this report, key recommendations emerged from scores of interviews on all sides of the Kachin conflict and extensive historical as well as current research. Although not all are expressed as such in the main body of this report, these recommendations are in line with the content and, more significantly, sum up core insights from the relevant parties. These could prove useful for the international community and local representatives, both organizations and individuals:

NATURAL RESOURCES MANAGEMENT AND PROFIT-SHARING: There must be fair division and transparent management mechanisms for the region's natural resources between the key parties, from ethnic communities to local, state and national governments. This would require revisions – and in some cases, possible termination – of existing resources-related contracts and agreements, and thorough reviews by community representatives as well as government of any new commercial arrangements with both foreign and domestic investors.

In future there should be greater regulation of various natural resources sectors, from jade to teak, and minerals to hydropower; strictly enforced standards of transparency, oversight and resources management; verification of land ownership and usage; and development of revenue-sharing mechanisms. The particularly thorny issue of compensation mechanisms – and funds – for local communities that have lost their livelihoods and/or lands must also be addressed. In addition, large-scale development projects, such as the controversial Chinese-sponsored Myitsone dam project which was suspended in late 2012, should only proceed after extensive consultation with local communities and the establishment of appropriate compensation mechanisms. Current projects generating controversy include the Chinese-sponsored gas and oil pipeline projects in Northern Shan state, bordering Kachin.

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LAND ISSUES: Further to the issues related to natural resources projects as above, there should be comprehensive complaint and arbitration mechanisms to deal with land-related grievances and to determine claims that have piled up over years of alleged land-grabbing by various parties including business and military. Such a mechanism should combine elements of the national legal framework and customary local laws and practices. Notably, under recent national legislation, most small landholders are likely to struggle to recover land that was confiscated before and during the conflict, due to the difficulties in proving original ownership, or even long-term tenure, as the government retains overall rights over land. Under traditional local laws in Kachin-populated areas, those using land – mainly as small farmers – gained tenure rights automatically, without any titles or legally valid documentation. Some proposals to provide a legal basis for complaints provide for a thorough interview and research process to be conducted by local officials. Regardless, these complaint and arbitration mechanisms should be relatively simple and “user-friendly”. They should avoid imposing complex or costly administrative requirements that would disadvantage farmers in remote areas, or generally, those who are less literate and not Myanmar native speakers. The state – possibly with assistance from aid organizations – should provide subsidized or free legal assistance to complainants.

Related to the above is the need for all parties to discuss and agree on ways to include local customary laws and traditions, as well as the policies of representative bodies such as the Kachin Independence Organisation (KIO) that are enforced up to today. On land rights for example, any peace talks must determine appropriate conditions for the return of internally displaced persons (IDPs). Foremost among these are urgent practical considerations such as safety issues involving mine-clearing and greater control of local military units. Both warring parties should in principle return confiscated lands and property to victims of the conflict. At the same time, land rights and tenure need to be considered in the local context, where customary law and practices still prevail. This also requires consideration of hierarchies and roles of local political and social systems (including clan structures; duwas, or Kachin traditional chiefs ruling on highest clans; and elders).

DEVOLUTION OF POWER AND BUILDING TRUST: A process is needed involving all sides, ideally to run in tandem with any peace talks, to come up with measures aimed at sustainable devolution of power. Such measures should include grassroots initiatives to fully involve various ethnic minorities (not only Kachin, or more specifically, the dominant Jinghpaw group). Central to this would be official (and international) acknowledgement of the historical context, and appropriate consideration of local expectations as well as previous disappointments. This requires understanding of previous efforts by the KIO and related organizations to comply with a heavily centralized system during 17 years of ceasefire, and also of the widespread disillusionment – even a sense of betrayal – that led to the breakdown of peace agreements. Most significantly, in other ethnic areas, some armed groups with a history of opposition to any suggestions of ceasefire are now trying for the first time to build peaceful relations with the State. Such groups have indicated more hope in the peace process than those who feel they were betrayed by the inability of one side or another to live up to agreements. Given these past attempts by the KIO to cooperate on ceasefire proposals, there is a greater need for the government side to build trust and avoid past mistakes. At the same time, there are valuable lessons to be drawn from studying the previous peace arrangements.

SENSITIVITIES OVER ETHNIC PROFILING: At a time when sensitivities about ethnic and religious differences have been magnified by sectarian violence as well as disputes over proposed modification of the country's constitution, Kachin representatives among several other ethnic groups are sensitive to how they are identified and often have firm pre-existing ideas about their own self-identification that have shaped their self-image and the conflict. Kachin representatives among several other ethnic groups began pushing in late 2013 for the modification of government plans to launch Myanmar's first nationwide census since 1983. The government in late January said the 2014 census, scheduled to take place from March 30 to April 10, would proceed as planned, despite the calls from ethnic minority groups for modification of procedures. Kachin representatives said they would not accept subdivisions of their ethnic group along linguistic lines, but only according to distinct tribes. They asked the government to restructure its existing ethnic classification system ahead of the census and have refused to participate which means effectively that the data for Kachin State will not be accurate. While the request seemed unlikely to be granted, the government and international groups involved in conducting the census and analyzing data should take such concerns into account. The negative consequences of insensitive handling of census data could inflame racial, ethnic and religious tensions and in respect to the peace process, could promote distrust and further distance ethnic groups from government negotiators.

HIGH-LEVEL MILITARY INVOLVEMENT: To be credible and have any chance of success, any peace talks must feature direct involvement of the higher levels of military commands on both sides, and should focus on actual cessation of hostilities, rather than vague phrases such as "de-escalation of violence". The latter is hard to monitor, risks creating confusion and therefore, could ultimately perpetuate fighting. As the dynamics of peace talks in Kachin become more complex, closer coordination with other non-state armed groups is required. In addition, beyond the broad aims of any nationwide ceasefire (under discussion since 2013) any peace agreements or plans between Kachin and central government sides must take a comprehensive approach to addressing security issues at the grassroots level, including the role of ethnic militias – especially

those in Northern Shan State, bordering the Kachin region. By understanding the drivers – particularly the economic incentives – for continued involvement in conflict by these groups, some of which have held sway for decades over lucrative natural resources operations, it should be possible to design plans and implement development programs which could prevent them from becoming “spoilers” as their income sources dry up.

INCLUSIVE SECURITY SYSTEM REFORM: The above recommendation underlines the broader need for inclusive security system reform, featuring meaningful decision-making and strategic roles for individual representatives of various ethnic groups. In the longer term, a so-called “federal army” should be based on merits of the officers, not on their ethnicity, and should be composed of voluntary adult recruits only. There should also be relevant integration measures and training for all non-state armed groups – an area where international organizations with experience in the field could provide valuable assistance, although it is questionable, given the colonial history and strong rejection of foreign interference particularly in regards to the armed forces, as to how far the Myanmar armed forces would be prepared to go in allowing international trainers on Myanmar soil..

AID AGENCIES IN ETHNIC AREAS: If the momentum quickens on negotiations between government and KIA representatives, all aid agencies – international and domestic – involved in areas including Kachin State and bordering Northern Shan State should review their relief operations and consider longer term implications of their engagement, particularly to support IDPs in the region. In recognition of the relatively rapid lifting of previous restrictions, including on humanitarian programs and access to affected areas, they should apply a “Do No Harm” approach, working in close coordination with existing local structures while constantly assessing - and also mitigating – risks that their presence could be used politically by various parties and agencies. It is vital from now for aid agencies, as well as all parties to the conflict, to respect international humanitarian law and aim for unhindered humanitarian aid to all victims, regardless of ethnic and political divides, in all parts of Kachin State.

With greater access for aid agencies in former conflict-affected areas, donors and practitioners should emphasize coordination to ensure that aid is reaching those in greatest need, including in the most remote areas. Pragmatic and transparent justice mechanisms should be put in place and care should be taken to avoid stigmatizing populations from areas of intense conflict, and from regions under the control of non-state armed groups, as well as returning IDPs.

MANAGING EXPECTATIONS: If a nation-wide ceasefire is reached with most of the Non-State Armed Groups (NSAG), including the KIA and its allies, it is important to consider that this – crucial – step will not be an end in itself. It will certainly raise high, yet probably divergent, expectations among the groups. In this context it is important to consider peace as a process, and not only as the result of a written contract. Constant compromises and discussions will be required to make peace sustainable. The government will most likely face a complex task to harmonize practices and relations with all groups, and it will have to consider each group’s specificities (including: the history of relations with central State, existing customary structure power, local natural resources, cohesion and the extent to which the armed groups represent their own and surrounding communities). In other words, any nationwide ceasefire will not enable the government to use a “one solution fits all” approach to the peace process. Negotiators and also donors and aid organizations will still have to work in areas controlled by signatory NSAGs on a bilateral basis, hence they will have to take into account specific claims, priorities and characteristics of each group.

BUILDING ON CEASEFIRE OR TENTATIVE PEACE AGREEMENTS: In the event that peace negotiations progress after the preliminary agreements of the past 10 months, technical and financial support should be provided by international donors and aid organizations to help implement legal and political framework changes at all levels (national, regional, district, and township). The rule of law and implementation of new policies should apply in every part of the territory in question. Support for improving local governance, in terms of both structure and policy approaches, is also required, and will help strengthen peace-building.

SUPPORTING RECONCILIATION: Aid donors and organizations should also support reconciliation efforts at all levels of society, including at community and grassroots levels. Emphasis should be placed on cross-ethnic development projects, to mitigate ethnic, sub-ethnic and religious divides and to promote diversity – for example, through educational activities that acknowledge Myanmar’s immense ethnic, cultural and linguistic diversity.

Note: This research paper attempts to explain the conflict from Kachin perspectives, particularly in the context of how local history has been presented in literature and the media by key individuals, and to provide insights into the background of the conflict. It is designed for international and national agencies engaged in supporting the peace process.

The dominant narrative emerging from stakeholders in the peace process is that economic improvements and social benefits will bring peace to Kachin State. While improved economic circumstances provide stronger foundations for the achievement of peace, political grievances must be properly addressed in order to move fully into the next phase of developing the state. The key issues are outlined below.

EXECUTIVE SUMMARY

THE BROADER CONTEXT OF THE KACHIN SITUATION: The KIO and its armed wing the KIA were among the first large NSAGs to reach out and sign a ceasefire brokered by then-prime minister, General Khin Nyunt, in 1994. Yet, by the end of 2009, while many other NSAGs had joined the government's ceasefire initiative, the KIA was returning to warfare. The shift in the KIO's attitude, from cooperation to one of outright hostility, stemmed from a variety of issues, which are analyzed in this paper. To complicate matters, the opposing parties voice contrasting narratives of their rationales for the conflict, and of their search for a lasting peace.

In the wider context, the conflict in Kachin State should not be misinterpreted as an isolated series of events caused by a group of disillusioned ethnic leaders. In both domestic and international media, it is mistakenly often depicted as a conflict primarily over control of natural resources, a view that too often underplays vital political aspects. In fact, the real reasons are more emblematic of attempts by successive governments to dominate minority ethnic populations. To understand the current situation and explain the motivations of key players, it is crucial to explore the fundamental misunderstandings between the two sides, summed up in the contrasting hopes of the Bamar-dominated central government, and ethnic groups at the periphery of the country. It highlights the need for the Myanmar government to engage in meaningful political dialogue with the ethnic minorities beyond the technical aspects of cessation of hostilities. It also shows how vital this effort would be in building trust among the ethnic minorities in the central government and in the reform process. Clearly, without such a shift from ceasefire to political dialogue, Myanmar's ethnic minorities will have difficulty in any meaningful interaction with the central government.

Through extensive field work, including interviews, and a comprehensive review of media and academic literature, this paper explores the origins of Kachin politics and analyses the root causes of conflict as well as the divergent narratives of the key players. What emerges is a picture of missed opportunities on both sides of the search for peace. Essentially, the conflict is the result of a succession of failures to achieve meaningful political dialogue, as well as the inability of parties to reach compromises. To establish enduring peace in Kachin State will require far more than a simple ceasefire agreement. This paper identifies central issues as well as sensitivities that must be taken into account in order to support a lasting peace. The longer a comprehensive agreement eludes negotiators, the greater the risk that views will harden on both sides, undermining any prospect of compromise.

ROOTS OF THE CONFLICT: The roots of the conflict in Kachin state between ethnic armed forces and government troops go back to grievances over control of the state's lucrative natural resources and the preservation of ethnic identity after the end of British colonial rule in 1948. At the 1947 Panglong conference, the Kachin along with Shan and Chin representatives agreed in negotiations led by General Aung San to the formation of a Union of Burma in return for promises of full autonomy in internal administration and an equal share in the country's wealth. The Panglong Agreement, signed on February 12, 1947 – now celebrated as Union Day in Myanmar – granted "full autonomy in internal administration for the Frontier Areas [the colonial

administrative term for borderlands]" in principle, and provided for the creation of a Kachin State by the country's Constituent Assembly. But the promised autonomy and wealth-sharing failed to materialize.

A series of rebellions among various ethnic groups – many which had not participated in the Panglong Conference – intensified the atmosphere of growing mutual suspicion. In the late 1950s and 1960s, the Kachin, along with the Chin, and Shan, finally took up arms against the State amid growing discontent and a sense of betrayal over perceptions that the Rangoon-based government was ignoring ethnic interests. In 1961, a group of young Kachin nationalists established the Kachin Independence Organization. In the following year, 1962, a military coup led by General Ne Win set the seal on growing mistrust of the central government among key ethnic groups and ushered in decades of war. In this asymmetric conflict against a professional state army, the KIA became an effective guerilla force and quickly gained control over large areas of Kachin and northern Shan states. The Chinese government in Yunnan provided training and weapons to the new guerilla force.

Alongside their military successes, KIO leaders took part in various rounds of ceasefire negotiations with the Rangoon-based military regime, notably in the early 1980s. It was not until 1994, however, that a substantive ceasefire agreement was struck. The ceasefire, which granted political autonomy within a special region in Kachin State, was maintained from 1994 to 2011. In this period the Kachin population based in these areas were able to improve their economic circumstances. From 2004, Kachin representatives even participated in the National Convention process that ended with the drafting of the country's 2008 constitution. However, Kachin representatives maintain they were allowed no significant input, and that little attention overall was paid in the drafting process to ethnic grievances.

In many cases under successive military regimes from the early 1980s, ethnic complaints were deepened by official neglect or the breaking of pledges. In the lead-up to the 2010 elections, the military junta backtracked on earlier promises to the KIA and other key ethnic armed groups, demanding they transform their armed units into "Border Guard Forces" under partial control of the military, or Tatmadaw. None of the main ceasefire groups, except the Democratic Kayin Buddhist Army (DKBA), agreed to the demand. Widely believed to be a result of the stand-off over the border guard dispute, the government-backed Election Commission refused to register Kachin political parties to contest the national election in late 2010, and shortly afterwards, declared the ceasefire "null and void," setting the stage for a resurgence of hostilities. Indeed, fighting in Kachin state flared back up in June 2011, just months after President Thein Sein came to power in March.

The new government almost immediately began negotiating a series of peace agreements with ethnic groups, from mid-2011 – declaring that a nationwide ceasefire with all NSAGs would be a priority goal. After fighting escalated in Kachin state in late 2012, both sides began an uneasy round of talks. In May 2013, the KIO became the last large armed group to sign a tentative agreement, although it stopped short of a truce or ceasefire pact. As of early 2014, the agreement stood, by far, as the most fragile of a total 14 peace deals signed between armed ethnic groups and the government. Even so, the agreement paved the way from late 2013 for the entry of Kachin representatives to vital talks between most ethnic armed groups and the government over a proposed nationwide ceasefire. While fighting largely subsided in most of the major ethnic areas from early 2012, tensions between the KIO's armed wing, the Kachin Independence Army, and government troops continue to simmer, erupting in local-level conflicts in pockets of Kachin and Northern Shan States, and escalating again in early 2014 as doubts grew over the government's ambitious timetable to sign a nationwide ceasefire by April 2014.

KACHIN DEMANDS FOR POLITICAL DIALOGUE: In subsequent peace talks after the tentative preliminary agreements between Kachin and national government representatives, initially in May 2013, the KIA continued to insist on political dialogue as a condition of any comprehensive ceasefire agreement. Some observers warn that continuing disagreements between the two sides over the conduct and phasing of negotiations carries the risk of undermining other peace agreements, particularly in areas around Kachin state. Several other ethnic

groups have followed suit in demanding political dialogue, and the government is striving for a new framework agreement, ostensibly to address these concerns while remaining in control of the process.

MAY 2013 AGREEMENT: The May 2013 agreement signed by KIA leaders and the government's peace negotiating team stopped far short of a ceasefire deal, and was essentially a seven-point pledge to "de-escalate" hostilities. Even so, it represented a significant step for the Kachin. From mid-2011, KIO and KIA leaders had stood by as mainstream armed groups managed to reach ceasefires of varying forms. Yet, in stark contrast with other ethnic armed groups, Kachin forces since 1994 had enjoyed a 17-year ceasefire that was often portrayed as a reasonably successful, albeit temporary, arrangement.

In resuming the conflict in mid-2011, KIO leaders questioned the intentions of the government concerning its vague commitments to future devolution of power and greater inclusion of ethnic minorities in government. After the earlier period in 2012 of intense fighting, the KIO spearheaded a drive for political dialogue with government negotiators, placing at the top of the agenda central issues such as claims for a federal state and a regional army. Since their May 2013 peace agreement and the resumption of constructive discussions with the government, KIO leaders along with the Karen National Union and other NSAGs - have actively promoted coordination among the ethnic groups. Both groups were instrumental in the establishment of the Nationwide Ceasefire Coordination Team (NCCT), made up of 17 armed ethnic groups, which in late 2013 began negotiating with the government's Internal Peace Making Committee (IPMC) to agree on a national ceasefire framework that would encompass all non-state armed groups. It became clear that such coordination has further potential to significantly increase the leverage of ethnic groups in the negotiation process.

TOWARDS A NATIONWIDE CEASEFIRE IN 2014: Discussions about a nationwide ceasefire agreement from late 2013 marked a significant shift in relations between NSAGs and the government, and ultimately in previously hard-line attitudes within the military's top brass. Initially this shift was reflected in the issuance of a draft nationwide ceasefire framework at a multilateral ceasefire meeting in November 2013, held in Laiza, Kachin State. The talks, including invitations from government negotiators to NSAG representatives to suggest amendments to this key document generated sometimes tense or even confrontational responses, but nevertheless marked significant progress. In a subsequent five-day meeting on January 20 2014, held at the Karen National Union (KNU) Lawkheela headquarters, key points of the draft nationwide ceasefire framework were agreed by all but one of the participating groups, the exception being the Shan State Army-South. The meeting brought the goal of a nationwide ceasefire closer than ever before. KIA leaders however continued to harbor fears – echoed by other ethnic representatives - that the agreement could potentially hand the government control over large swathes of territory in their state.

OLD FAULT LINES RE-EMERGE: For the KIO, the revival of old fears, of losing territory and giving up control to an unsympathetic central government, emerged in the immediate aftermath of the controversial 2010 national elections. The polls were widely condemned by international and domestic critics as flawed. They nevertheless ushered in a robust parliament and a reform-minded government. Much has since been written about the rapid pace of change in Myanmar's political landscape. By convincing the majority of groups involved in armed struggle against the Myanmar armed forces to sign ceasefire agreements, the predominantly civilian government of President Thein Sein succeeded in winning some credibility, both nationally and internationally.

But amid this striking shift, it is also important to consider how three inextricably interwoven but highly delicate reform processes are at the heart of the emerging new dynamic: political change, economic transformation and the peace process. At the same time, several old fault lines have re-emerged, among them the conflict in Kachin State. To all sides in the peace process, the rekindling of this old conflict serves as a powerful reminder of the fragility of the transition process led by the government in Nay Pyi Taw.

Introduction

The main Kachin armed group, the Kachin Independence Army, is the largest ethnic armed group still in conflict with the Tatmadaw (the Myanmar armed forces). In periods of relative peace when the government has made strenuous efforts to engage the Kachin in peace talks, the KIA/KIO has been perceived by some observers as an 'irrational' actor, rejecting such overtures for reasons including pure economic self-interest. Primarily, such critics claim Kachin leaders have profited from the extraction and sale of the state's abundant natural resources over long years of conflict, and even today maintain unofficial claims on resources and related benefits that would be jeopardized by comprehensive peace agreements.

Overall, the issue of business interests and development initiatives in the peace process, as Myanmar Peace Monitor/Burma News International noted in a recent report, "has become a controversial yet unavoidable topic" in ongoing peace efforts in Myanmar. "While many are worried that business is taking precedence over politics in the peace negotiations, the demands of NSAGs for business concessions, development and fair distribution of natural resources are a reminder that ethnic leaders recognize that economic power and political power are two sides of the same coin. At the same time, business concessions in ceasefire talks are also seen by some to be a ploy by the government to turn ethnic leaders into 'mini-cronies' while also performing a public relations stunt to attract more foreign investors," the report concluded.³

Some KIO/KIA representatives however managed to get long-running ethnic grievances back on top of the political agenda for a crucial meeting of the alliance of 18 main ethnic armed groups in Myanmar, held in the KIO stronghold of Laiza from November 30 to December 2, 2013. The meeting's main objective was to review the draft Nationwide Ceasefire Agreement proposed by the government. To kickstart the National Ceasefire Agreement process, government permission was granted, for the first time since Myanmar's independence from Britain in 1948, for NSAG representatives to gather legally to discuss future political arrangements. While a number of key ethnic demands are yet to be considered, the newly created space in the form of this broad participatory meeting is an indicator of how far both sides have been prepared to go to attain peace.

On October 9 and 10, 2013, the Union Peace-making Working Committee (UPWC), the government team in charge of negotiating and implementing ceasefires⁴, and the KIO signed an agreement to "de-escalate" their conflict. This followed their signing of a "Seven point agreement", which had the same aim, in May 2013. Both these documents paved the way for further peace talks. However, neither were ceasefire agreements and, on the ground, localized fighting continued in some areas of Kachin state. KIA leaders have demanded political dialogue and, unlike other ethnic NSAGs, have not considered a ceasefire necessarily as a first step towards the resolution of long-term political issues. The main KIA demand for many years has been greater political autonomy, which they believe was not fully achieved even during the 17-year ceasefire between 1994 and 2011. The government's push from late 2013 to achieve a nationwide ceasefire agreement between 18 NSAGs, however, gave hope that the process would lead to political dialogue.

Currently, the Kachin conflict is the last remaining armed conflict of significance in the country. After 17 years of peace following the 1994 cease-fire, a minor skirmish near the Taping River hydroelectric project on June 9 2011 became the trigger for the resumption of war – barely three months after U Thein Sein assumed his position as Myanmar's new president. Within a few days, violence escalated and thousands had to flee their homes. Soon, the fighting spread to eastern and southern areas of Kachin State. Amid fierce fighting, government troops managed to reclaim a number of strategic locations formerly under KIA control, including the KIA headquarters at Laiza, securing access to strategic locations including lucrative jade mines around Hpakant, about 80 miles west of Myitkyina. Within two years, more than 100,000 civilians had fled their homes due to fighting or fear of it. Over 90,000 internally displaced people continue to live in temporary camps, most under the control of the KIO/KIA throughout 2013 and into 2014. Despite various attempts at negotiations and frequent contact from both sides, no final settlement has been agreed to date.

The government had negotiated ceasefire agreements with 13 different ethnic armed groups by September 2013⁵. But President Thein Sein and his peace negotiators led by U Aung Min, a senior minister in the Office of the President and head of the Myanmar Peace Center (MPC), the de facto secretariat for peace negotiations, faced the daunting task of convincing Kachin political and military leaders to come to the table. Central to the Kachin position have been persistent doubts about whether the government team could really control the

Tatmadaw and its commanders. Since resuming their old conflict with the government, KIA leaders have insisted on political dialogue in line with the aspirations of the Panglong Agreement, the pact signed in 1947 by representatives from Shan, Chin and Kachin groups with General Aung San, who led Myanmar's fledgling government ahead of the country's independence from Britain in 1948. The Panglong Agreement pledged signatory groups greater political autonomy and a share in the country's natural resources wealth, among other benefits. While moves by other key NSAGs to negotiate ceasefire agreements with the government between 2011 and 2012, left the KIO isolated as it took the opposite stand in resuming armed conflict. Yet, in 2013, the KIA regained the strategic support of the NSAGs in the United Nationalities Federal Council (UNFC), a coalition of ethnic armed groups formed in 2010 to discuss prospects for political dialogue and a Nationwide Ceasefire Agreement.

During its 17-year cease-fire with the previous military regime (1994-2011), the KIA/KIO controlled patches of territory across Kachin and Northern Shan States, mainly along the border with China, and established a public administration that has governed those territories for almost two decades. Several failed rounds of talks between 2012 and 2013 were interspersed with outbreaks of intense conflict between Kachin and government forces. Even after their tentative agreement of mid-2013 and continuing talks, mutual suspicion lingers, despite public statements from both sides supporting the goal of forging a lasting peace.

BACKGROUND OF EVOLVING NARRATIVES

Tracking the evolving narratives of the conflicting parties is essential to understanding their rationale. Each side felt deceived by the other at various points over the years leading up to recent hostilities. Both miscalculated the price of war in terms of economic, human and political costs; and both utilized armed conflict as a way to force their political agenda on the other side. Over this period, the KIO developed a consultative mechanism with local communities in territories under its control, to rely on their support. On the government side however, the conflict neither drew much interest or support from the Bamar majority, who tended to see it as a situation with little bearing on their lives. Media coverage of the conflict in Kachin State from inside the country has been relatively scant and poor due to language barriers; safety and security issues; difficulties in accessing conflict areas; and the costs of travelling to relevant areas. Ethnic media report regularly from the conflict areas via radio and online media but are widely seen as politically partisan. Overall, the KIO/KIA has been perceived by Bamar as difficult to deal with, while government-friendly media have portrayed the Nay Pyi Taw administration as enthusiastically pursuing peace through its nationwide ceasefire plan. The narratives of both parties often appear diametrically opposed, and to exacerbate the situation, are not accurately presented in the media. It also seems that both sides do not even share a common definition of "peace" and what it would entail.

While compromise does not appear to be a strong point on either side, the challenges of negotiating any form of ceasefire demand pragmatism, including readiness to compromise and an ability to recognize contextual sensitivities. As much as the new government is keen to advance the reform process and therefore the peace process, the KIO may need convincing of the need to reciprocate on a particular concession or offer. If the government's aim of a nationwide ceasefire is agreed and a political settlement is enacted, it would be the first time in Myanmar's history that a central administration would have access and control over the quasi-entire country.

This paper aims to present the broad political context as well as cultural and historical dimensions of the conflict. This requires examining the ways Kachin individuals, communities and leaders experienced the conflict, including its direct impact on civilians and how ongoing security challenges weigh on the pursuit of lasting peace in this region of Myanmar.⁶

1. Kachin identity and political struggle

Ethnic identity has played a key role in shaping the Kachin political narratives as local leaders have, over time, developed narratives which are fundamentally distinct (in terms of language, religion, daily practices and so on) from those of the Bamar people. Ethnic identity has been used to cement local power and to maintain a degree of autonomy from the central government. Essential to the current political process are concepts of Kachin identity and how closely those notions are linked to political issues and the power struggle.

Since Myanmar gained independence from Britain in 1948, Kachin identity has been structured around various elements that differentiate it from the Bamar ethnic majority, including religion and language. The concept of identity, for some, was also based on demands for devolution of political power to Kachin people. A “self-conscious” Kachin identity manifested itself with the arrival of Christian missionaries and British colonization in the late 19th century, as in other areas of the country and in other countries of Southeast Asia. The process gained momentum over the years, and by the time of Independence, the self-identification of peoples in Myanmar’s peripheral areas had become structured around the notion of ethnicity.

For the Kachin, the notion of “clan” has been correlated to the notion of “belonging.” With increasing domination by the Jinghpaw population, the main ethnic strand, and its language over other Kachin ethnic groups for over a century, linguistic parameters were added to this definition and became part of the construction of identity. The actual number of clans, and Kachin ethnic groups, is still subject to academic debate due to the fluid nature of the categories and the confusion over clan names, ethnonyms and ethnic groups. It is commonly stated that there are five main Jinghpaw clans, including the Marip, Maran, Nhkum, Lahpai and Lahtaw. In addition, there are several ethnic groups that tend to recognize themselves, or are recognized, as Jinghpaw, including: Lisu, Zaiwa, Lawngwaw Lachid and Nung Lungmi.⁷ The KIA recognize six ethnic Kachin groups including the: Jinghpaw, Lanwngwaw, Rawang, Lachid, Zaiwa and Lisu. Most of those were part of the origin of the Kachin political movement in the 1950s, led by local chiefs of Jinghpaw culture, called Duwas.

The complexity of Kachin identity and intra-ethnic group dynamics to some extent explain the challenges in understanding the Kachin and their attitudes to the peace process.

1.1 The Emergence of Kachin identity

The origins of the term “Kachin”

Kachin peoples are estimated to comprise approximately 1.5% of Myanmar’s total population.⁸ Kachin State, which borders both India and China, is the country’s northern-most region and the furthest point from Yangon. The majority of members of the Kachin ethnic group are located in Kachin State while others can be found in Assam and Arunachal Pradesh, India, and in Yunnan, China. Nonetheless, the ethnonym “Kachin” is only used for those populations based in northern Myanmar, i.e., Kachin State and the north-western part of Shan State. In Kachin State, Kachin populations cohabitate with Shan, Shan Ni⁹, Bamar and some Rakhine¹⁰. The term “Kachin” itself is relatively recent, only coming into wide use since the 19th century, and is somewhat problematic in nature. It commonly covers a multi-ethnic reality, by referring to a group of tribes recognizing themselves as, or having close relations with, the Jinghpaw clan of the Tibeto-Burmese ethnic family. This recognition involves the belief in shared forefathers of the various ethnic sub-groups¹¹. Hence, the term “Kachin” usually includes the dominant Jinghpaw ethnic sub-group, but also the Lanwngwaw, Rawang, Lachid, Zaiwa and Lisu groups.¹²

During early colonial times in the early 1900s, Kachin were called “Singpo” by the Bamar and British¹³. The first term used in British documents to classify the Kachin is “Kakhyen”, which means “red earth”¹⁴ in a Chinese dialect. During British colonization and the spread of Christianity, confusion appeared over the use of the

terms “Kachin” and “Jinghpaw”. Both carried a primitive connotation. As Ola Hanson, a former missionary in Kachin State and founder of the Kachin Baptist Convention in the early 20th century, noted:

“Most of them know nothing about the word ‘Kachin’, and, those that do as a rule resent the appellation, as carrying with it an unpleasant reference to their barbarous and uncivilized ways¹⁵. But we accept the term because it is in common use, and is the only name in which all these divisions and subdivisions can be included.”¹⁶

Only later, from the 1930s, did the term “Kachin” become more widely used. The anthropologist E.R. Leach argues that the term “Kachin” was, in 1837, used by outsiders to describe hill tribesmen in northern Burma. He also asserted that until later in the 19th century, the term referred to people that inhabited a territory rather than to a set of cultural characteristics. In the 20th century, evidence of additional sub-categories constituent of “Kachin-ness” emerged, such as: linguistic, territorial, and political. Furthermore, he noted, the ability to speak Jinghpaw was originally a social marker, associated with local aristocracy and providing economic and social advantages.¹⁷

Jinghpaw Dominance

As anthropologist Francois Robinne has noted, when asked about one’s ethnic group, a “Jinghpaw” is more likely to say that he or she is “Kachin”, than a “non-Jinghpaw”, who would mention their own sub-group and, overall, be more reluctant to be called “Kachin” – not only because it reifies the dominance of the Jinghpaw sub-ethnic group but also because the term is perceived as emanating from British and later Burmese authorities.¹⁸ Countrywide, the catch-all term “Kachin” has been increasingly used and Jinghpaw dominance in representation of the Kachin is apparent. This is not to say that all Kachin leaders are Jinghpaw, but the use of their language as a common medium of expression, and the prestige and wealth of some Jinghpaw clans, tends to put them in a greater position of power in relation to other Kachin sub-ethnic groups.

Overall, Kachin people gave their support to the KIO/KIA depending on the context. At times, these entities gained or lost legitimacy depending on accumulation of wealth, and levels of violence used against those who did not support them. Following internal criticism over the KIA’s lack of inclusiveness in the early 2000s, the KIO acknowledged its weaknesses in failing to consult the local population on political decisions, and sought to rectify this by launching broad public consultations.

Kachin and the Lowlanders: a history of conflict and strategic interaction

The first reported presence of the Jinghpaw, or Kachin people, in contemporary Myanmar, dates back to the 5th Century AD. More frequent mention of these terms can be found in Burmese royal orders from the 19th century onwards.¹⁹ Prior to colonial times, Kachin clans maintained vassal relationships with Burmese kings ruling lower Burma. The Kachin were fairly independent and the Bamar kings tended to leave them alone if they paid their taxes. However, there were constant battles between clans and groups over territory and resources. According to the missionary Hanson: *“It is only British rule that has put an end to their conquests, and established peace and order among the hills”*.²⁰ If this perception is typical of the colonial perspective, it testifies the existence of violent conflict in the Kachin hills until the early 20th century.

The Kachin highlanders remained in scattered settlements, away from the greater population density of the plains and valleys, mainly inhabited by Shan and Bamar people. Economically, the Kachin historically depended on the lowlanders’ supply of rice and partly because of this, tried to maintain close relations, even through periods of military ascendancy until the 1950s.²¹ In essence, the Kachin faced contradictory pressures, both to engage with yet stay distinct from the lowlanders and discourage them from moving into their home turf in great numbers.²² At the same time, the Kachin maintained much closer relations with the Shan – so close that a Kachin individual could actually adopt Shan identity, a process that included conversion to Buddhism, as described by Leach in the early 20th century.²³

The formal political separation of the Shan and Kachin territories only took root under British domination. Relations between highlanders and lowlanders continued to evolve as the Kachin progressively left the hills to settle in valleys, for economic and security reasons, more notably since armed conflict took hold from 1960. Currently, settlement patterns of different ethnic groups in Northern Shan and Kachin States are intricate and illustrate strong relationships. Many of the Kachin elite are originally from Northern Shan State, where a number important political events and meetings in the recent history of Kachin politics have been held (such as the creation of the KIA).

All the while, the Kachin have taken advantage of their remote geographical environment to avoid centralized state control and invasion attempts.²⁴ Commenting on this Kachin trait, the British Chief Commissioner from 1887 to 1890 noted: *"These peoples had never submitted to any central control."*²⁵ The statement resonates in contemporary political narratives, as expressed in declarations by Kachin nationalist movements denying they were subject to any centralized rule before Independence.²⁶ This ideal of self-governance and pride in having "never been conquered" has been seen as a threat by successive central governments; in some circles it has even fuelled fears that Kachin calls for autonomy could lead to disintegration of the union.²⁷ Finally, the Kachin and Shan States are resource rich territories with abundant supplies of precious metals, gems, minerals and timber. For this reason, the Kachin economy has drawn outside interest for centuries, creating opportunities to establish alliances or trigger conflicts.

Challenging the local power structures

Local political structures in Kachin State have been constantly challenged – and have continued to evolve – since the British colonial era. Since the inception of the KIO in 1960, nationalist movements have been trying to make sense of these changes in order to capitalize on them.

In the second half of the 20th century, the political awareness of the Kachin leaders underwent a transition. This was due largely to the Communist revolution in the newly proclaimed People's Republic of China, following Mao Zedong's defeat of Kuomintang troops in 1949. The Kachin found themselves under pressure due largely to movements of Kuomintang troops – covertly supported by the United States – across Myanmar's border into northern Shan State, to seek refuge and to launch attacks into China. Throughout the 1950s, concerns over the activities of Kuomintang troops and border demarcation claims from China triggered issues that were to prove long-lasting between the central government and Kachin leaders.²⁸

In 1960, when Myanmar's President Ne Win and Chinese leader Zhou Enlai signed a Boundary Agreement, some lands adjacent to the Chinese border passed to Chinese control, without prior Kachin consent. This, according to some historians, *"...was a major factor behind the sudden outbreak of the...Kachin uprising."*²⁹ Meanwhile, discrimination in the Burma Independence Army by leading Bamar officers who had fought for independence alongside the Japanese in World War II against Kachin troops, who had been supported by the allied forces, further exacerbated tensions. Furthermore, Burma's then-prime minister U Nu decided to promulgate Buddhism as a "State Religion" putting the majority-Christian Kachin leadership at odds with much of the country. The rationale behind this choice can still be debated, as mentioned by the Professor of politics Robert Taylor: *"How much the state's leaders in the 1950s consciously used Buddhism as a religious weapons against state's rivals and how far they genuinely believed that the faith should be upheld to the state, cannot be known."*³⁰ Given their tenuous affiliation with a newly independent Burma, the Kachin felt that respect for their identity and territory were at risk.

Tensions between the central government and Kachin leaders intensified as their political views diverged, until many Kachin troops from the Kachin Rifles, formerly guerilla fighters against the Bamar independence forces and reconstituted as a battalion of the Burma Independence Army, left and took up arms against the central government. On October 25 1960, what was to become the most influential Kachin institution, the KIO, was created by seven Kachin students studying at Rangoon University, with the declared goal *"to retain the rights of the Kachin"*³¹. Some months later, the Kachin Independence Council met for the first time in Lashio in Shan State on February 5 1961, which was subsequently named *"Revolution Day"* in KIO-controlled areas as the

group decided to demand an independent state, drive out external elements and create an armed wing, the KIA.³²

The KIA was initially led by a handful of veteran soldiers and former officers who fought alongside the US Army in Kachin State during World War II.³³ At the time the Burmese Army was struggling to unify and professionalize its forces.³⁴ According to a historian, the Kachin armed struggle: *“The KIO (...) within a decade developed into one of the most successful and best organized of all armed opposition movements in Burma”*³⁵. Amid a rapid increase in its mobile battalions, the KIA took control of areas along the Chinese border including the Hukawng Valley, Kamaing town and areas of Northern Shan State.³⁶

The KIO's move to abolish local fiefdoms steadily reduced the power of clan chiefs, which put an end to the constant vendettas and conflicts of interests between them and succeeded in centralizing local political power.³⁷ A modern Pan-Kachin movement was created in the mid-1990s, under the leadership of some Kachin sub-ethnic groups including the Rawan, as a response to the Jinghpaw hegemony. Interestingly, aspects of the modern Pan-Kachin movement seemed to mirror the Bamar approach to nation building, with an emphasis on securing centralized control for the Jinghpaw ethnic group and excluding other groups from decision-making processes.³⁸ Some of the sub-Kachin ethnic groups, as well as the Shan who shared some common interests and territory, may recognize and respect the Kachin institutions, but they were given little voice to express their own concerns according to interviews with some Shan Ni.³⁹

Christianity in Kachin State

Overall, Bamar leaders tended to view Christianity as a result of British colonial influence. After Myanmar gained independence in 1948, such signs of foreign influence were seen negatively and often attracted discrimination⁴⁰. Even today, religious minorities encounter a “glass ceiling” in civil services, Buddhist values are taught in public schools, and so on. Compounding grievances over such matters, under Ne Win's pseudo-socialist policies of nationalization, churches lost their assets and their authority to run schools. Such policies eroded any remaining trust among Kachin leaders in the Myanmar government. A crackdown on religious freedom was a key initial cause of the conflict in the 1960s according to an informant who witnessed the steady deterioration of relations between Kachin leaders and central government in the 1950s.⁴¹ Christianity, especially the evangelical Baptist brand, emerged as the main religion among the Kachin. The Baptist religion was brought to the animist Kachin by proselytizing foreign missionaries in the late 18th century, and became the cornerstone of the modern Kachin identity. Alongside demands for autonomy, these elements, seen as unwelcome foreign influence and colonial legacy, have most likely exacerbated negative perceptions of Kachin aspirations among the Burmese leadership.

As in other ethnic areas, the predominance of Christianity among the Kachin was recognized by the central state in the form of specific measures applied during the initial ceasefire agreement in 1994. The historian, Mary Callahan, reports that in the mid-2000s the Myanmar Amy North-Western Regional Commander, Major General Ohn Myint, exempted Christians from corvée work or forced labour on Sundays out of respect for Kachin Christian beliefs.⁴² Furthermore, Kachin religious leaders developed formal political power as they were often consulted by various sides on political matters, during formal and informal meetings held before key decisions were made. They could also interact with the government to raise their concerns. For example, the Kachin Baptist Convention (KBC) supported attempts by government and Kachin representatives to hold dialogue in the 1980s,⁴³ and in 1993-4 religious leaders acted as mediators between the KIA and the government.⁴⁴ In 2011, they were able to play advocate to the Kachin State Level Government, which recognized their moral authority or *‘awza’* over the community. The KBC meanwhile emerged as a pivotal patron in the structure of patron-client relations in Kachin communities, and developed strong relations with influential “clients” among local political and business leaders.

1.2 The current conflict and historical legacy

The Panglong Agreement: unfulfilled promises

Under British colonial rule came increasing awareness of the distinction between Shan and Kachin ethnic groups. Each was treated differently by colonial administrators, who reorganized power relations between them. The British considered the Shan more able to administrate themselves whereas the Kachin were kept under central administration from Rangoon. When the British departed in 1948, traditional relationships between the center and the periphery, as well as between the ethnic minorities, changed and Upper Burma was placed under the direct administration of Rangoon for the first time. The foundations of modern Burma, as a nation based on recently constructed ethnic identities, had already been established. For the Kachin, political administration in pre-colonial history set the context, of the current conflict.

In February 1947, Kachin leaders participated in the Panglong Agreement, an initiative led by late independence hero General Aung San (father of opposition leader Aung San Suu Kyi, and widely seen as the founder of the modern State of Myanmar). Aung San aimed to pressure the British to grant early independence to the country by demonstrating he could unite ethnic groups in a newly independent country.⁴⁵ The decision to create Kachin State was made at this conference, although Kachin leaders today see the Agreement, at best, as an unfulfilled obligation.⁴⁶ The Panglong Agreement was intended to pave the way for a Constitution granting the Kachin, Chin and Shan ethnic groups greater autonomy, but this project disappeared with Aung San's assassination later that year. Kachin state was created on January 10 1947, but administrative recognition from Rangoon was not followed by promised autonomy. These unfulfilled promises lie at the core of current Kachin grievances.

As the contemporary Kachin leader Dr. Manam Tu Ja observed: *"To understand the current grievances of the KIO, one needs to go back to the Kachin pre-colonial history. Before the time of British colonization, all ethnic nationals were living separately from the Bamar in their own territories. But the British occupied the whole country, and since then, the ethnic groups became mixed. The government started to rule with one policy for the Bamar and one other policy for the ethnic groups, with a dominion status for the Kachin. After the Second World War, General Aung San organized Independence. The ethnic leaders accepted him because they wanted a federal union. He promised to give self-determination and autonomous rights to the ethnic states. They trusted Aung San. He showed he was standing for their cause with the promises of Panglong and the visits he made to Shan and Kachin states. He then tried to write it up in the constitution but was assassinated on the way."*⁴⁷

Post-Independence era and disillusionment

In the post-Independence environment, Kachin claims for more political autonomy soon emerged. The early years, under a fledgling legislature in the early 1950s, were characterized by an overall feeling of insecurity as militia groups grew dramatically throughout the country, while the Army was attempting to reform its structures and hierarchy⁴⁸. The government dismissed Kachin calls for autonomy, creating a view among Kachin that *"Aung San's promises disappeared with him."*⁴⁹

By the early 1960s, the Tatmadaw, or military, had managed to contain a number of anti-government insurgent movements but its officers assumed the role of sole *"state-builders"*, leaving a legacy of mistrust among the population, both ethnic and Bamar. There was then a distinct hardening of positions on the question of autonomy among non-Bamar ethnic groups, with the central government's cultural and religious 'harmonization' programs being implemented in order to impose Bamar values on ethnic populations⁵⁰. In Kachin State, this generated resentment against the central government. The nationalization of schools was a key factor in fueling conflict, as it antagonized many Kachin who blamed the central Bamar administration for seizing Church assets, and objected when the language for teaching became Bamar.⁵¹ They felt their culture was threatened, and some of the leaders promoted the armed conflict as a way to defend it.

The first phase of conflict between the Tatmadaw and KIA broke out in 1961 and lasted 33 years. During this period short-lived truces were agreed in 1963, 1972 and 1981. In the 1990s, various Kachin NSAGs signed ceasefire agreements after the then-military government, the State Law and Order Restoration Council (SLORC), launched talks with ethnic armed groups. The government gave to these territories a new temporary Status, as “Special Regions” and promised specific support for development, however this did not materialize for the majority of Kachin in these areas. Several NSAGs and their leaders took up business opportunities with the Bamar-dominated government and reaped tremendous profit⁵². These included peace agreements with: the New Democratic Army - Kachin⁵³ on the December 15 1989 in Special Region 1, the Kachin Defense Army in Special region 5⁵⁴, Shan State on January 13 1991 and, in February 1991, the 4th Brigade in Kachin State Special Region Number 2. Finally, the largest faction, the KIO, signed a ceasefire on February 24 1994, after several months of negotiations in which the government offered more concessions than in previous, failed, rounds.⁵⁵ The final document was kept secret for decades at the request of the government, presumably to avoid other armed groups demanding – or obtaining - similar privileges. Point 11 of the Cease Fire Agreement, in particular, created hopes among the KIO leaders as it reads: “Following the successful implementation of this first phase, the second phase will be marked by continued negotiations on the question of the KIO’s legal involvement in the new constitution of the Union of Myanmar and of the resettlement and rehabilitation of the KIO members”. Both parties agreed on the principle of launching a political dialogue, although after the junta was renamed the State Peace and Development Council in 1997 and unveiled its “Roadmap to Democracy,” a seven-step plan to restore democracy, in 2003, it asked the KIO to wait for political dialogue until the last step of the “Roadmap” plan to draw up a new Constitution, hold elections and set up a parliament and a civilian government, had been implemented.

The peace agreement, though vaguely worded, mainly focused on military aspects such as troop positions. Yet, it produced high expectations among the KIO regarding its official recognition by the State and political power-sharing. It can be inferred that, because of these expected concessions, the KIO was keen to collaborate while waiting for the future democratic government to grant it more autonomy. In the meantime, the KIO operated like a local government in some areas, described by some as a “State within the State”⁵⁶. For example, under the KIO, Kachin managed their own education (including primary and secondary schools) and healthcare systems.

The KIO participated in the 10-year National Convention to draw up a new constitution and in 2001 presented a 19-point proposal requesting self-determination, a state-based constitution and resolution of issues around regional governance and authority. The junta did not respond, although the KIO continued to engage in the 2007 National Convention – chaired by the then Lt. General Thein Sein, currently president of Myanmar- by sending representatives, despite increasing frustration⁵⁷. During these years although other political groups walked out of the Convention, the Kachin continued their participation, lending legitimacy to the process.

The 2008 Constitution did not end up reflecting the KIO’s inputs and suggestions. Nonetheless, prior to the 2010 General Elections, the Organisation continued to push its demands and maintain hopes that its claims for autonomy would be incorporated into future governance arrangements. Relations with the government deteriorated in the lead-up to the 2010 poll, when the KIO-backed Kachin State Progressive Party’s (KSPP) attempt to register as a political party was rejected by the National Election Commission. As the official reason for this rejection was that the party was headed by KIO official, Dr. Manam Tu Ja, who later resigned his position as vice chairman of the KIO, along with five KIO central committee members, in order to enable their participation. However, the party could still not be registered. This move was understood by many Kachin as a punishment for the KIO for its refusal to support the government’s proposal to turn its armed wing, the KIA, into a Border Guard Force (BGF), under a plan revealed in April 2009 to bring all NSAGs under the control of the Tatmadaw⁵⁸. The elections were held without the KSPP or, indeed, any Kachin political party contesting, and both sides started to prepare for renewed conflict.

This progressive radicalization was also encouraged through a consultation process launched by the KIO/KIA in the early 2000s. Following a change of leadership within the KIO, after the chairmanship of General Zaw Mai, new leaders realized their organisation’s image had been severely damaged due to the behavior of some leaders who accumulated significant wealth through “cronyism”, including close ties with military commanders and businessmen, under the post-1994 ceasefire. A new, more inclusive, leadership style was adopted in the KIO/KIA, and consultations with community representatives were launched on a number of matters, including

participation in the 2010 elections and other key issues. Today, such broad-based consultations are still held by the leadership – a factor, according to some Bamar sources, that makes some peace negotiations more difficult as the Kachin leadership must take into account public opinion and get the majority of constituents on board, which can take months, before making key political decisions.

A number of sticking points have recurred in peace negotiations since the inception of the KIO/KIA. The history of politics in Kachin territories shows a tradition of self-administration that was, until a century ago, unchallenged by central authorities. Kachin political representations are still anchored in these past models, forged through clan based alliances and local-level agreements. The emergence half a century ago of the Kachin independence movement is based on this history and explains the more recent hardening of the Kachin position including efforts to bolster identity, entwining such notions with cultural, religious and political projects. This position is pivotal to contemporary Kachin leaders, and only an inclusive long-term reconciliation process would provide an alternative to more separatist perspectives.

2. Narratives of war

“The President, whenever he visits other countries, mentions the peace process. Sometimes he says that the armed struggle is due to extreme nationalists who have economic interests. Sometimes, he himself invites foreign investors. And he thinks if foreign direct investment increases, the armed groups will be satisfied and that they would be inclined to give peace a chance. His speech does not reflect the real situation. Armed struggle is not about money, it’s not because we don’t have any food to eat, it’s about political struggle, and to retain our rights and to get others their rights”, according to a KIO representative from the Technical Assistance Team Office, supporting the peace process, Myitkyina, 2013.

As in many conflicts, the KIA and the Tatmadaw do not share a common view of the root causes of the conflict. A number of Kachin express frustration, claiming the actual causes of conflict have neither been properly identified nor analyzed by the government. Many feel they have made all possible efforts to engage with the government politically, hence their reluctance to re-start a process in which a ceasefire is the first concrete step and modalities of political dialogue remain undefined. After discussing theoretical approaches towards the multiple causes of conflict, the events leading to an escalation of the conflict will be examined in the following section.

2.1 Causes of conflict – a theoretical approach

There are three root causes of the conflict in Kachin:

1. Miscalculation of the costs of war by both parties, each of who believed fighting was the best way to reach their political objectives. Each side may have underestimated the duration of the conflict as well as its costs, politically, financially and in terms of human lives.
2. Failure to enforce the 1994 ceasefire, with both sides accusing each other of disrespecting the agreement. In addition, for the KIO, the ceasefire did not bring about the political dialogue it was requesting, hence extra frustration was felt on the Kachin side.
3. Rivalry and mistrust between the two sides over the issue of sharing natural resources. Uneven access to resources resulted in quick and massive economic benefits for elements of the KIO and some Bamar – and Chinese - businessmen. There is strong economic incentive for the central State to control these resources, while local leaders see the Bamar presence in the areas as a threat to their businesses.

Community, nationalism and conflict

Some academic sources suggest that conflict is correlated to the feeling of belonging to a community. According to the conflict theorist Suganami: *“The concept of war seems to contain the idea that those who engage in it have a clear understanding of what it is and that they are fighting on the behalf of and in the name of their society against another. War, therefore, conceptually presupposes understanding, on the part of individual persons that they are members of a particular community and are fighting within the community’s authority structure.”*⁵⁹

In addition, to understand a given party’s appetite for war, it is important to assess whether the leaders have made appraisals of the costs versus the benefits of war. Generally, optimistic assessments result in a belief that the war’s outcome is likely to be victory, or an absence of defeat⁶⁰. That was certainly the case with the Kachin conflict, as both parties expected a quick armed offensive and rated their losses as less costly than in action. For example, a KIO official stated about the duration and intensity of the armed conflict: *“We had never imagined facing this kind of crisis – ever! We had only seen this kind situation in the movies and media - but this time it happened to us (...). Initially, we had only seen and heard about this kind of war [from]... other countries.”*⁶¹

According to some strategists, even if leaders of opposing sides believe the chances of victory are slim, they make a rational decision to fight: *"if the gains of victory are large and the costs of losing are not much greater than those of making the concessions necessary to avoid war."*⁶² This was the case for the KIO since 2011. The leadership may not have been fully convinced it could achieve a military victory, but regarded the price of peace as too high in terms of their own honor, and assumptions about poor future political settlements for their people. Therefore, *"It was too late for the KIO to return to its pre-cease-fire condition without a very heavy cost."*⁶³

In addition, some scholars have demonstrated that war is not only caused by an appetite for fighting and fear, but also by what could be termed "spirit".⁶⁴ Nationalism, also, can be a mechanism of transmission linking individual interests with collective action. The Kachin, responding as a community, present a shared aspiration for the war as a mechanism to claim political rights denied them through political dialogue. The KIO's narratives of war are defensive, relying on a sense of community – based on blood, linguistic features, religious and political ideologies. This has been reiterated by the Pan-Kachin movement and resulted in the 'buy-in' of the broader Kachin community to the rationale for war⁶⁵. This is different from the majority of the Myanmar side, for most of whom this war is a distant reality or a way of asserting control over resources and frontier territories.

Appetite for conflict?

As stated above, among factors leading to the re-emergence of the Kachin armed conflict was the assumption that war was preferable to inaction. Besides, the shortcomings of the 1994 ceasefire agreement demonstrated the failures to reach mutually advantageous and enforceable agreement.⁶⁶

It seems that both warring parties were envisaging a quick resolution to the armed conflict and assumed they would be soon able to force political dialogue on their terms. The Tatmadaw was most likely encouraged by clashes with the Myanmar National Democratic Alliance Army, a Kokang NSAG based in northern Shan State, that turned into a Border Guard force after the Tatmadaw attacked its headquarters in August 2009, taking the capital of the Special Region, Laukkai, in a week-long offensive.

In this respect it can be assumed that asymmetric information in terms of the potential costs and benefit of the war precipitated the conflict, especially as the Tatmadaw leadership expected a quick military victory and underestimated the tenacity of the KIA. Due to the disproportionate power balance, ranging from troop numbers and weaponry to access to technology, as well as sharply contrasting military strategies (i.e. guerrilla versus standing army); it was widely presumed that the KIA would not stand long against a Tatmadaw offensive.

The overarching factor, however, was the failure on both sides to enforce the 1994 ceasefire agreement. Various accounts on both sides illustrate the difficulties of ceasefire implementation for both parties. Some key structural reasons explain these difficulties. Long delays in government responses to KIO political demands fueled doubt on the part of the KIO about the actual ability of the government to transform the ceasefire into a mid-term peace agreement and a longer-term political settlement.

Fundamental to the breakdown of the agreement was the fact it did not address the issue of the "indivisibility of resources"⁶⁷ such as control of border trade and of the natural resources-dependent economy.⁶⁸ Nearly a third, or 31.2%, of Myanmar's GDP comprises export of primary resources, including 80% from the mining/energy sector. Among other resources, Kachin State has massive reserves of jade that by some measures accounts for the extraction of more than 90% of the world's stock.⁶⁹ Kachin State also has timber, gold, and rare earth as well as vast potential for development of hydroelectricity and agro-business. Most of these reserves were, during the ceasefire, in areas under the control of the KIO/KIA, and retaking those areas seemed to be a central concern for the Tatmadaw.

2.2 Escalation of the conflict

The unmet expectations of the Panglong Agreement are often cited by the KIO and more generally by Kachin leaders from various religious, political and sub-ethnic backgrounds. The KIO leadership believes that Kachin have actively engaged in political dialogue forums since the inception of the Union of Myanmar in 1948, beginning with their support for the Panglong Agreement.

One interviewee explained how, when he was young, elders in his villages discussed their disappointment following the Panglong Agreement⁷⁰. Many Kachin refer to their earlier belief in General Aung San's promises for the first step towards longer term resolution of political issues. The Kachin tend to view themselves as innocent victims of Bamar duplicity. They do not consider the war as a retaliatory measure from their side, but as a necessary attempt to stop any confiscation of their land, identity and resources. As with other ethnic armed groups, the KIO/KIA perceives the Tatmadaw as an "invader"⁷¹. A religious leader complained: *"They [the Tatmadaw] want to occupy all our Kachinland (...). In the 1940's there was no Bamar in Kachin State, no Burmese troops either - they came after Panglong."*⁷² Overall, among the Kachin, the war is justified as an act of self-defense, and as a reaction to external aggression. *"We couldn't stay passive"* is a sentence often mentioned by KIO supporters when asked about why the KIA fights. In retrospect, the earlier period of ceasefire is now perceived by many as a progressive escalation to war.

The 1994 ceasefire – revisited

The 1994 ceasefire was narrowly focused on military aspects of peace-making, such as troop positions and demarcations of areas of control. These were also concerned with the establishment of KIO delegations in Myitkyina, Bhamo and Kutkai (Northern Shan) as well as a liaison office in Mandalay, to facilitate communications between both sides. From the perspectives of Kachin leaders the ceasefire experience did not successfully bring peace. These leaders enjoyed largely unchallenged governance over big and often lucrative and strategic swathes of the territory. In contrast, for the Tatmadaw, this period enabled the deployment of more troops to secure the northern areas of the national territory and ensure better preparedness in case of future conflict.

For both parties, it enabled a temporary "limbo" situation between conflict and ceasefire - or a time of "no peace, no war".⁷³ Peace negotiators are re-examining this period in light of the rekindling of the conflict that followed post-2011 skirmishes. A number of contemporary issues related to security and politics in Kachin State have their roots in the limited and opaque 1994 cease-fire agreement (as this only involved the military stakeholders of the warring parties). Although the level of violence during the 1994-2011 period was low, violence was still perpetuated in some areas by Kachin armed factions, and the Tatmadaw. Even though the majority of the Kachin people did not directly experience violence during these years, it is (*a posteriori*) now referred to by many Kachin as a period of "violence and exploitation"⁷⁴. Documentation of this period reveals that, in some areas, people had to continuously cope with post-conflict issues; for example, reports of landmines being laid by individuals⁷⁵, militarization, with increased presence of Tatmadaw battalions⁷⁶, and taxation by non-state armed groups.⁷⁷

Among the narratives to develop from earlier peace negotiations, some see the weaknesses of the former ceasefire agreement as the result of a flawed process. In this respect, a former KIO leader remembers the KIO's incentives to discuss peace: *"In the mid-1980s, Breng Seng, the then-KIO chairman, went to the Thai-Myanmar border to meet a number of people including foreign country representatives and diplomats. He was then advised [by some other ethnic leaders] to look for a solution, not in war but with political means (...). He was told KIO needed to step out, to change its strategy. He came back and discussed this with other ethnic leaders. (...) In the early 1990s, the KIO Central Committee was contacted by the government, mainly through [former prime minister] Khin Nyunt. The negotiation process was very difficult, and they couldn't reach a final result because the military wanted the KIA to surrender but the KIA wouldn't accept this condition. Finally, the government accepted to peace talks without the prior surrender of the KIA. There was then no negotiation on disarmament or transformation of the KIA. Just troop relocation was discussed. It was agreed that a political*

dialogue was needed but the KIO wanted a tripartite dialogue with the government, KIA and the party that had won the election, the National League for Democracy".⁷⁸ They have more recently dropped this demand.

The KIO/KIA believes the government broke the ceasefire agreement in 2011.⁷⁹ As a consequence, during unsuccessful negotiations before May 2013, they insisted the government recall soldiers to their former positions, away from KIA-controlled territory. They claim that the initial clashes that rekindled the conflict in June 2011 came after Tatmadaw soldiers trespassed in KIA areas, despite a prior agreement between both sides that access should be granted by the KIA in advance to the area. The government in turn contends that it was the KIO/KIA that broke the ceasefire, as they first used force against Tatmadaw soldiers.

The Border Guard Forces – the ultimatum

External observers note that relations between the junta and KIO/KIA deteriorated sharply well before the 2011 conflict broke out. This followed submission by the Kachin side of a 19-point proposal to the National Convention in 2007 requesting self-determination, a state-based constitution and a number of demands regarding regional governance and autonomy. The Tatmadaw then adopted a harsher approach as the relations with the KIO progressively deteriorated. Major-General Ohn Myint, Commander of the Northern Regional Command, reportedly stated in 2007 that: "... [the] KIO can be driven back to the mountains."⁸⁰ Then, According to the journalist Bertil Lintner, during a meeting with Myanmar Army's regional commanders in mid-2009, General Than Shwe said that: "We, the Tatmadaw, have to fight the KIA because they have not accepted our terms".⁸¹ The Tatmadaw position as publicly stated, left few doubts about the potential resumption of the conflict and over a year before the first clashes, Lieutenant-General Ye Myint, the Chief of the junta's Military Affairs Security, stated: "...if the KIO does not abide by the latest instructions, then relations will revert to the period before the 1994 cease-fire agreement."⁸² In response, the KIA headquarters mobilized troops and prepared for the eventuality of the resumption of the conflict.⁸³

The junta's Border Guard Forces policy had put pressure on the KIA in the lead-up to the recommencement of conflict, as it called for all armed groups under ceasefire to turn into Border Guard Forces. Major-General Lun Maung, formerly Auditor General of the SPDC, threatened the KIO/KIA: "We will try to convince the KIO to accept the Border Guard Force through words. If they do not listen... we have to kick them and eliminate them."⁸⁴ The KIA, viewed the request itself as a violation of the ceasefire agreement. KIA Chief of Staff, General Gam Shawng of the KIA argued that turning into Border Guard Force was the same as surrendering. In an interview, his position is summed up as follows: "The military government had promised the KIO that there would be no discussion of surrender or disarmament during the interim period' [between the cease-fire and the start of political dialogue with future elected government], but had ultimately insisted that the KIA and other cease-fire groups subordinate themselves to Tatmadaw command as border guard forces, (...) "the same as surrender."⁸⁵

A KIO public relations officer based in the KIA headquarters in Laiza explained that the organization's version of the final reply to the BGF ultimatum in August 2013: "We ended up in BGF negotiations with no solution in a meeting held on August 22 [2010] in Myitkyina. Our KIO Chairman was present in that negotiation, as proposed (by the other party). But General Ye Myint only asked him to answer by 'Yes' or 'No' twice to the BGF ultimatum and our Chairman up front replied 'No' to him. Then General Ye Myint warned him that the situation would be back to the situation prior to the 1994, starting from 1st September. This was very a short notice. KIA had to say 'Yes' between August 22nd and the 1st of September. We could determine sense that his was a declaration of war because the condition before 1994 was that of a civil war (...). Government set ultimatum to the KIA to discharge all the delegation offices, including liaison offices in government control areas on August 25th. This meant that KIA was not recognized anymore. And with the following intrusion by fully equipped and armed soldiers to the other territories (KIO's), it was clear that the government was a hell-bent on subjugation".

After it came to power in early 2011, the government of President Thein Sein withdrew the BGF ultimatum in an effort to lessen tensions with the NSAGs. The gesture was meant to demonstrate goodwill and a late effort to curb risks of escalation of the conflict. But, for the KIA, this episode demonstrated that the Tatmadaw will,

sooner or later, try to take their turf militarily, and that there would certainly be delays in the implementation of long-promised political arrangements.

Once conflict revived, it became clear that none of the parties had planned strategically for its longer term consequences. They initially tested each other to demonstrate their determination but soon after the start of armed hostilities, the situation escalated. What was due to be a brief show of power and resolve turned into a protracted and bitter conflict which destroyed any remaining shred of trust. More importantly it left each party contemplating how to break out of the vicious cycle of conflict without compromising honor.

3. Conflicting narratives

The narratives and “blame games” among parties to the conflict have long embodied their nearly irreconcilable viewpoints.⁸⁶ Official statements from the military about this conflict have been overwhelmingly security-oriented, highlighting the Tatmadaw’s focus on combating the insurgency threat, while statements from the civilian government indicate commitment to reaching a mutually satisfying peace deal. On the other side, formal statements by the KIO/KIA show an “underdog” mentality, perpetuating the belief that the organizations are persecuted for political and economic reasons while their causes are overlooked. These respective views seem irreconcilable initially, as does each side’s refusal to look seriously at the other’s realities. The grievances on both sides are summed up on one hand by the Kachin view that they were oppressed by the much larger state and ethnic group in the country, the Bamar. This contrasts with the government/military/Bamar view that their role is to unify and protect the Union. On both sides, such beliefs drove oppressive and heavy-handed campaigns that perpetuated conflict and complicated the political context.

The third part of this paper explores differences and continuity in the approaches of both sides, through local perceptions of episodes during conflict periods (1961–1994 and 2011–2013) in Kachin territory. It also focuses on the construction of a coherent discourse about the continuity of the fighting in recent decades, despite a number of contextual changes. It then examines the new image that both sides began promoting in the current period, and concludes with an analysis of KIO self-representation.

3.1 Conflict, continuity and changes

“It has already been 53 years since we got into this conflict.” According to KIO Public Relations Official, Laiza, 2013.

When words matter: Expressions of uncertainty

Each party to the conflict has starkly different ways to describe the conflict and its main stakeholders. The KIO/KIA view blames the recent war on older and underlying issues, and uses specific language to describe this. After fighting rekindled in June 2011, the KIO/KIA initially referred to the renewed fighting as “ceasefire violations” (by the Tatmadaw). As time progressed, it was referred to as a “war.” As hopes for peace began to fade in 2012, the vocabulary used by the KIO/KIA and a number of civil society organizations to refer to the conflict changed. Kachin activists and researchers began referring to the fighting as the “re-ignition” of the conflict.⁸⁷ For example, an event in June 2013 organized by advocacy group the Kachin Peace Network marked the second anniversary of what it called “the resumption of the war in the Kachin Region,” whereas one year before, the same group held an event to mark the first anniversary of “the Kachin conflict,” as it was a standalone conflict.⁸⁸ This shift reveals the change of Kachin perspectives over the present conflict. As all Kachin recently interviewed for this study, stated they viewed the conflict as continuous, rather than seeing it as conflict interspersed with periods of peace.

Field observations, showed a degree of conflation by the Kachin in their representations and perceptions of the Government and Tatmadaw. For example, when a village was attacked, some informants mentioned a “government attack”. In numerous interviews with Kachin representatives in KIO areas, they failed to differentiate between the Government and the Army when they spoke of military offensives, battles and government policies. Even in government-controlled areas of Kachin State, members of religious and political elites, use these terms interchangeably, as if both institutions were combined in one monolithic bloc.⁸⁹ In addition, all State institutions – the Tatmadaw and civilian government bodies – tended to be seen as predominantly predatory.

On the government side, an analysis of the official statements and Myanmar government-back press articles reveals uncertainty over how to describe the KIO/KIA, and an escalation of hostility. It was called a “ceasefire group” until the government’s Border Guard Force ultimatum in 2009. Then, it was referred to as an insurgent group before the conflict resumed. In state-owned newspapers, in 2011, the KIO/KIA were for the first time since the early 1990s described as “insurgents”.⁹⁰ Then, in periods of intense fighting, the state media referred to the KIA/KIO as “terrorists”, “rebels”⁹¹ or, again, “insurgents”. They were mainly blamed for injuring civilians and destroying infrastructure.

The official status of the KIO/KIA is unclear in government pronouncements. The KIO/KIA was on the official list of illegal organizations under legislation known as the Unlawful Associations Act 17/1 (1908, amended in 1957). Under this law, an association that “interferes with the administration of the law and with the maintenance of law and order, or that constitutes a danger to the public peace,” may be deemed illegal. The law is also used to prosecute people on the grounds if they are members or if they have had contact with illegal organizations. Up to 2014 this meant that people meeting with KIO/KIA representatives could be subject to harsh punishment and lengthy prison terms. The KIA/KIO was due to be removed from the list of illegal associations in 2012 – but individuals kept on being arrested and some charged under this act.⁹² From early 2014 however, amid the improving outlook for talks on a nationwide ceasefire, most NSAGs were hopeful they would be removed from the list within the year.

All the while, however, the divergence of narratives between the two sides – particularly on the causes of the conflict and the overall goal of peace talks – continues to affect relations. To many observers, this “perception gap” is a key point that negotiators must address in ongoing peace efforts.

From one conflict to another

The recent freedom of expression allowed in the national media has made a dramatic difference in the emergence of contemporary narratives at the national level. It has also demonstrated the media’s ability to amplify the conflict. A number of interviewees were asked to explain, according to their personal experiences, the main differences between the current phases of the conflict with the post-1994 situation. The most common responses tended to be about the larger scale of current military operations and also the greater civilian losses. *“This war is very different to the previous situation before 1994. [Recently] they used airstrikes to fight and weaponry they had purchased from other countries. It was more like they were fighting against foreigners who were invading their country. They used air support when ground forces couldn’t overrun the KIA posts.”*⁹³

For the chairman of the KIO’s internally displaced persons and Refugee Relief and Rehabilitation Committee, the main difference is the military tactics employed and their impact on civilians. *“Fighting before 1994 was just between combatants of Tatmadaw and KIA. But this time, unarmed Kachin civilians were also targeted by Tatmadaw, and their property is destroyed. Most of the villages that have been destroyed by Tatmadaw were under KIA protection during the [1994-2011] ceasefire period. Since last year those villages were no longer under KIA protection and thus were destroyed by the Tatmadaw. Apparently, the [Tatmadaw] saw even civilian Kachin as KIA troops; their enemy”*.⁹⁴

In addition, natural resources were mentioned by a number of interviewees as a central factor in the current conflict, more so than the period prior recent fighting. Natural resources management was repeatedly mentioned as a local governance concern since Independence and the source of increasing frustration for local communities. One interviewee mentioned that the 1961-1994 conflict was about power sharing (a revolt against subjugation for the KIA – and a war against insurgents for the Myanmar armed forces), whereas the more recent conflict is primarily about access to and share of natural resources – meaning that political power-sharing is secondary⁹⁵. Another interviewee highlighted the economic incentives: *“In 1963, my school was closed. I remember every night the fighting, all night, firing. After two or three months, the students had to go back to their homes. This time, people are lenient. They don’t feel like fighting. Many people are killed and nobody cares. (...) Besides, at this time business interests are what is important. As we speak, logging trucks continue to go silently into the Kachin jungle.”*⁹⁶

Old conflict, new image?

The KIO/KIA, which struggled to maintain their legitimacy throughout the 1994-2010 ceasefire - when its leadership was criticized for its accumulation of wealth, largely through trade in natural resources.⁹⁷ Some Kachin leaders and business-persons, who engaged in lucrative business relations with parties closer to the then military government, were accused of 'crony-ism' by others. The cease-fire allowed them to extract and trade jade, teak and other natural resources.⁹⁸ Following internal power struggle, the KIO/KIA's political and military leaders have carefully forged a new public image through regular consultations on socio-political issues, with prominent members of the Kachin population through public assemblies. In June 2011, a public KIO/KIA forum gave the KIA the mandate to fight with the aim of pursuing a political solution, and to accept a ceasefire only as part of a more permanent political settlement.⁹⁹ A subsequent March 2013 forum called for the maintenance of the KIA's military strength. These forums enable communications between the KIO and civil society, ensuring a degree of political support from this sector.

It is commonly acknowledged that the KIO has recently shown new signs of enthusiasm to listen to the opinions of the Kachin people. One interviewee, who participated in these forums, stated: *"People suffer but they support the KIO. If you compare to the former conflict, there is more transparency this time. We now know what is being discussed when the KIO and the government meet. Before we didn't know anything, and when [both sides] started to blame each other for breaking the ceasefire agreement, [the situation] got worse. This time, they asked for views and opinions from representatives of the Kachin people during the negotiations, and then they repeat [what was said at these consultations] during the talks. They take into account public opinion and this is new."*¹⁰⁰

A Kachin Baptist leader, speaking at a public briefing to foreign diplomats in Myitkyina in early 2013, mentioned this new approach: *"Before, there were hardliners within the KIO, now they are 'soft liners'. Nowadays, things have changed a lot. They [KIO] listen to the people. It is not the first time for them to negotiate a ceasefire. Now the people are really supportive of the ideas of KIO, especially because they are not the ones who broke the cease-fire. So the trust [in the Government] has been lost. This time, people are still willing to suffer, rather than getting a 'cheap peace'. The sentiment of the population is: 'let's go and fight!' What they want is: welfare, rights of indigenous people and religious and cultural rights in peace. The ceasefire is not enough. It can break at anytime, that is our experience".*

Nonetheless, not everyone is convinced about transformation in the KIO/KIA. Some consider it as merely cosmetic and primarily a change of communication style, as a Catholic leader explained: *"Those days, it was very different. The leadership was of a very military style. Now they engage with the people, though they still try to control the situation. Actually, they don't really carry the public opinion. And people know it."*¹⁰¹ Aware of their past experiences and of the fact they cannot represent all the Kachin, the KIO responds with openness and an increased appetite for discussion. The organization's Technical Assistance Team (TAT) in Myitkyina, that was created as a result of the May 2013 agreement to support the peace negotiations, invites anyone who has comments and positive – or less positive – feedback to speak, which is in itself a sign of change.

Finally, the government has also tried to change its image in the eyes of Kachin and other NSAGs, and is keen to convince ethnic peoples that it has gone through an irreversible change for the better. But many Kachin still see government gestures as aimed at the international community, in order to gain international support for its initiatives and reforms. Overall, they still do not feel they get the attention they deserve.¹⁰² Some Kachin leaders recognize the democratic changes at the national level but they emphasize the fact that they mainly interact with lower level civil servants and soldiers and that there is *"no change of mindset at this level."*¹⁰³ This, again, is a source of frustration.

3.2 The KIO's war

Isolation and Marginalization

"Nobody supported our struggle from outside. We are on our own. We are here until today because of the support of our people. That's why we keep on struggling." Technical Assistance Team leader, Myitkyina, 2013.

*"We are angry, we are sad, and we feel alone," Kachin school teacher in KIO area, 2013.*¹⁰⁴

Interviewees often mentioned a feeling of isolation, both from Bamar people and also, more recently, from other ethnic armed groups who first criticized them for signing a ceasefire agreement in the 1990s, and then made their own peace agreements as the KIO resumed armed conflict with the Thein Sein government¹⁰⁵. Isolation may have been an asset for the KIO to set its own direction during the ceasefire period, but it has now emerged as a hindrance. The Kachin feel forgotten and misunderstood. Even on a practical level, the lack of basic infrastructure in Kachin State – including roads and bridges – hinders exchanges both within the region and beyond, thereby reinforcing the sense of isolation.¹⁰⁶

In this respect, gaining the support of other ethnic nationalities is important to the Kachin. Many defend the United Nationalities Federal Council (UNFC), the main coalition of ethnic armed organizations. The Council, which in early 2014 comprised six main groups, including the KIO and the Karen National Union, and five smaller groups such as the Wa National Organization and Arakan National Council, aims to include all ethnic armed forces in peace negotiations with the government.

The United Nationalities Federal Council (UNFC) was created in November 2010 to advocate for talks with the government as a united ethnic front. The KIO/KIA has been championing this initiative, and the UNFC Chairman is the KIA Lieutenant General N'Ban La. Its main objectives, as stated, are: "Establish a federal union, form a federal union army and protect ethnic areas".¹⁰⁷ Many Kachin leaders would like the UNFC to serve as a common platform for all ethnic groups and enable a common approach to peace and political talks with the government. Their demands include holding ethnic nationality conferences to discuss the peace process. Once perceived as an increasingly isolated alliance in early 2013, UNFC managed to rally other ethnic leaders to engage as well as question the peace process. They obtained common agreement to put political dialogue on the top of the agenda – instead of following the initial government plans to agree a ceasefire first and then discuss longer term political arrangements.

The feeling of isolation among Kachin has been reinforced by the belief that even opposition and civil society figures operating on a national level do not understand them and, worse, do not care. For example, when the Tatmadaw escalated its offensive against the KIA/KIO and launched air attacks on KIA bases in late 2012, some Kachin had hoped for a strong statement from opposition leader Aung San Suu Kyi, at least urging the government to protect civilians, especially after air attacks in December 2012. A Kachin religious leader said: *"She is not talkative now, before [when she was not a MP], she surely was, but now, she remains silent. She is seen as superficial. She's interested in ethnic people no more"*.¹⁰⁸ A Kachin humanitarian worker said: *"Aung San Suu Kyi does not know much about the context. Not only about the Kachin, about all ethnic groups. She does not know about the country very much, she has a theoretical knowledge only, but she tries to be pragmatic. She tries to be a successful politician. People should not say that NLD [Suu Kyi's National League for Democracy] is an opposition party – the UNFC is!"*¹⁰⁹ Other interviewees suggested Suu Kyi was not fully informed of the extent of the military offensive in Kachin State.

Many Kachin in conflict areas felt abandoned by the international community as they expected greater support after the open conflict ceased¹¹⁰. The KIO hoped for some form of international condemnation of the use of violence by the Tatmadaw and they wanted the Kachin people's status as victims of a military campaign to be acknowledged by Western powers, providing them with greater political leverage to negotiate peace. Overall, many Kachin believe that the current government has not undergone any significant political transition as far as ethnic areas are concerned. According to a senior Kachin humanitarian worker: *"Until now I don't see any improvement around Kachin State, but many social services have improved in cities like Yangon, Mandalay and*

Nay Pyi Taw. The European Union should lift sanctions in some sectors to support economic development. But they should seriously consider the situation of the country. When the United Kingdom and United States announced their collaboration with the government in the military sector, we became deeply concerned about the [role of the] Myanmar military.”¹¹¹

The Church under attack

Adding to Kachin concerns about their relative isolation, military offensives in recent years reinforced the ethnic dimension of the conflict and were perceived as direct attacks on Kachin identity.¹¹² Churches were used in military operations or damaged as a result of the conflict. In several reported incidents, Tatmadaw used local churches to lock up villagers in order to interrogate them, and to prevent them from escaping and alerting the KIA to their presence¹¹³. For example, a church was used as a detention center to interrogate civilians in Hpaikawn.¹¹⁴ Churches are also used for temporary physical protection, because *“The Tatmadaw knows that KIA would not attack a church”*¹¹⁵. As results of skirmishes, the Nam Lin Pa Catholic Church was damaged, a catechist house totally destroyed by artillery fire and five civilians killed in mid-2013. In this event, the Tatmadaw surrounded the village, captured villagers and locked them in the church until nightfall.¹¹⁶ In Sine Lone, the Catholic Church was used by soldiers who burnt wooden tables and benches inside¹¹⁷. In Hpakant, the Mawwan Baptist Church was damaged by mortars fired on January 16 2013.¹¹⁸ These events antagonized the local population, including even the most moderate of Kachin elements, according to eye-witnesses.

In addition, armed offensives scaled up in December 2011 and 2012 during the Christmas period, the most important spiritual festival for the predominately Christian Kachin¹¹⁹, and many Kachin started to see the offensives as attempts to destroy their culture and religion. This laid the foundations for increased radicalization¹²⁰. A few months into the conflict, neutrality was no more an option and speaking about peace was viewed as traitorous in many parts of Kachin State. The head of the influential Kachin Baptist Church, Reverend Samson Hkalam, was quoted in a press interview: *“People are committed to this fight. Young men who were previously skeptical of the Kachin Independence Army are volunteering to join. It’s a miracle — the people’s spirit and motivation.”*¹²¹

Other religious leaders have used religious discourse to justify and encourage the war. The KIO officials are ostensibly Baptist and the KIA Chief of Staff, General Gam Shawng reportedly says he prays three times a day, frequently invokes the Bible in his public speeches and casts the war in religious terms. In one of his speeches he intoned: *“God above is judging the Myanmar Army and humiliating them. If they keep coming at us they will lose. Our struggle is an investment in something God condones. We are standing on the righteous path.”*¹²² A number of pastors also encourage the combatants, mentioning war in their sermons, holding commemoration masses and declaring their support to the KIA¹²³. For example, special prayer services have been held in Laiza, the KIA headquarters, *“for the triumph of the Kachin revolution”* on the first Saturday of every month.¹²⁴

Several interviews revealed a shared perception among many ordinary Kachin that their participation in the war was the right choice. One interviewee explained he believed in fighting and defended the call for war from religious leaders, quoting from St Augustine, who said that longer term peace may require initial fighting (interestingly, in the 5th century, St Augustine elaborated the theory of the “Just war”, fought by a legitimate authority, for a just cause and with the right intentions). Persistent poverty, lack of government services and other hardships have also given many Kachin justification for armed conflict as a means to achieve lasting peace. In Laiza, prayers are held regularly for those who died as martyrs. Their photographs are displayed at the gate of the largest IDP camp in the region, Je Yang Kha. On a wooden board there are photographs documenting the conflict including: the first KIA and Tatmadaw officers who died, the civilians fleeing Laiza, the first peace talks, and others. This wordless narrative shows, and disseminates, the history of the war from the prevailing KIO perspective.



*Board depicting the key episodes of the armed conflict,
Picture by the author, Je Yang Kha IDP camp, Laiza area*

4. Search for peace – Factors and impediments

“Everyone is delighted by hearing [the word] ‘Peace.’” KIO Public relations Officer, Laiza, 2013.

“What do you mean by peace? What is peace? Of course, people want to stay peacefully. But they can’t give up their dreams and their expectations. They want to see a political solution that is acceptable and something that brings Kachin to the Parliament, in Nay Pyi Taw”. Resident of Laiza, KIO Headquarters, 2013.

While both sides agree they want to achieve a peaceful settlement, paving the way to a lasting peace has proven particularly difficult for the Kachin. Firstly, KIO/KIA leaders desperately want to avoid the kind of “deception,” as they called it, by government representatives that they experienced during the 1994-2011 cease-fire. Kachin leaders today single out the flaws and inequitable aspects of the former agreement as one of the causes of conflict, and seem determined to extract solid government guarantees that the next cease-fire will last. They have also indicated they prefer to remain in a state of conflict rather than going for a quicker settlement that would not address their political grievances in a sustainable manner. On the government side, this is a new political era and recent success stories of several ceasefire agreements seem to have increased their confidence. The new agreement reached in October 2013 with the KIO created optimism, but the situation remained fragile with ongoing fighting reported in a number of locations.¹²⁵

A number of factors may explain the duration of the conflict and the failure so far to achieve constructive dialogue between the two parties, including two central impediments to comprehensive agreements.¹²⁶ The first, and main, issue for the KIO/KIA is that the two sides will not be able to guarantee that they will adhere to the agreement after the deal is reached. The second is the nature and extent of actual incentives for protagonists to lay down their arms.

To understand the challenging environment of peace talks in Kachin State and the reasons for their repeated failures, the following section examines four sets of obstacles to peace, which are identified as main impediments. These include: the divergent notions of peace; suitable timing for a peace agreement; the military’s pre-conditions in the negotiation process; and finally, initial mistrust on both sides in the peace process. The latter part focuses on stakes held by parties to the conflict; the war economy and key economic incentives; and the role of the international community, especially of China.

4.1 Impediments to Peace

Different shades of peace

Parties to the conflict do not share a common conception of the notion of a peace process. On one hand, the Kachin request a “genuine” political dialogue to achieve peace.¹²⁷ This term implies that peace in itself is insufficient; it also needs to be perceived as based on good will. On the other hand, the government side reportedly finds this request groundless and considers that the Kachin are creating difficulties.¹²⁸ An interviewee who had spent several years in Kachin State and is currently involved in peace support within the Kachin community explained that, *“Some observers think that the KIO wants a war, and is creating difficulties to avoid sitting at the negotiating table. But this is a wrong perception. What the Kachin want is a real peace, based on a political solution, whereas all proposals from the Bamar so far are about a cease-fires [only].”*¹²⁹

A few incidents have supported this perception. For example, during peace talks held on October 30 2012, the Myanmar military sent senior commanders to participate, but the Kachin sent only lower-level representatives, meaning that military discussions could not be held. *“It was interpreted as a snub by the military and left government negotiator U Aung Min undermined as he had worked hard to convince the army to send a very senior army commander to attend the talks in China, only for him to be stood up.”*¹³⁰ In contrast, a peace advisor to the KIO explained to the author that the Government negotiation team did not reveal its

composition prior to the meeting, and outnumbered the KIO representatives at the meeting. He also argued that as the Tatmadaw was launching an armed offensive at the time, the KIA's Chief of Staff could not travel.¹³¹

Later, in April 2013, the peace talks were delayed because the KIO refused to participate without international witnesses, as it felt this would be a guarantee for favorable dialog and a compelling factor for the government to hold its promises. At first, China, that has been involved as a peace broker for several months refused, as it perceived foreign observers as an intrusion into its "sphere of influence". China finally accepted the presence of the UN so that talks could be held. . But when the negotiation teams met in May 2013, the KIO/KIA leaders demanded that international observers be physically present in the room, not just in an adjoining room where they had been seated. Such behavior was perceived by Bamar leadership as the KIA creating unnecessary obstacles.¹³²

In terms of the vastly differing notions of peace on both sides. The author and journalist Bertil Lintner has suggested that "peace" has different meanings: *"Clearly, peace means different things to the government and the ethnic rebels. The former want the latter to accept the 2008 non-federal constitution and convert their armed forces into so-called 'Border Guard Forces' under the command of the Myanmar Army. Peace for the Kachin, on the other hand, means a new, or at least fundamentally amended, Constitution that gives ethnic states a large degree of autonomy."*¹³³ Although the government has since dropped its demand for the KIA to merge into Border Guard Forces, disagreements over the mere definition of peace has made talks more complicated.

The right time for peace?

The KIO/KIA and the government also differ sharply in their perceptions of time. For 17 years, the KIO built up expectations, waiting for a democratic government to be elected, in order to discuss political matters and, in the longer term, achieve greater autonomy.¹³⁴ Because the KIO feels it has been consistent in its demands over the last two decades, it often cites its own version of history to justify its demands for political dialogue before any ceasefire. But this kind of multiphase and linear approach stands in contrast to the new government's desire to turn the page and move on. In this context, it is not surprising that the nationwide ceasefire initially scheduled for 2013 was considered premature. Kachin leaders did not believe, a few weeks before the deadline, that they would have sufficient guarantees from the government, in terms of future political settlements (especially with regard to degrees of political autonomy, the future of KIA troops, etc.). The KIA later softened their position and agreed to attend the meeting, which at least paved the way for more meetings and crucial new signs of cooperation on both sides.

To make public its willingness to meet the KIO/KIA and discuss peace, the government highlighted its views in the state media. As the New Light of Myanmar reported on August 13 2011: *"Government Already Acceded to Peace Proposals of KIO to Most Possible degree."* Following this, the state media stated twice that President U Thein Sein announced a halt to military offensives. However, the fighting did not cease creating a situation in which both parties blamed the other. These episodes not only contributed to further mistrust, but, more worryingly, hinted that the civilian government and the Tatmadaw may have divergent views on how to achieve peace. Some Kachin openly questioned the actual role of the government, especially in the peace talks, considering that under the new system since 2011, the Tatmadaw is effectively under the control of the government. Many believe that negotiations should be primarily held with the military, and not the civilian leaders who do not have the authority to maintain a truce or a cease-fire.

Tatmadaw's 'peace' strategy

The government claimed in late 2013 it was willing to sign a ceasefire agreement with Kachin representatives as soon as possible. But various indicators demonstrated that the Tatmadaw remained reluctant to give up its hold in Kachin areas and attacks were reported during and after peace talks, hinting again at a possible division between views of the Tatmadaw and the civilian government. Continuing into 2014, the Tatmadaw continued

with lesser but persistent operations in Kachin State. Without full willingness to compromise on either side, however, the signing of any peace agreement would appear more acceptable for the winner of the military conflict. Hence, hardline elements on both sides seem determined to achieve a clear-cut military victory. As mentioned by a KIA representative, before the conflict: *"General Gam Shawng said that he had little hope of a political settlement while the Tatmadaw held the upper hand in the field. The military's mentality is to arouse fear in others and then demand what they want without any compromise...Similarly unless fear is in their minds, they cannot be pressured to do anything [...] the KIA has been unable to put fear in the minds of the Myanmar military so they have refused to compromise."*¹³⁵

Another interviewee, reporting a discussion with a person close to top Government levels, said that the Myanmar military would not negotiate peace if it was in a position of weakness. He argued that only if military campaigns to capture the hills near the KIA headquarters of Laiza was successful, would negotiations be fruitful. As for the Tatmadaw's position, U Hla Swe, a former Army Commander and Upper House representative of the military-backed Union Solidarity and Development Party, said in an interview with the Democratic Voice of Burma: *"It is said that if the [KIO] can't be extended an olive branch, then we should send them bullets instead... So I said: how did the Second World War end? Because two atomic bombs were dropped on Japan, forcing them to come and sign a peace treaty on an [American] boat."*¹³⁶ This according to many Kachin personifies a mindset that has serious implications as the Tatmadaw was still trying to gain ground in Kachin State in early 2014, even though the government and KIO recognized there had been a de-escalation of violence and were keen to pursue peace talks.

In order to ensure a clear military victory, the Myanmar Army used disproportionate military power that peaked with artillery bombardments and air strikes in late 2012. The Tatmadaw was hoping to lead what it termed a "flash war" inflicting considerable losses, with limited resources. Colonel Zau Tawng, the head of the KIA's Strategic Studies Department, claimed that by December 2012, three of the Tatmadaw's regional commands were engaged in major operations on five fronts involving 132 infantry battalions and an artillery brigade.¹³⁷

The Kachin and Myanmar armies' sizes and military equipment are disproportionate.¹³⁸ The KIA has fewer troops, in comparison with the Myanmar military (about 10,000 according to local sources with a few additional thousands as reservists) but also rudimentary equipment and smaller artillery. It nonetheless maintained its control over a number of territories as KIA combatants understood their environment better.¹³⁹ The Tatmadaw's lack of technical competence to operate newly acquired military assets has also been mentioned as an impediment.¹⁴⁰

In order to build a more conducive environment for peace, both sides must agree on a number of prerequisites. Yet, not only do they differ in their concepts of "peace" and what an agreement should entail, they also have contrasting views on how a prolonged stagnation could affect the peace process. Strong confidence-building measures are vital, and both sides need to acknowledge that there may not be a clear-cut military victory in the short term, even while demonstrating their commitment to achieving a political settlement.

Peace talks and mistrust

Among hindrances to the peace talk process, the first appears to be the extremely low level of trust among the parties.¹⁴¹ According to KIO sources, the government's appointment of successive negotiators through 2011 and 2012 was confusing as a team led by U Aung Thaung was abruptly replaced by U Aung Min, and affected its credibility with the KIA/KIO. The ensuing talks were further undermined by the fact that key negotiators for the government side clearly lacked decision-making powers. Even though they were mandated by the president, these negotiators did not have any authority on the military, and could not commit to any decision interfering with military chains of command. As a consequence, such attempts damaged, more than supported, the building of trust among the parties. As KIO official noted about the 2011 and 2012 negotiations: *"The negotiations were a game" in which "nothing significant was ever discussed."* According to a press interview in 2013, the General Gam Shawng claimed the government only wanted to discuss a cease-fire. *"We*

asked them many times verbally and in writing if they would engage in a political dialogue [...] [But] when we finally came close to a political dialogue with [their delegate] Aung Thaung, the government replaced him with Aung Min and limited his authority to that of a mediator. Talks then became 'informal discussions'. Although Aung Min confessed a desire to discuss politics, he claimed the government had instructed [that] all political discussions must occur in parliament within the framework of the 2008 Constitution."¹⁴²

The replacement of the first high-level government negotiating team by one headed by U Aung Min, currently President's Office Minister, in May 2012 – and what has been called “his transforming spirit” – seems to have been a welcome move for the Kachin. A shrewd but diplomatic negotiator, he appears to have won trust from Kachin leaders, who have commended his efforts. At the same time, the real issue as many observers note is that while U Aung Min can speak for the central government, he has seemed to lack authority to speak for the Tatmadaw. Several incidents marred the efforts of the peace negotiators. Both parties blamed each other for the skirmishes and armed attacks that occurred after the talks¹⁴³. By late 2013, the civilian government's authority and credibility had suffered more than that of the KIO/KIA in the eyes of the Kachin and their supporters. While U Aung Min was seen overall as “sincere”, many interviewees mentioned their doubts about the President's authority over the most fundamental point: military strategy, as they believed the Tatmadaw was still in control.¹⁴⁴

After several unsuccessful attempts to jumpstart peace talks in 2012 and into 2013, the seven-point agreement signed by Kachin and government representatives on May 29 2013 created hope on both sides.¹⁴⁵ Though symbolic, this initial agreement showed that all parties to the Kachin conflict were keen to achieve peace. This was the first time KIO/KIA senior officials were able to come to Myitkyina, the capital of Kachin State, since conflict resumed in mid-2011. As well as giving permission for the KIA to enter Myitkyina, the government also agreed to the KIO's long-term demand for international observers, with the presence at these talks of representatives of the United Nations and China. Representatives of seven other ethnic armed groups also attended as observers.

But the need for further confidence building remained clear. One frequently repeated issue has been the continuation of armed attacks, allegedly by the Tatmadaw, and in some cases by private militias (and NSAGs that made cease-fire in the 1990s and kept their arms) stationed in Northern Shan State. A KIO public relations officer explained the KIA's position as of September 2013: *“Since the last negotiations in Myitkyina, the KIA had fully adhered to the seven-point agreement... But the Army violated those agreed points and is attacking our posts in Putao nowadays. They also attacked those in Chipwi region on August 17 [...]. Tatmadaw constantly puts military pressure upon the KIA troops. That's why it is very difficult to trust them.”*¹⁴⁶

This agreement generated different opinions. According to a religious leader from the government controlled area, *“The seven-point agreement is good for the government to show off and to get attention from the international community”*. Another religious leader, also from the government controlled area expressed more hope: *“This time it is different, whatever we say they don't believe and whatever they say we don't believe. There is no trust in each other. This is why the seven-point agreement is there - we are trying a new approach. Our people are really optimistic”*.¹⁴⁷ Not long after the agreement however, several skirmishes were reported, creating uncertainty about the state of the peace process in Kachin State.¹⁴⁸

Then, the most important achievement of the last agreement signed on October 10 2013 was the consent by the KIO leadership to participate in nationwide ceasefire discussions, after consultations with other ethnic armed groups at the headquarters. During the ethnic conference in Laiza in November 2013, nearly all key NSAG leaders reviewed the proposed Nationwide Ceasefire Agreement draft and commented on it. A few days later they met with the Union Peace-making Working Committee (UPWC) – in charge of reaching peace agreements with ethnic armed groups and chaired by the Vice-President U Sai Mauk Kham- in Myitkyina to provide their feedback. At the time of writing this paper, further hopes are projected on a forthcoming conference, to be held in Hpa'an, Kayin State, in December 2013.¹⁴⁹

4.2 Political and economic incentives of parties to the conflict

“A few people do not want peace, such as KIO officers and business people. They do not pro-actively try to spoil the process; instead they just ignore discussions on peace. They don’t try to stop peace talks either. They are only indirectly spoilers.” A Kachin Religious leader, Myitkyina, August 2013.

Economic incentives

Some KIO/KIA leaders own businesses, provide services such as security and issuing licenses and concessions to exploit timber, mining and other resources, mainly to Chinese and Myanmar businesses. They also raise taxes from companies as well as from individuals, some of which goes back into the fighting effort. Funding the conflict has both military and humanitarian implications. Academic sources suggest several channels to fund conflict worldwide, three of these can be traced in Kachin¹⁵⁰. Funds primarily derived from control over valuable natural resources such as drugs, oil, timber and precious stones. Today, the KIO/KIA are often associated with logging, jade mining and other natural resources trades. They also get benefits from agro-business that spans bananas and rubber plantations that are visible in the surroundings of Laiza¹⁵¹. Finally, the KIO raises funds from more-or-less voluntary –taxes.¹⁵²

Several interviewees reported that the conflict had not halted natural resources-related businesses by key Kachin figures and that some areas of the state were being even more intensively exploited as a result of the conflict. A Kachin humanitarian worker based in May Ja Yan explained in September 2013 that, *“Illegal logging in areas between Bhamo and Lweje has never been as intensive as for these last two and half years. There are currently more than 50 trucks detained in various check points. Before the war, they had to give a lot of money to the Tatmadaw. Yet, it was still a limited taxation. (...) Now, they are freer to move around they just have to give money to the officers, or groups of soldiers. The road is still under the government control. The government is afraid to be seen taking economic profit of the situation. They know that the media and the KIO are watching. The KIO does not ask for money, they do not need as they had already set up a systematic tax system.”*

Other testimonies also suggest that logging is on the rise in the state. According to an interviewee in Bhamo area, August 2013: *“During two years of conflict, they [KIO/KIA figures] earned a lot of money because of logging, thanks to the conflict. There were no more Tatmadaw check-points in some areas, as they have been destroyed. So, no more government tax there and the KIO gets loads of money. Both parties are selling trees, security and cross-border services. They levy tax in return for permission to log. Then they get their people hired, so both KIO as an organisation and its members, as individuals, have made money out of the conflict. So at times, they are happy to have a long war”.*

A number of large companies are reportedly able to operate in the state with the protection of various warring parties. As a Kachin member of a civil society organization told the author explained: *“Before the fighting there were also many small scale traders but after the fighting had broken out, there were only the big companies left. Actually most of the check-points along the way to the Chinese border were just established during the war and their number increase quickly. This increases the costs for business people as they have to pay much more bribes and taxes. So only those who have deep pockets can access this area greasing the palms in each these check-points. Small dealers started losing their livelihoods as small business cannot pay at all check-points. When I spoke with loggers and truck drivers, they mentioned that there were at least 300 fully loaded trucks per day waiting to cross the border. Sometimes they got stuck there as they did not have enough money to pay the bribes”.*

Complicating the growing momentum for a nationwide ceasefire agreement, the Kachin continue to harbor suspicions about government motivations and some believe the real incentive is to secure access to the state’s natural resources. During a public meeting at Myitkyina City Hall with members of the Kachin State Government in June 2012, the first question raised was about increased Bamar involvement in local natural resources extraction and trade.¹⁵³ While field research showed that, overall, the KIO/KIA’s conflict narratives were widely assimilated and apparently accepted by the local population, the government’s positions were

less frequently exposed, hence more difficult to grasp. One tangible consequence of this lopsided understanding of the motivations for war is lack of clarity on all sides about what the government really wants - leaving room for various interpretations. Several interviewees felt that, as much as President Thein Sein should be supported in his economic and political reform efforts, the decision by many western governments to ease sanctions in 2013 was premature and may have overly encouraged the Tatmadaw as well as the predominantly civilian government. Many Kachin felt it demonstrated that business interests prevailed over their safety and the political claims of ethnic groups.¹⁵⁴

The KIA meanwhile has acknowledged it destroyed some public infrastructure for military purposes during the conflict¹⁵⁵. Alongside such actions, however, the KIO/KIA also oversaw justice¹⁵⁶, education and healthcare services¹⁵⁷ in the territories they controlled, and all the while managed to produce electricity in many parts of Kachin State¹⁵⁸. Any significant peace deals will certainly impact the organizations' economic role as well as their role as service provider. It has been noted in other conflicts that economic compensation for winners or losers takes a central position during transitions to peace. In other words, as the political scientist Humphreys wrote: *"If economic issues were in part responsible for the initial war outbreak then addressing the original economic issues will likely help to avoid the reoccurrence of war."*¹⁵⁹

The international community and the Chinese "elephant in the room"

After reengaging in peace talks in 2013, Kachin leaders wanted to protect their interests by having international witnesses, such as the United Nations, the US, China, the UK and others, at their meetings with the Government in order to avoid the misunderstandings that arose after the 1994 ceasefire. As a Kachin senior humanitarian aid worker noted in Myitkyina in September 2013: *"Formerly, they had reached a ceasefire agreement and over the years, the KIO continued to maintain its mandate and its commitments made in 1994. But the Tatmadaw broke the agreement and didn't keep their promises. Neighboring countries like China and Thailand would not stand for us. But may be the UN agencies, the EU or the US could be present at future meetings and will listen to both sides and judge or suggest ways forward. And then, peace process would possibly reach its logical conclusion. The bilateral discussions between KIO and Government will not bring peace."*

The KIO/KIA want international observers not only to attend the talks but also to participate in monitoring the implementation of any resulting peace agreements. Some Kachin leaders who consider that political issues are the consequences of the post-decolonization have expressed specific wishes for former colonial powers to accompany them during the peace process. A manager of the Je Yang IDP camp near Laiza said to the author in September 2013: *"There would be no war now if there was an agreement like Panglong. (...). But without the signing of such an agreement, we were left on our own and had to flee. The British government is indirectly responsible for Panglong. Now, they are silent, they should not be so..."*

The UK and the US were not present in rounds of talks before May 2013 – partly due to resistance by China, which wanted to be the sole external power at the talks. Nonetheless, both the US and UK have been providing humanitarian aid, as has the EU and other governments and international bodies. China, which insisted on an observer role at the early talks as a neighbor and important trading partner of Myanmar, is the main foreign investor in Kachin State's hydro power, jade, timber and agricultural production. It supplies manufactured goods while extracting natural resources. For both sides of the Kachin conflict, there are considerable economic and political incentives for accessing or controlling the Chinese border. China's primary interest is to maintain stability along its border with Myanmar so trade can take place unhindered. The Chinese government is unequivocally supportive of Nay Pyi Taw, but at the provincial level in Yunnan province (which borders Kachin state) some representatives of local authorities (who are from Jinghpaw or other Kachin sub-ethnic groups) were supporting those who fled the war and crossed into Yunnan. As for companies, overall their main interest is access to the state's natural resources. To ensure that business is continued, they are ready and willing to pay for access and security to whichever armed group controls the area in question.

Mineral resources have affected Kachin politics for the last three centuries. E. R. Leach observed that the jade mines, operating since the 18th century, had a *"major impact on the Kachin politics"*¹⁶⁰, he also noted the

growing interest of China. Border demarcation claims on both Chinese and Kachin sides were among the causes of the first Kachin conflict. Chinese authorities remained publicly silent about border politics following the first ceasefire. But their attitude shifted as concerns grew over instability during tensions between the Tatmadaw and Kokang ethnic militias (of Shan state) in 2007¹⁶¹. During this episode, as well as the current one in Kachin State, a dichotomy could be observed between the silent but supportive approach of local authorities at regional level and a firmer stand at the national level. As people belonging to the Jinghpaw ethnic group and other Kachin sub-groups were present on both sides of the Chinese border, China's local authorities initially closed their eyes to legal and illegal border crossings by people fleeing the conflict. Some Yunnan-based Chinese helped provide those who fled to China with assistance, protection and/or accommodation¹⁶². Meanwhile, Beijing closely monitored the situation with the Myanmar government. Asian politics researcher Nicholas Farelly noted in a book chapter that: *"The overarching priority is the stability and the relative freedom of commerce and trade that benefited them [the Chinese] so much during the ceasefire period."*¹⁶³

In September 2011, Myanmar's newly appointed president, U Thein Sein, surprised the world with a decree suspending construction of the massive, Chinese-led Myitsone Dam hydropower project, located at the confluence of the Mekka and Malikha rivers, at the Irrawaddy confluence in the heart of Kachin territories. The move was particularly striking as the government had not informed China Power Investment (CPI), the Chinese company in charge of the project. The suspension was widely seen as the result of intense advocacy work from civil society organizations and also an expression of Thein Sein's willingness to try to address some local Kachin grievances. Most strikingly, the biggest casualty of the decision was China, which was not officially informed before Nay Pyi Taw announced the decision.

A few months after this incident, Chinese authorities in August 2012, after several warnings to the KIO, dismantled Kachin refugee camps in Yunnan and sent thousands of refugees back to Myanmar¹⁶⁴. In the following months, they closed offices of faith-based organizations from Myanmar that were operating in Yunnan. Later on, Chinese authorities became even stricter on border security amid the perceived increase of threats to internal security resulting from escalating conflict within Kachin State. Chinese territory was within mortar and airstrike range of Myanmar's military forces, as proven when at least two mortar shells fell inside Yunnan province in December 2012 and January 2013.¹⁶⁵ From then, Beijing actively pressured both the Myanmar government and KIO/KIA leaders to stop fighting and hosted the first major – albeit unsuccessful – peace talks between them in Ruili, in late 2012. Since then, China has sent representatives to all Kachin peace talks.

In an increasingly risky business environment in Myanmar, particularly in Kachin State, Chinese companies have striven even harder to secure local and government guarantees for deals and projects. While many still have appetite for risk, and the logistical capacity to face new constraints, their strategies partly rely on local support. As noted by a civil society organization member in May Ja Yang in September 2013, : *"These companies are mainly from China with huge capital. Even though they have enormous capital, they still can't operate and to do their business directly. That's why they have selected many local brokers as their handymen. Most of these local people are just laborers. In this border area, though many businesses titles belong to local business persons, they are mostly backboned by Chinese. So Chinese provide capital to local business people and local people pave the way with money to both Tatmadaw and KIA as law enforcement is very weak during the conflict. Smugglers pay bribe to both KIA and Tatmadaw in order to carry jade or transport teak to China"*.

According to various Myanmar sources, Chinese investments in raw materials and commodities extraction directly affected the war economy in Kachin State, as proceeds on the KIA/KIO side would be channeled into arming and purchasing food and supplies for KIA troops. As noted by an interviewed civil society organization member in May Ja Yang in September 2013: *"The KIO sold out rare earth metals concession permits to Chinese companies because they have to raise funds to feed their soldiers and supply weaponry"*. Given the recent history of Chinese and local investment and natural resources exploitation in Kachin State, any peace process must deal with such – relatively sensitive – issues concerning the political economy of the war. To sustain any resulting peace, careful planning must take into account the interests of private companies, neighboring China and other stakeholders including government and potentially, other foreign investors.

5. The human cost of war : Practical implications of the conflict

“We, IDPs, suffer the most from this conflict”, Je Yang Kha IDP camp manager, Laiza, September 2013.

The conflict in Kachin State is not only the product of two opposing political blocks, or business interests trying to secure revenue sources. For most of the Kachin population and also some Shan and other ethnic nationalities, the conflict is the result of willful neglect by central authorities since the inception of modern Myanmar.

To fully understand the extent of grievances, it is important to note the suffering encountered by Kachin civilians, including the large numbers who fled their homes, and/or were victims or witnesses of violence by a range of armed groups, more often than not, the tatmadaw. The following section discusses the humanitarian situation and issues related to the politics of aid in Kachin State, and local protection mechanisms. In conclusion, key questions emerging from this conflict have both local and national ramifications, including security dimensions that all parties to the peace process must focus on resolving.

5.1 Displacement and protection concerns

Humanitarian crisis

As of early 2014, there were more than 92,000 IDPs in about 180 locations scattered throughout Kachin and Northern Shan States, with greater concentrations in and around main cities, such as Myitkyina, Bhamo, Laiza, Lweje, and May Ja Yang.¹⁶⁶ In addition, a few thousand civilians who fled their homes remained unaccounted for by humanitarian agencies, as they were believed to be hiding in terrain near their villages in fear of further aggression by armed groups. Others initially took refuge in camps or with host families across the border in China. A majority of the IDP camps are supported and managed by religious organizations, and some directly by the KIO. Many of those who fled their villages found safe havens in religious compounds or in territory controlled by either the KIO/KIA or the government. Most of the displacement took place between mid-September 2011 and mid-January 2012, although IDP numbers in the state’s northern border regions surged in December 2012 and January 2013, during air attacks by the Tatmadaw on KIA strongholds.¹⁶⁷

Many IDPs noted that political affiliations or sympathies played a part in their decision as to where they turned for safe haven.¹⁶⁸ Many based their decision on which areas (government or KIO controlled), they saw as more secure. Nonetheless not all IDPs in KIO-controlled areas are pro-KIO, and vice versa. Fear of being interrogated or harassed by armed forces was often the reason IDPs chose to stay in the first place they arrived in¹⁶⁹. Unable to find sufficient income, many depended on food aid. For those staying in government areas in Christian Churches or Buddhist monasteries, the religious communities initially provided their needs but soon struggled financially.¹⁷⁰ A couple of months into the crisis, a few NGOs and UN agencies supported these IDPs. Most of the camps outside urban areas, particularly those in KIO areas, are not easily accessible.

Any international agency staff movement in Kachin State must still be cleared by the Relief and Resettlement Department of the Ministry of Social Welfare, Relief and Resettlement (MoSWRR). International employees are very rarely authorized to leave the towns of Myitkyina and Bhamo. Occasionally, the government has organized rice distribution in some locations, with reported episodes of bullying of IDPs by local officials or army officers who exhorted them to return to their village.¹⁷¹ Overall, access to IDPs in KIO-controlled areas has been conditional according to political considerations. When there was a political deadlock among the warring parties, international agencies could not access IDPs at all in these remote areas. When discussions were gaining ground and belligerents were keener to establish a dialogue, humanitarian access was authorized on occasion. All the while, the international community has had to rely on local civil society organizations to reach the victims of conflict.

In Northern Shan State, the situation is different as there are only about 8,000 IDPs in camps but many more displaced are still unaccounted for.¹⁷² First, civilians in this area did not enjoy the relative stability provided by the 1994 ceasefire. As a number of NSAGs in the region were associated with drug production and trafficking, local protection issues were more problematic. People in such areas would flee skirmishes due to security concerns and did not feel protected by any party. Second, the geographical and administrative settings have not been favorable to humanitarian support in such areas, as camps were scattered and their existence depended on the permission of different local authorities that coordinated with each other in an ad hoc fashion. Finally, these areas are ethnically more heterogeneous. These groups tended to be in smaller numbers, and were less vocal, and therefore have far less access to humanitarian aid.

The bulk of international aid has been channeled to the most visible and accessible IDPs, in the vicinity of Myitkyina and Bhamo towns, and it was challenging for the major international agencies to deliver aid beyond these urban centers. Domestic support groups, such as faith based organizations and civil society entities, attempted to support IDPs in both urban and remote areas. Overall, the political dividing lines between Kachin IDPs in government and KIO/KIA-controlled areas reinforced segregation between victims of the war. These “politics of humanitarian access” will undoubtedly affect relations between various communities and government, as well as NSAGs, and their overall legitimacy in the short to medium term.

Protection issues and local responses

“Even though there were no more soldiers, it would still be difficult to get back to the villages for two reasons. First, most of us have no Myanmar national ID cards and there are many checkpoints along the way... Second, we have no more livelihoods and no homes left. Where will we stay and what will we eat? Even if peace is signed tomorrow, we cannot go back right away.” Interview with a Kachin IDP in Je Yang Kha, September 2013.

The main security risk identified by Kachin IDPs is exposure to violence.¹⁷³ In interviews, many IDPs recounted experiences of harassment by armed groups, destruction of livelihoods, loss of belongings and, in some cases, exploitation or recruitment by armed groups.¹⁷⁴ Pervasive fear of landmines and unexploded devices were mentioned by some IDP camp managers in some areas, although so far, relatively few casualties have been recorded. Many IDPs have noted cases in which the Army targeted civilians accused of supporting the KIO/KIA for harassment and detention. Over time in Kachin State, as in other ethnic areas, the Tatmadaw was widely seen as the main perpetrator of abuses. The vast majority of ordinary Kachin in conflict areas see the Myanmar military – and often, the broader government – as a potential threat. An IDPs interviewed in Laiza in September 2013 stated, *“We never saw a good Myanmar soldier. We heard about many scenarios, we’ve seen many cases of abuses from them. Our children are afraid when they see them.”* Another stated, *“We have the experience of being arrested and taken by the Tatmadaw as porters [to carry rations and weapons for the army]. So we are traumatized, we want to avoid it.”*

Some protection issues and local response mechanisms in Kachin State resemble those reported in south-east Myanmar.¹⁷⁵ Among similarities, there is little international access to displaced people. As a consequence, protection and advocacy for local populations is mainly provided by community- and faith-based organizations. With a moral authority that generally places them beyond the politics of conflict, their compounds, for example, are generally perceived by local people as safe havens. In Kachin State, such organizations could freely meet both the KIO and government to seek authorization to conduct activities or support for their aid programs. For example, one faith-based organization in Kachin State lobbied for IDP children living in camps to have access to schools. Now, many displaced children are able to participate in primary – and some even secondary – education programmes.

Also, similar to areas in Karen State in Myanmar’s south-east, NSAGs position themselves as protectors of local communities, especially in providing services in three key sectors: physical safety, livelihoods and culture. In some parts of Karen State, armed groups are seen by local people as *“legitimate representatives and guardians of the Karen people”*. Depending of course on how they treat the inhabitants of these areas¹⁷⁶, the same is often said about the KIO in some parts of Kachin State. Yet, NSAGs in various states have reportedly resorted to coercive practices, including taxation of local populations as well as conscription and utilization of forced

labor¹⁷⁷. In Kachin State, currently, they are widely perceived as caretakers and protectors of the population.¹⁷⁸ For example, many ordinary Kachin people mention how KIA soldiers would try to inform villagers when Tatmadaw troops were approaching their area, enabling them to flee before fighting broke out. In some areas of the state, civilians who lack institutionalized protection have built up networks they can turn to, often featuring religious leaders and family members. In extreme cases, they have also resorted to hiding out in nearby forests or fleeing across the border to China, neighbouring states or elsewhere to avoid conflict.

Post-war uncertainties

"The solution [to the conflict] is to include ethnic groups, and religious leaders including the non Kachin people 1994 was a kind of success but during the ceasefire, both the KIO and government became corrupted. It was a lull period and there was no active fighting during these years. But no problem was resolved. I did not see any positive outcome from this period". Religious leader interviewed in Bhamo in August 2013.

Some observers have noted attempts by local Kachin leaders to unify a complex mosaic of tribes dominated by the Jinghpaw ethnic group, reflecting similar efforts to promote unification by the central state and other ethnic groups. The Jinghpaw are widely assumed to dominate Kachin State both numerically and in political terms, however until a census that covers Kachin State and elections are held it is difficult to verify this as fact. Estimates based on the last census results and other calculations estimate that the Kachin people may currently be a minority in Kachin State, accounting for about only 38% of the population, alongside Bamar and Shan ethnic groups based in the state.¹⁷⁹ Under British colonial rule, Kachin people were classified into separate different "races" or "tribes" according to languages, including Jinghpaw, Gauri, Maru, Lashi, Azi, Maingtha, Hpon, Nung (Rawang), Lisu, and Khamti (Shan). Other officials and the local administration recognized them as a single ethnic group. Today, the Myanmar government views Kachin people as a "major national ethnic race" comprising the Jingpo, Lisu, Trone, Dalaung, Gauri, Hkahku, Duleng, Maru (Lawgore), Rawang, Lashi (La Chid), Atsi(Zaiwa), and Taron as distinct ethnic nationalities.

The KIO's demands for federalism do not overtly take into account the interests of various ethnic groups in the state including Shan and Bamar populations, as well as minorities of Chinese, Indian and Nepalese descents. Today, many Kachin elders admit they do not know how a new political system could bring about more equality for all ethnic groups in the state in the shorter term. According to the interview of a Kachin politician in September 2013: *"We don't have any experience of federalism here in our country. What will it be? Maybe this is possible after all natural resources are gone in ethnic areas."* Setting up a federal model – a long-coveted goal for many participants in multi-ethnic talks over a possible nationwide ceasefire – presents various challenges. The KIO is pushing for the establishment of a federal system as part of the solution to its political grievances. Yet, it has explained relatively little about the type and form of federalism it desires, reinforcing the impression that very little has been discussed about the nature of federal set-up for Kachin state or the country.

Myanmar's many NSAGs have differing agendas when it comes to proposals for a lasting ceasefire. This makes achieving a multilateral ceasefire or a national framework agreement more difficult. Studies of peace processes in other countries show that approximately two thirds of peace agreements lapse back into situations of conflict after the first 5 years of peace. More often than not, such reversions occur because the conditions are not amenable in an immediate and fragile post-conflict environment for timely transitions of power and for political stabilization. KIO/KIA concerns over their legitimacy from the populace they depend on for material support are a key concern of the Organisation.¹⁸⁰ The KIO, like the Pan Kachin movement, finds that unity and support strongest in periods of conflict. To ensure sustainable peace, any agreement will most likely need to ensure the continuation of KIO power in the State. As an interviewee noted when discussing the future of the KIO/KIA, in September 2013: *"The other question is: 'Will the KIO survive?' If the government was to win, if it wants to stop all the illegal trade, KIO will suffer a lot. The KIO will have to go back to war."*

5.1 Local Security Concerns

Local security arrangements

According to primary sources and interviews with civilian victims of the conflict, the main security concern in Kachin State are linked to militarization of a given area. Many men, in particular, live in fear of being arrested or forcibly recruited as porters or soldiers by one party or another, and of being interrogated for information on the other party. Local Kachin populations tend to trust the KIA more than the Tatmadaw, particularly in KIA-controlled areas where the organization is seen as the main provider of security.

The situation is slightly more complex in Northern Shan State near the Kachin State border, due to the presence of numerous militias, mainly operating to advance their economic interests. Facts are hard to verify in the region, but the number of militias operating there ranges between 30 to 100, according to local sources.¹⁸¹ Villagers in areas of militia activity have often professed ignorance about the affiliation of soldiers operating in their areas and committing abuses. Either way, the potentially destabilizing role of such militias in future must be factored into peace efforts, as they could create complexities in the longer term and undermine current peace efforts. As their rationale is mainly economic, the financial gains and losses for local militias in war on one hand, and peace, on the other, must be considered. Adequate benefits for these groups will be required to prevent them becoming “spoilers” in the maintenance of peace.

The KIO seems to have a generally positive image in local communities when it comes to service delivery. It is perceived as able to understand, and meet, basic needs of the local population in areas under its control. It also backs a number of civil society organizations, including youth and women’s groups, which provide aid to victims of conflict and could play a vital role in longer-term peace building efforts. These groups often have been marginalized in aid delivery, because international organisations are mostly registered to work by government in government-controlled areas and do not often have permission to work through these smaller local organisations. Therefore, bigger humanitarian agencies play a more dominant role in government-controlled areas including the state capital, Myitkyina.

This aid segregation between the larger international organisations and the smaller national groups has created differences of opinion between Kachin people. In order to support reconciliation at national as well as local levels, these civil society organizations should be included at early stages of planning for peace initiatives. As many of them have both credibility and reach in local communities, they could be influential in promoting reconciliation.

Finally, linkages between Baptist and Catholic churches, which have been key aid providers alongside the KIO, and peace efforts should also be supported, as they were in 1994. They are sometimes the only entities in Kachin State that manage to be heard by both the KIO and the central government.

Ethnic armed groups – what’s next?

The question of reforming the NSAGs was first raised at the national level by the government in the form of the Border Guard Forces (BGF) plan in 2009, which triggered the recent conflict in Kachin State. A KIO Public Relations officer in May Ja Yang explained his perspective on the BGF proposal presented by the central government as follows, “*The BGF have to be located not only at the border posts but not in other regions within the country (...) And all the battalions would be strictly limited to the border points with China and India only.*” Such curbs on the mobility of troops proved to be a major stumbling block to KIO/KIA acceptance of the ultimatum, for two reasons: KIA battalions are stationed in a number of areas deep within Kachin State, away from the border (for example in Hpakant and Tanai). On top of this, the notion of handing control of border administration to the central government had obviously negative financial implications for the KIO/KIA as they may have had to relinquish their major revenue stream from taxation of border trade activities in some areas.

Under the plan, as outlined by the Brussels based think tank Euro-Burma Office in a report released in 2010: *“Lieutenant-General Ye Myint told the KIA to transform into seven battalions of the BGF, under the command of the Tatmadaw, the Burma Army. Each battalion would be composed of 18 officers and 326 soldiers: the highest rank in the BGF would be a mere major and each battalion would have 3 majors, 5 captains and 10 lieutenants. The age limit for the BGF is between 18 and 50, which means that all the officers whose ranks are higher than major and senior officers older than 50 years of age will be forced to resign from the KIA. Moreover, each battalion would include at least 3% of officers from the Tatmadaw. These Burma Army officers would then control key positions of the BGF, including logistics”*.¹⁸²

Another central issue is the proposed chain of command that would ultimately see KIA troops reporting to the Myanmar military. According to a member of the KIO representative interviewed in May Ja Yang in September 2013: *“There would be 100 combatants in each BGF battalion, each comprising 70 KIA soldiers and 30 Tatmadaw soldiers. (...) The battalion commander would be a KIO officer while the second battalion commander would be a Tatmadaw officer within the BGF. But in fact those Tatmadaw officers will occupy all the critical ranks of the battalion for example commanding the rations, supplies and logistics sectors. That’s why KIO had stated that they would accept the BGF proposal one day when genuine transformation would take place but that it couldn’t accept the BGF proposal at this stage. Since then, tensions between KIA and Tatmadaw have increased. (...). Even though the chief of the battalion is our staff, they [the tatmadaw] would take all the critical positions from second commander to ration collector. So we would be living dead. We would have very little space to move, and we would be under their control if we accepted their proposal. That’s why [the KIO] Central Committee has determined that the proposal would bring no benefit for Kachin and thus decided to resist it firmly”*.

Since the 1970s there has been no opportunity for soldiers of ethnic minority origins to occupy senior positions within the Tatmadaw, although there is no published discriminatory policy. There was a glass ceiling for officers trying for promotions above major level. Therefore, the BGF plan was perceived as the continuation of the current monopoly held by Bamar personnel in the armed forces. As a solution, some have suggested that: *“Integration and reinsertion of the troops can take place but it needs to be within a federal system, with the creation of Kachin regiments within a federal Army. They [the KIA] keep on saying this. Chief of Staff should be of an ethnic nationality background.”*¹⁸³

The question of the age limit and social security for BGF soldiers also became an issue for the KIA. As a member of the Peace Creation Group CSO stated during an interview in Myitkyina in September 2013, *“The age for service is limited between 18 and 50. But nothing had been mentioned about the pension after retirement”*. Some interviewees said that suggestions were made by Tatmadaw negotiators to the effect of those above 50 years old should focus either on business or on politics and not the military.

Although the government has now dropped the demand to fold the KIA into a proposed BGF, the question of reform, and potential integration of KIA combatants will be an unavoidable during ceasefire negotiations. There is a widespread feeling in the KIA that the Tatmadaw will not back away from its insistence on either dismantling NSAGs or turning them into regular Army personnel. But this reform process, and the broader reform of the entire security system itself, cannot take place in such a mistrustful context. As stated in the Burma News International report in 2013, *“Many believe that the BGF scheme is a strategy by the government to control ethnic armed groups by using compliant armed groups already transformed into BGFs... to fight against them. For example: using Democratic Kayah Buddhist Army (DKBA) BGF to fight against non-cease-fire Karen groups like the breakaway DKBA 5th brigade and the Karen National Union (KNU). In addition, the National Democratic Army – Kachin (NDA-K) which was transformed into a BGF and was used against the KIA. This pitting of ethnic armed groups from the same area, or ethnicity, and against each other has made many groups and civilians even more distrustful of the government’s intentions.”*¹⁸⁴

The future of the NSAGs needs to be cautiously planned to avoid groups of them or individuals becoming spoilers to the peace process in the longer term. In order to be more inclusive, security sector reforms need to ensure that information channels are clear and efficient enough to bring these groups – with their potentially conflicting agendas – into the same fold. In order to ensure longer term peace building, local security needs must be carefully identified and adequate solutions formulated. Given the widespread belief among local populations in Kachin State that the KIA is more reliable and able to provide protection than government

troops, trust between Kachin people in these areas and the Tatmadaw will need to be carefully rebuilt through commitment to the process by both sides.

Conclusion

Various attempts to revitalize the peace process following resumption of the conflict in Kachin State in mid-2011 have had two main effects on “peace politics” at the national level. First, the KIO, after supporting, then challenging and ultimately eroding cohesion among other ethnic armed groups, has recently managed to build momentum to get the multi-ethnic United Nationality Federal Council (UNFC) and its messages heard by a wider audience, by refusing to sign a ceasefire agreement until political dialogue is scheduled. The KIO also rallied other NSAGs around KIO demands, gaining leverage and legitimacy in the negotiation process. Second, it questioned and tested the government’s approach to peace, seeking commitments that the government-led Union Peace-making Working Committee will not seek peace solely from a military perspective. It questioned the limits of Myanmar’s democratic transition by demanding that priority be placed on enacting earlier government commitments on long-term political arrangements, particularly the decentralization of power within a federal system. This was primarily to challenge the government’s initially short-term strategy of achieving a ceasefire agreement without answering questions raised by the KIO about the devolution of power in ethnic areas.

The relatively successful peace talks in May and October 2013 in the government-controlled capital of Kachin State, at the Manau festival Ground in Myitkyina, highlight official acknowledgement of the importance of local power structures in peace efforts as the Manau ceremony is a cultural tradition designed to bind the six main tribes together as one nation.¹⁸⁵ The broader Kachin identity has been shaped since colonial times by the need to distinguish the upland Kachin from lowlanders. While they forged close ties with the neighboring lowlander Shan, it was only relatively recently that they began interacting with the Bamar based more in central areas of the country. Kachin identity is built on common (Christian) religion and (Jinghpaw) language as well as various traditions that differentiate them from other ethnic groups. Through modern history, the Kachin have cultivated these differences and leaders have striven to maintain their political influence over local populations.

But Myanmar’s post-Independence evolution thwarted some Kachin ambitions. Alongside the push to rebuild relations with the central government emerged a radicalized ethnic identity and along with it, demands for more autonomy. The Kachin were soon frustrated at being deprived of political power over their ancestral territories. The recognition of a state religion – Buddhism – that was not theirs was the final blow, and was one of the key reasons leading to the first war with the Tatmadaw, which lasted 33 years (from 1961 to 1994).

The ceasefire brokered by Prime Minister General Khin Nyunt in 1994 was not a solution for the Kachin leadership as it was predominantly a military agreement acknowledging troop positions along with assorted provisions of a military nature. It was not planned as a long-lasting arrangement but as a temporary deal, awaiting a civilian government to take over and solve pending political issues. However, 17 years into this agreement, Kachin leaders saw little political progress. In the meantime, however, the KIO oversaw administration of a large swathe of territory in Kachin State, running public administration and delivering justice, education, health and other public services.

Consequently, when the former junta issued the BGF ultimatum just before handing over the power to the Thein Sein government, Kachin leaders felt increasingly threatened. For the last few decades, interaction with the central government became gradually more difficult as mutual trust eroded, amid repeated failures to achieve compromises. Kachin narratives justifying the war tend to revolve around an unfair political process while the Myanmar narratives are inclined to focus on sovereignty, unity of ethnic groups and national security. Hence, today, while a number of NSAGs demonstrate cautious optimism and share the government vision of a nationwide ceasefire as the first big step to longer-term political dialogue, the KIO takes a different stand. It wants more guarantees and to ensure that political dialogue will logically and simultaneously go hand in hand with a ceasefire agreement.

The recent process, with two rounds of promising peace talks in Myitkyina (in May and October 2013) and increased coordination among the ethnic NSAGs in Laiza (in November 2013), seem to indicate that peace is closer than ever since the resumption of the conflict. Yet, there are many factors at play. One of the biggest

issues is to agree on the sharing of revenues from natural resources and border trade, in order to avoid fighting over contested economic dividends and support longer-term stabilization of the area. Management of armed militias in Northern Shan State will also be required. To foster a lasting peace, Kachin leaders and combatants need to identify their own interests in building peace. In early 2014, fighting was still reported in Southern Kachin and North-Western Shan States, hinting that the Tatmadaw was attempting to undermine peace efforts, despite goodwill and promises by the civilian government to reach out and build trust in its peace initiatives. The KIO recently seems keener than it ever was to engage more seriously, yet it must still deal with the aspirations of supporters, who widely accepted the rationale for war and will need to be convinced that peace is possible and preferable. The majority of Kachin people still feel safer with the KIA, and tend to fear the Tatmadaw as well as central State administration. Above all, the KIO/KIA, in order to trust the government peace delegation, will need evidence that the government is in control of the Army – not vice versa as it was between 1962 and 2011. Earlier military attacks in Kachin State, during and immediately after peace talks, have greatly undermined government efforts to rebuild trust in the state.

The Kachin conflict has displaced an estimated 100,000 individuals, the majority of who want peace and want to return to their homes. The nationwide ceasefire is only the first step on the long and difficult road of national reconciliation, between and among ethnic nationalities and the Bamar ethnic group. This conflict also raises questions about the future of the Tatmadaw and the NSAGs. It also highlighted the need for reforming the country's security and military structures. The wider role of the Tatmadaw in governance and its views on ethnic armed groups are bound to change. The military has a considerable number of soldiers, financial resources and power; its role was to deal with both internal and external enemies who were deemed to be undermining national unity. In the context of a national level peaceful settlement, the Tatmadaw would have to redefine its role. On the NSAGs' side, leaders and other ethnic decision-makers must find space in an increasingly vibrant democratic setup. Safety and security of local civilian populations, particularly among local ethnic communities who suffered from the conflict will also need to be ensured.

Finally, in the context of the Kachin conflict, the road to peace must pass two major tests within 2014. The first - and most obvious one - is the tentative formalization and implementation of a nationwide ceasefire agreement and dealing with its impact on relations between the central government and the KIO/KIA (as well as other NSAGs); the second is to careful preparation of the 2015 general election. Kachin representatives have been pushing the central government to put an end to their political marginalization and provide Kachin leaders with opportunities to contest these elections. This is crucial to supporting overall peace architecture in the country. In October 2013, Dr. Manam Tu Ja , a former KIO leader whose party failed to gain approval to register and run in the 2010 election, had his political party registered by the Union Elections Commission (UEC), the Kachin State Democracy Party (KSDP). This is a positive step in demonstrating commitment to inclusion of Kachin and KIO representatives in the electoral process. The steady growth of the KSDP is a promising development both in terms of improving the credibility of the political transition and providing representation of Kachin political concerns. The next critical challenge for the government is to make the elections free, fair and credible in Kachin State, as everywhere else in the country.

Bibliography

Annexes

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- ¹ The language spoken by the dominant Kachin sub-ethnic group, the Jinghpaw.
- ² Please refer to the map in Annex G.
- ³ BNI, September 2013, pp. 1-2.
- ⁴ The Union-level peace team is made up of a central committee for making policies and a working committee for implementing policies associated with ceasefire negotiations. The central committee (UPCC) is chaired by President Thein Sein, while the working committee (UPWC) is chaired by the Vice President Sai Mauk Kham.
- ⁵ The 13 NSAG who initially signed cease-fire agreement with the current government are: United Wa State Party/Army, National Democratic Alliance Army – Eastern Shan State, Democratic Karen Buddhist Army (5), Restoration Shan State/ Shan State Army, Chin National Front, Karen National Union, Shan State Progressive Party/Shan State Army, New Mon State Party, Karen National Union/ Karen National Liberation Army- Peace Council, Karenni National Progressive Party, Arakan Liberation Party/Army (Rakhine State Liberation Party), National Socialist Council of Nagaland – Khaplang, Pao National Liberation Organisation.
- ⁶ Throughout the document, the term ‘Burma’ is used when the text refers to the country, and ‘Burmese’ for the people, before 1990. ‘Myanmar’ is used for the country, as it was officially renamed in 1990. ‘Myanmar’ refers to citizens of the country as a whole. ‘Bamar’ is used to describe the ethnic group that has dominated governance of the country and is the most numerous in the country.
- ⁷ Robinne, 2007, pp. 64-5.
- ⁸ Thin Maung Than, 2013. Statistical data on Myanmar is generally unreliable due to poor data collection, analysis and presentation. Data on the population should be regarded as approximate as only estimates are available. The last census was conducted in the country in 1983, and populations in conflict areas were not counted. A census is currently being undertaken by government and results should be public by 2016.
- ⁹ The “Shan Ni” or “Red Shan” in Myanmar language (“Tai-leng” or “Tai-Lai”) in Shan language, are terms used to describe a sub-ethnic group of Shan people living in the more densely populated lowlands of western and southern areas of Kachin state, and in Sagaing Division and western Shan State. This sub-ethnic group is often seen as problematic for Kachin nationalists as at times they have laid claim to areas in the southeast of Kachin State and their relative high numbers make it hard for Kachin to fully question their legitimacy as having a stake in decision-making in the state.
- ¹⁰ A number of individuals who designate themselves as Rakhine have been resident in Kachin State for years; many of them can be found in the mining areas of Hpakant and Putao. Descendants of Nepalese, Indians and Chinese can also be encountered there.
- ¹¹ Hanson, 1913, p.13.
- ¹² Robinne, 2007, p.59. These groups do not share the same native tongue, nor the same alphabet.
- ¹³ Robinne, 2009.
- ¹⁴ Robinne, 2009, p. 61-2.
- ¹⁵ Kachin chiefs received honorific titles from Burmese rulers, according to Leach, 1954, p. 242.
- ¹⁶ Hanson, 1913, p. 13.
- ¹⁷ Leach, 1954, p. 44-50.
- ¹⁸ Robinne, 2007, p. 62 – 63.
- ¹⁹ Robinne, 2009.
- ²⁰ Hanson, 1913, p.12.
- ²¹ Leach, 1954, p. 235-236 and Scott, 2010, p. 151.
- ²² Leach, 1954, p. 20.
- ²³ Leach, 1954, p.30.
- ²⁴ The Gazetteer of Upper Burma reports: *“In 19th century Burmese invasion of Assam, the population of the Mong Hkawn Valley in the upper Chindwin fled to higher ground as described by ‘to avoid the oppression to which they were constantly exposed, the Shans sought an asylum in a remote glens and valleys on the banks of the Chindwin, and the Kachin among the recess of the mountains at the eastern extremity of the valley’.*
- ²⁵ Scott, 2010, p.212.
- ²⁶ <http://www.kachinland.org>, accessed on April 13 2013.
- ²⁷ Interview by the author, Yangon, April 10 2013.
- ²⁸ Kozicki, 1957.
- ²⁹ Smith, 1993, p. 158
- ³⁰ Taylor, 2009, p. 290.
- ³¹ Interview with the Technical Advisory Team Leader in Myitkyina, September 2013.
- ³² Interview with the Technical Advisory Team Leader in Myitkyina, September 2013.

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- ³³ Robinne, 2007, pp. 259-261. At its inception, KIA had to fight the Burmese Army and the Burma Communist Party forces. Later, the KIO and Communist Party of Burma (CPB) signed a cease-fire in 1976 and jointly fought the Burmese Army.
- ³⁴ Callahan, 2003
- ³⁵ Smith, 1993, p. 191
- ³⁶ Smith, 1993, pp. 220, 251, 257
- ³⁷ Robinne, 2007, p. 259-261
- ³⁸ Lintner, 1997, pp. 204 - 205 and interviews by the author. The leadership is mainly Jinghpaw and Baptist and there is little representation of other Kachin sub-groups such as the Rawang and Lisu. KIO leaders regularly refer to the Kachin Independence Council chairman, Zaung Hkra, as an example of the mixed ethnicity of their leadership, and lack of discrimination, as he is the only non-Jinghpaw representative as a Longwa.
- ³⁹ Interviews in Kutkai, Northern Shan State, March 2013.
- ⁴⁰ For example the Tatmadaw, in the early 1960s, under General Ne Win, released and disseminated a propaganda leaflet called 'The burning question'. This anti-Christian document was largely in reaction to the formation of the KIO/KIA. It was draws differences between Buddhists and Christians and justifies the use of violence against the Christians.
- ⁴¹ Interview in Yangon in April 2013. Smith, 1993, p.180 -183.
- ⁴² Callahan, 2007, p. 43
- ⁴³ Lintner, 1997, p.157
- ⁴⁴ Interviews conducted by the author in Myitkyina showed that the Catholic priest, Father Thomas, played a crucial role in creating negotiation space between the warring parties. Due to health issues, he was not able to finalize the process and handed over responsibility to the then Chairman of the Kachin Baptist Convention, Reverend Saboi Jum, in the early 1990s.
- ⁴⁵ See Walton, 2008.
- ⁴⁶ Dr. Tu Ja, 2011.
- ⁴⁷ Interview by the author in May 2013 in Myitkyina.
- ⁴⁸ Callahan, 2003.
- ⁴⁹ Dr. Tu Ja, 2011.
- ⁵⁰ About the Bamarization process on ethnic minorities, see Berlie, 2005.
- ⁵¹ According to an interview by the author in September 2013 in Yangon, these schools, initially created by missionaries, were highly valued by the Kachin. When the land, buildings and funds were taken back without prior consultation, this angered the local communities engendering ill-will towards the central state.
- ⁵² Transnational Institute, 2009.
- ⁵³ The New Democratic Army – Kachin (NDA-K) was a faction of the former Communist Party of Burma (CPB) established in 1989 after the collapse of the CPB. It is considered to have close relations with the Myanmar military and Chinese governments.
- ⁵⁴ The Kachin Democratic Army (KDA) was a break-away faction from the KIA's 4th brigade formed in 1990.
- ⁵⁵ Taylor, 2009.
- ⁵⁶ Callahan, 2007, p. 42.
- ⁵⁷ Euro-Burma Office (EBO), 2010.
- ⁵⁸ EBO, 2010.
- ⁵⁹ Suganami, 2002, p. 310.
- ⁶⁰ Stoessinger, 2000
- ⁶¹ Interview with a KIO public relations officer, May Ja Yang, September 2013.
- ⁶² Jervis, 1989, p. 104.
- ⁶³ EBO, 2010.
- ⁶⁴ Lebow, 2010.
- ⁶⁵ The Pan-Kachin movement developed in the mid-1990s, after the cease-fire between the government and the Kachin Democratic Army in Kan Paiti area, Eastern Kachin State. It aimed at representing the interest of a larger group of population than the Jinghpaw leaders only. A representation office was opened in Chiang Mai and they established relations with exiled ethnic groups there, at a period where such dichotomy appeared between representatives of the main ethnic sub-groups and the sub groups that found themselves in minority.
- ⁶⁶ Jackson and Morelli, 2009.
- ⁶⁷ Jackson and Morelli, 2009.
- ⁶⁸ Collier and Hoeffler, 2000, suggest that countries whose wealth is largely dependent on the exportation of primary commodities – including agricultural products and natural resources – are highly prone to civil violence. They argue that conflict may be explained either by grievance or greed.
- ⁶⁹ Mc Kinsey Global Institute, 2013.
- ⁷⁰ Interview in Bhamo, Kachin State, August 2013.
- ⁷¹ Smith, 1993, p. 258.

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- ⁷² Meeting of civil society leaders with the UN Special Representative on Human Rights, February 15 2013 in Myitkyina.
- ⁷³ On some comparable dynamics, but in the case of a more comprehensive peace agreement in Northern Ireland, see McGinty, Muldoon and Fergusson, 2007.
- ⁷⁴ In February 2009, the Central Committee of the KIO summarized its grievances as follows: "Today, on the 48th year of revolution, we have not achieved the stated goal of regaining freedom, but have lost ground in the occupied region. [...] The cease-fire agreement with the SPDC had not produced peace and progress, but a regression that allowed the rampant spread of HIV/AIDS and other treatable diseases in the indigenous population which lost the battle for social justice and caused suffering through the depletion of their natural resources."
- ⁷⁵ This was reported by a resident of Sumprabun Township to the author in early 2011. According to the source, landmines were used by some Myanmar companies in extractive industries to demarcate their land and discourage hunters from trespassing.
- ⁷⁶ The number of battalions increased from 26 in 1994 to 41 in 2006 according to Kachin Development Networking Group, 2007. Also see Fink, 2008.
- ⁷⁷ Reported by several interviewees in various locations of Kachin and Northern Shan State.
- ⁷⁸ Interview in Myitkyina, May 2013.
- ⁷⁹ See interview extracts in Annex C.
- ⁸⁰ Kachin News Group, August 20 2007, mentioned in EBO, 2010.
- ⁸¹ Lintner, A well-laid war in Myanmar, 2013.
- ⁸² Mizzima News, April 22 2010, mentioned in EBO, 2010.
- ⁸³ Interview of a person close to the Central Committee, Laiza, December 2011.
- ⁸⁴ KNG, July 12 2011.
- ⁸⁵ Lambrecht, May 2013.
- ⁸⁶ See examples of these narratives in annex C.
- ⁸⁷ Farnelly, 2012.
- ⁸⁸ <http://kachin-news.blogspot.com/2012/06/kachin-peace-network-held-service-for.html>
- ⁸⁹ Interviews in Myitkyina and Bhamo, August and September 2013.
- ⁹⁰ The New Light of Myanmar, October 15, 2010, p. 8. About the use of this term, Human Rights Watch, 2012, reports: "*for the first time since 1994, the Myanmar state-run media referred to the KIA as 'insurgents' as opposed to a 'cease-fire group,'*" p.26.
- ⁹¹ Moe Oo, 2013.
- ⁹² Interview with a lawyer in Myitkyina, July 2012.
- ⁹³ Interview of a KIO public relations officer, May Ja Yang, September 2013.
- ⁹⁴ Interview of the IDPs Relief and Resettlement Committee Chairman, Laiza, August 2013.
- ⁹⁵ Interview by the author, Yangon, September 2013.
- ⁹⁶ Interview of a religious leader in Bhamo, August 2013.
- ⁹⁷ Internal KIO fights are mentioned in KIO statements, for example: "*A few leaders, who have become more interested in their own welfare than that of others, decline to discuss or initiate talks about the purpose or mission, but instead placate the enemy for personal gain. Now a time has come for the people to realize that there is no consensus of unity of purpose in the leadership*", see KIO central Committee, February 2009.
- ⁹⁸ Woods, 2011.
- ⁹⁹ Interview of IDP camp manager, Je Yang Kha, Laiza, August 2013.
- ¹⁰⁰ Civil society representative interviewed in Myitkyina, April 2013.
- ¹⁰¹ Interview by the author, August 2013.
- ¹⁰² Such as the Lower House speaker on February 9 2013 who organized a public meeting to hear grievances of the Kachin people, or the IDP camps visit to deliver bags of rice and cash in government controlled areas of the Vice President, U Sai Maung Kham August on 10 to 12 2013.
- ¹⁰³ Interview by the author, August 2013.
- ¹⁰⁴ Fuller, 2013.
- ¹⁰⁵ The KIO was blamed expelled from National Democratic Front - an alliance of ethnic armed groups formed in 1976 - that the KIO tried in vain to convince to enter in peace talks with the government, after the 1994 ceasefire.

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- ¹⁰⁶ The author attended a public meeting in June 2012 with Kachin MPs, where audience asked about infrastructure construction and renovation such as: schools, roads and telecommunication. These were mentioned as pivotal issues for the development of the region.
- ¹⁰⁷ BNI, 2013, pp. 56 – 58.
- ¹⁰⁸ Interview in Bhamo, August 2013.
- ¹⁰⁹ Interview in Laiza, August 2013.
- ¹¹⁰ President U Thein Sein's efforts towards peace were recognized by the international community, with, for example, support for his nomination for the Peace Nobel Prize in March 2013, which was perceived by many Kachin as a denial of their difficult circumstances.
- ¹¹¹ Interview by the author, Myitkyina, September 2013.
- ¹¹² Some Kachin nationalists considered that the conflict directly targets them: *"After a 17 year cease-fire failed to result in a political solution, the Myanmar government led by ex-general U Thein Sein, began a military offensive against the KIO/KIA on June 9, aimed at the elimination of the Kachin people"*.
- ¹¹³ Several reports were collected by the author in 2012 and 2013.
- ¹¹⁴ December 2012, Northern Shan State, according to NGOs providing humanitarian relief, interviewed by the author.
- ¹¹⁵ Interview in Kachin State, August 2013.
- ¹¹⁶ Interview of a witness by the author, Kachin State, August 2013.
- ¹¹⁷ Interview by the author, Kachin State, August 2013
- ¹¹⁸ KWAT, February 2013.
- ¹¹⁹ Another explanation could be considered, as according to Scott, 1900, p. 61, the Myanmar military campaigns are traditionally conducted from November to February, during the cold season as it was too hot to fight in March and April, and too rainy from May to October.
- ¹²⁰ Fuller, 2013.
- ¹²¹ Fuller, 2013.
- ¹²² Lambrecht, 2013.
- ¹²³ Roughneen, 2012, quotes a pastor at a regular Sunday service for KIA soldiers: *"Right now we are in a serious situation, secularly speaking, as we are surrounded by government forces. But spiritually we are strong, as God is with us."*
- ¹²⁴ KNG, July 12 2011.
- ¹²⁵ KNG, October 23 2013.
- ¹²⁶ Collier, 2000.
- ¹²⁷ See, among others, KWAT, June 2013, p. 5. The term "genuine" peace was also mentioned by a number of interviewees, including representatives of the KIO and the PCG.
- ¹²⁸ Burgmann, 2013, states an advisor to President Thein Sein who blames the Kachin for the lack of progress in the peace process. It also quotes Nyo Ohn Myint, Myanmar Peace Center, saying his organization's members were 'confused' by the Kachin people believing the government is insincere. *"That's their view, because there is illiteracy in those areas"*.
- ¹²⁹ Interview in Yangon, April 2013.
- ¹³⁰ International Crisis Group, 2013, p.10.
- ¹³¹ Interview in Laiza, August 2013.
- ¹³² Interview by the author, August 2013.
- ¹³³ Lintner, "More war than peace in Kachin", 2012.
- ¹³⁴ Lambrecht, 2013. KIA General Gam Shawng noted that throughout the previous cease-fire that the military government *"deferred political discussions again and again, stating it was only a caretaker government and that only when a legitimate government came to power could political issues be discussed"*.
- ¹³⁵ EBO, 2010.
- ¹³⁶ KNG, October 23 2013.
- ¹³⁷ Only in the Laiza battle in December 2012 to January 2013, Tatmadaw proceeded to the single largest build-up in its history without achieving a military victory. Davis, 2013: *"Curiously, the government advance on Laiza played to the few advantages the KIA enjoyed in an otherwise entirely unequal contest: intimate knowledge of the terrain, initial control of the heights and far shorter lines of communication and resupply. For this, the Tatmadaw evidently paid heavily in term of casualties."*
- ¹³⁸ New Light of Myanmar, August 13 2011. See also Weng, 2011: *"Aung Min responded that the KIA fought the government first and so the government had to fight back"*.
- ¹³⁹ KNG, 12 July 2011: *"Reverend Laphai Shing Rib, Pastor of Laiza Baptist Church: It is impossible for us to defeat the Burmese Army, which has much stronger manpower and weapons than we Kachin, without the help from Almighty God."*
- ¹⁴⁰ Davis, 2013: *"The difficulties of integrating and adapting to new equipment have undoubtedly been compounded by persistent problems of manpower and morale. Despite the rapid expansion of the military's order of battle over the past two decades, it is no secret that Tatmadaw units in the field are woefully undermanned, underpaid and under-supported"*.

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- ¹⁴² Lambrecht, 2013.
- ¹⁴³ Moe Oo, January 2013 and Republic of the Union of Myanmar Ministry of Defence Press Release, Tuesday, 29 January 2013
- ¹⁴⁴ KNG, 19 January 2012.
- ¹⁴⁵ See May and October 2013 Agreements, as well as press statement of the last meeting between UPWC and ethnic representatives in annex F.
- ¹⁴⁶ Interview in Laiza, August 2013.
- ¹⁴⁷ Interview in Bhamo, August 2013.
- ¹⁴⁸ In Northern Shan on 19th August 2013. In September, fighting was reported in several areas in Kachin state, including Putao, Chipwi and Mansi areas, as well as Northern Shan State.
- ¹⁴⁹ See the Press statement following the meeting, in annex F.3.
- ¹⁵⁰ Humphreys, 2002.
- ¹⁵¹ Woods, 2011.
- ¹⁵² One interviewee mentioned that companies had to make “donations” to the KIO to get logging permits.
- ¹⁵³ Author’s field visit notes.
- ¹⁵⁴ Interviews of the author in Myitkyina in May 2013 and in Bhamo in August 2013.
- ¹⁵⁵ Interview with the TAT leader, Myitkyina, September 2013.
- ¹⁵⁶ Similar example could be found in Nepal during the recent civil war Maoist rebels had set up courts.
- ¹⁵⁷ The same services were provided by ethnic armed groups in other regions to cope with the absence of the state.
- ¹⁵⁸ KIO owns the majority of the shares of the Buga Company that provides electricity to the Kachin State capital, Myitkyina.
- ¹⁵⁹ Humphreys, 2002, p. 18.
- ¹⁶⁰ Leach, 1954, p. 241.
- ¹⁶¹ Egrettau and Jagan (2013), pp. 282-5.
- ¹⁶² See Human Rights Watch, 2012.
- ¹⁶³ Farely, 2012, p.65.
- ¹⁶⁴ Wong, 2012.
- ¹⁶⁵ Robinson, 2013.
- ¹⁶⁶ 91,500 according to the detailed camp profile exercise conducted by UNHCR and Partners in June 2013. See OCHA map in annex G.
- ¹⁶⁷ See the table on displacement pattern in annex H.
- ¹⁶⁸ South, in Humanitarian Practice Network, 2012. Like the displaced populations at the Thai-Myanmar border, there is a greater likelihood for those who have family members in the NSAG controlled area to flee to this area.
- ¹⁶⁹ In the camps, security is generally managed by the camp committee. In the bigger camps, there is generally deterring elements such as fencing, registration of the individuals visiting and roaming duties of night watching.
- ¹⁷⁰ Only the Khat Cho IDP camp, in Waimaw Township is located on a government owned land.
- ¹⁷¹ Only the Khat Cho IDP camp, in Waimaw Township is located on a government owned land.
- ¹⁷² Author’s field notes.
- ¹⁷³ A protection assessment, 2012, see annex H.
- ¹⁷⁴ Recruitment cases by armed groups are still reported in locations in South-eastern Kachin and Northern Shan States—according to several interviews conducted by the author between April 2012 and September 2013.
- ¹⁷⁵ South, HPN, 2012. A number of findings are common but two key differences should be noted: (i) it is impossible in Kachin to do remote management of systematic and large scale relief from China due to local hindrances, (ii) in Kachin, the role of the volume of aid provided by “businessmen” and private donors in KIO areas, is substantial.
- ¹⁷⁶ South, HPN, 2012.
- ¹⁷⁸ In KIO areas for example, there is a very strict enforcement of law by the KIO. Anyone found guilty of a severe crime is punished with life sentence. The firmness of the KIO is notorious in cases of drug addiction for example.
- ¹⁷⁹ Holliday, 2010, p. 119. With Mon State, it would be one of the ethnic States where the main ethnic group is actually a numerical minority.
- ¹⁸⁰ Robinne, 2007
- ¹⁸¹ Some have closer or looser relations with the KIA - as a whole or specific brigades - or with the Tatmadaw. See the table in annex I.
- ¹⁸¹ According to interviews by the author in Muse, Kutkai and Lashio in March 2013.
- ¹⁸² EBO, 2010, p. 3.

¹⁸³ Interview of a NGO worker by the author, Laiza, August 2013.

¹⁸⁴ BNI, 2013, p. 33.

¹⁸⁵ This is the symbolic place where traditional religious and political ceremonies take place. See cover picture.