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ENGINEERING PEACE IN KACHIN STATE



Maj-Gen Gun Maw and U Aung Min at the Ruili talks on March 11 (EMG)

On 4 February 2013, representatives from the Kachin Independence Organisation (KIO) and the Burmese Government's Union Peace-making Working Committee (UPWC) met in the Chinese Town of Ruili (Shweli). It was the first time the two sides had met since the escalation of the conflict in December 2012.

A later meeting, held on 11 March, further solidified the two side's attempts to find a compromise and end the conflict. It was also the first time that the United Nationalities Federal

Council was officially engaged in the peace process on behalf of one of its members. Initial indications suggest that both sides are hopeful that a compromise can be met and an end to the conflict may soon ensue.

The 4 February meeting was extremely important in defusing the tensions between the KIO and the Burmese Government. In December 2013, the fighting between the two sides had intensified and on 14 December 2012 a concerted effort was made by the Tatmadaw to fully control the Lajayang area only 18 km away from the Laiza Headquarters of the KIO. The escalation saw not only ground troops and artillery involved but also, for the first time, the use of air power.

On 18 January 2013, the Government was able to gain control over the Lajayang area forcing KIA forces to retreat to the Lawa Yang front line only 8 km from Laiza.¹ State television then officially announced that there would be a ceasefire in the in the area commencing at 06.00 am on 19 January 2012.² Despite the announcement, the fighting continued and the Tatmadaw finally took the last strategic high ground of Hka Ya Bum on January 26 at an estimated cost of over 120 Tatmadaw dead and nearly 400 wounded.³ This was a serious blow to the Kachin resistance movement and it was expected that a further Tatmadaw offensive would see the fall of its Laiza headquarters. Despite having a strategic advantage, no such offensive occurred.

THE FEBRUARY MEETING

By the beginning of February 2013 the number of clashes had decreased markedly. As a result, further talks were then planned to find a political solution to end the conflict. The KIO delegation was led by General Gun Maw, KIA vice chief of staff, while the government side was led by President Thein Sein's chief Negotiator Aung Min and Livestock Minister Ohn Myint. It was decided that the talks would take place in Ruili, China and that members from the KNU, the RCSS, and the Euro-Burma office would also attend. In addition, the Chinese Government, who had been pressuring the KIO to find a solution to the conflict, offered to mediate the meeting, however, the request was declined and the Chinese sent representatives to observe.

According to the Euro-Burma office, China had objected to its presence claiming it was an international organization, a claim that was rejected by both the Kachin Independence Organisation and the Burmese Government. China had also objected to the KIO and the Government agreeing to the need for ceasefire monitors and the need to provide humanitarian assistance to internally displaced populations. Consequently, these issues were then dropped from the official record of the meeting.⁴

Another problem at the meeting was the fact that no military representation was included in the Government's peace delegation. It was believed, at least by one analyst, that the reason for the lack of military representation was the fact that:

At peace talks on 30 October, the Myanmar military sent senior commanders to participate, but the Kachin sent only lower-level representatives, meaning that military discussions on separation of forces 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.⁵

Despite this, both sides issued a five-point joint statement at the end of the February talks:

1. Talks between a delegation led by Vice-Chairman of Union Level Peace-Making Committee Union Minister U Aung Min and KIO negotiation team, was held in Shweli of Yunnan Province of the People's Republic of China from 9 am to 16:15 pm today.
2. Ambassador Mr Luo Zhaohui of Foreign Affairs Ministry of the PRC, KNU Chairman General Saw Mutu Sae Poe, General Secretary Pado Saw Kwe Htoo Win and one member, Brig-Gen Sai Lu of RCSS/SSA and two members, U Han Nyaung Wai and U Victor Biak Lian, have attended the talks as witnesses.
3. Talks focused on establishing communication channels, reducing military tension, preparing for next talks and the invitation of observers and organizations as witnesses in the next meeting.

4. KIO has agreed to hold the next talks before the end of February after making coordination with UNFC and to continue holding the political talks between the government and KIO.

5. Both sides have agreed to continue to hold talks for emergence of a surveillance system in the conflict-affected areas for achieving ceasefire swiftly between the government and KIO.⁶

While the joint-statement was an encouraging sign it was the March meeting that was attended by the military that would be the most optimistic.

THE MARCH MEETING

The March meeting took place, again in Ruili, from the 11-12 March. It was attended by the Union Peace-Making Committee led by Vice-Chairman of the Committee Minister U Aung Min and Lt-Gen Myint Soe. The KIO delegation led by KIO Standing Central Committee member U Swan Lut Gam, four representatives from the United Nationalities Federal Council (UNFC), two from the SSPP, two from the RCSS, two from the NDAA-ESS, four from the Myanmar Peace Centre and Minister-Counsellor Mr Wang Zongying of the Ministry of Foreign Affairs of the PRC and two from the PRC as observers.

Joint Statement

1. Talks between the Union Peace-Making Committee led by Vice-Chairman of the Committee Union Minister U Aung Min and Lt-Gen Myint Soe and members and KIO delegation led by KIO Standing Central Committee member U Swan Lut Gam were held at Shweli of the People's Republic of China on 11-12 March.

2. It was attended by four from United Nationalities Federal Council (UNFC), two from SSPP, two from RCSS, two from NDAA, four from PCG and Minister-Counselor Mr Wang Zongying from the Ministry of Foreign Affairs of the PRC and two from the PRC as observers.

3. Both sides held a cordial discussion and have reached the following agreements.
 - a) To work till both sides reach the ceasefire based on mutual understanding, respect and trust for starting genuine political talks.
 - b) To continue making coordination for both troops in the conflict areas as the battles could be reduced as a result of the 4-Feb talks and to issue necessary directives and orders to be applied to basic level troops and respective troops of both sides.
 - c) To open Coordination and Monitoring Offices if necessary so as to make field trips and monitor the front lines and to make close coordination.
 - d) To continue to implement the agreements that reached on 4 February 2013 and 11-12 March 2013.
 - e) To hold the next talks by 10 April, 2013.
 - f) To continue making step-by-step coordination for holding country-wide genuine political talks.⁷

According to Dr La Ja, General Secretary of the Kachin Independence Organisation, the talks were much more positive.⁸ Nonetheless, clashes continued to be reported, especially in the KIA 4 Brigade area, and large scale Tatmadaw movements continued in the Lajayang area. Both the KIO and the

Government agreed to reopen the Myitkyina-Putao highway primarily to alleviate food shortages that had caused severe suffering for the local population.

While the meeting had been largely encouraging, it still failed to address the main concern of the KIO in relation to political dialogue, and the KIO saw the meeting as another opportunity to build up trust. Although China continues to exert pressure on the KIO to sign an agreement with the Government, the KIO is insistent that a ceasefire agreement can only be based on a concrete political settlement. Further complications include the fact that the Kachin Independence Organisation has yet to create a military code of conduct which would be instrumental in recognizing rules of engagement between the two armed forces.

While the military situation may be easier to solve once a code of conduct and political dialogue is agreed, the fact that over 200 villages have been destroyed⁹ and approximately 100,000 people made homeless needs to be addressed. Reconstruction and rehabilitation work needs to begin as soon as possible in areas where security can be guaranteed. Many of the internally displaced people remain cautious in regards to the peace process and the conflict has even further diminished their trust in the current Government.

The Myanmar National Human Rights Commission (MNHRC) has previously recommended immediate de-mining; no forced recruitment of soldiers; and easy access for humanitarian aid to the conflict-stricken region. In its statement No (2/2013), dated 28 March 2013, the MNHRC reiterated its calls for:

- armed groups, relevant domestic and foreign organizations should cooperate when demining is undertaken:
- villagers should be educated on landmines:
- armed groups should not under any circumstances commit human rights violations on the local populace:
- there should be no forced recruitment of new soldiers: and
- the Issue of humanitarian access and safe passage for humanitarian supplies should be addressed.

The statement concludes with:

In order to alleviate the sufferings of the displaced persons and also to contribute more to the peace talks, it is argued again that while the peace talks are being held with the objective of ultimately achieving peace in the Kachin State, the above mentioned recommendations of the Myanmar National Human Rights Commission should be implemented as a priority.

April peace talks which were originally scheduled at the beginning of the month have been moved towards the end of April due to the inability of some observers to attend. The talks, which are due to be held in Myitkyina, a location previously refused by the KIO, offer another opportunity to build up trust between the two sides and hopefully see a final cessation of hostilities. In the meantime, serious consideration needs to be given to the recommendations of the MNHRC by the Burmese Government, the KIO, and the international community.

Notes

¹ 'Kachin army digs in for final assault', Mon Mon Myat, Bangkok Post, 27 January 2013

² <http://english.cntv.cn/20130119/100574.shtml>

³ 'Pyrrhic victory in Myanmar', Anthony Davis, Asia Times Online, 31 Jan 2013

⁴ 'Ethnic Coordination & Unity', EBO Briefing Paper No.2, February 2013

⁵ [A serious threat to peace in Myanmar, by Jim Della-Giacoma, 10 January 2013](#)

⁶ 'Union Level Peace Making Committee holds peace talks with KIO',

New Light of Myanmar: Tue 5 Feb 2013

⁷ 'Peace talks between the Union Peace-Making Committee and KIO held', New Light of Myanmar, 13 March 2012

⁸ Personal Conversation with Dr La Ja, 21 March 2013

⁹ [Kachin Baptist Convention says 66 churches and over 200 member villages destroyed](#)