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KARENNI (KAYAH) STATE

THE SITUATION REGARDING THE PEACE PROCESS IN KARENNI (KAYAH) STATE

In February 2012, the Burmese Government's main peace negotiator, U Aung Min, met with representatives of the Karenni National Progressive Party (KNPP) in Chiang Mai, Thailand. The move was another step towards securing peace throughout the country with armed ethnic groups. The focus of the talks, the second after an initial meeting in November, centred on the Government's practice of confiscating farmland from local villagers and the suspension of dam projects to allow local consultation with affected parties.

Similar to information released after initial meetings between the Government and the Karen National Union, media reports offered conflicting information. Reuters reported on 16 February 2012 that U Aung Min had apparently announced that the KNPP was set to ink the deal on 1 March 2012, a statement denied by KNPP Secretary - 1 Khu Oo Reh who responded that:

Aung Min said that, but we think that he trumped it up because the [Burmese] government wants international countries and organizations to think their efforts are fruitful. He's just trying to get credit. In our first meeting with them, they did not fix a date. He told them that without informing us.¹

Regardless of such misperceptions, the KNPP met again with the Government in Loikaw on 7 March 2012. The Burmese Government was represented by Karenni State Chief Minister Khin Maung Oo, Minister U Aung Min, Minister Soe Thein, Minister Nyan Tun Aung, Minister Than Htay, Minister Khin Yi and Minister Khin Maung Soe. The KNPP delegation included Khu Oo Reh; Karenni Army Commander-in-Chief Bee Htoo; Karenni Army Colonel Phone Naing. The meeting was observed by U.S. attaché Andrew Webster; second secretary of the British Embassy Joe Fisher; and United Nations High Commissioner for Refugees representative Hans ten Feld.² During the meeting, the KNPP agreed to a cease-fire, to open liaison offices in suitable locations and to hold union-level peace talks at a later date.

On 9 June 2012, the KNPP once more met with the Peace negotiating team to discuss an agreement that would build upon discussions that took place in March. The signed agreement contained the following points:

Agreement (1)

Both parties recognize that there has been no more fighting in Kayah State since an initial cease-fire agreement was signed at the State-level talk on 7 March 2012. Both parties agree to not attack or conduct offensive military actions except in self-defense. Both parties agree to have further discussions about control of military forces under each command and discussions regarding the battalions under control of division headquarters at the next Union-level talks.

Agreement (2)

2-1: Both parties agreed to discuss and resolve the designation of troop encampments and areas of troop movement at the next Union-level talk.

2-2: Both parties agreed to set up the main liaison office in Loikaw and two branch offices in Shadaw and Phasaung, then more branch offices will open in other townships if agreed to by both parties. The Union government will help provide facilities for better communications at the liaison offices.

2-3: Both parties shall agree on the appointment of liaison officers.

Agreement (3)

Both parties agree to form a local monitoring body to improve the peace building process and to verify terms of the cease-fire agreement between the Government and KNPP. Both parties also agreed to submit member lists for agreement and then assignment to the monitoring body.

Agreement (4)

Both parties agreed to form a state-level survey committee to assess the real will of local people regarding construction of military training facilities. The committee will submit a fact finding report to the President on July 10, 2012 at the latest.

Agreement (5)

Both parties agreed to consultation on establishment of rehabilitation program for the IDPs.

Agreement (6)

To ensure transparency on the planned mega-projects (including the Ywathit Hydropower Project), both parties agreed to provide information to the public and to allow the local people and community-based organizations to seek information.

Agreement (7)

Both parties agreed to work hand-in-hand with the national human rights commission to stop human rights violation in Kayah State. Additionally, both parties agreed to form a local monitoring group for action related to human rights violations.

Agreement (8)

Both parties agreed to continue to allow the existing INGOs and NGOs working on education, health, development and social works in Kayah State. Both will report to State and Union governments during the transition period.

Agreement (9)

The government agreed to provide assistance or to allow international organizations to provide assistance to the members and families of the KNPP. The government will assist in getting permission from relevant departments or organizations if the KNPP wants to run a legal business or enterprise.

Agreement (10)

The Government agreed to gain release of detained political prisoners associated with the KNPP. This does not include prisoners incarcerated for crimes.

Agreement (11)

Both parties agreed to form an observer group with mutually acceptable members to improve the effectiveness of the political negotiations process between the two parties.

Agreement (12)

The KNPP agreed to cooperate with both Union and State governments for eradication of illegal drugs and rehabilitation of drug addicts.

Agreement (13)

Both parties agreed to hold nation-wide political dialogue as soon as possible with political parties, ethnic organizations and ethnic armed groups that have already signed cease-fire agreements with Government.

Agreement (14)

Both parties agreed to remain bound by agreements signed on March 7, 2012 at the State level and on June 9, 2012 at the Union level.³

On July 25, the KNPP was able to open its first liaison office in the Karenni State capital of Loikaw with the two others to be opened later. While initial signs have been good there remain a number of obstacles to be addressed. TBBC estimated in June 2012 that they were feeding approximately 17,000 refugees in the two Karenni refugee camps in Thailand's Mae Hong Son Province.⁴ In addition to those refugees seeking shelter in Thailand, there are also an estimated 35,000 people displaced in Karenni State itself. A large number of those

displaced had their land confiscated by the Burma Army as part of its self-reliance programme and also due to the building of a new training camp in Hpruso Township.

Most recently, on 28 June 2012, a minor clash occurred between the Karenni Army and Burma Army Light Infantry Battalion No. 530 resulting in five Burma Army soldiers wounded.⁵ While this was an isolated incident, it does suggest that such problems may continue in the future. At the moment, there are 15 Burma Army Battalions stationed in Karenni State, ten are based out of Loikaw and the other five out of Pekhon.

In addition to the refugee/IDP issues and militarisation, there are also major concerns regarding the construction of three hydro-electric dams. The Datang Corporation of China has signed a memorandum of understanding with the Burmese government to build the dams, the largest of which is at Ywa Htit on the Salween River and there will also be two supplementary dams constructed on the Pawn and Thabet tributaries.

BACKGROUND

Under colonial administration Burma was divided into two very distinct entities: Burma proper or ministerial Burma, consisting only of what are now the majority divisions of the country, and the excluded areas which were comprised of what is now Karen State (then known as the Karen Salween Hill tracts), Chin State (Chin Hills), Arakan State (Naga Hills) and Shan and Kachin States (Federated Shan States). During the 18th and 19th centuries Karenni State was split into five sub states, each ruled by a King called a Saophya and therefore did not come under the direct rule of either the Burman Kingdom or Britain.

In 1875 the Burmese monarch and the British government, made an agreement that formally recognised the independence of the four western Karenni sub states (the fifth Karenni sub State was included in the Union of Burma in 1888 following fighting between the British and the local Saophya). The four Karenni Saophyas were left to continue ruling their sub states. The Karenni, like many of the other ethnic groups, allied themselves to the British during the Second World War and, like the other groups, believed that the British would allow them to continue with their independence after the Japanese defeat.

In February 1946, Shan Sawbas invited the Karenni Saophyas to attend an ethnic conference to be held at Panglong. The Karenni Saophyas refused to attend the meeting stating that as a separate independent state outside British-Burma there was no reason for their attendance. That year, on the 11th of September 1946, the Karenni leader, U Bee Tu Ree, the Myosa of northern Bawlake, announced the formation of a United Karenni State Independent Council (UKSIC) comprising all four Karenni states. Less than a year later, in November 1947, Saw Maw Reh and members of the UKSIC formed the Karenni National Organisation (KNO) and it was these organisations that would seek to represent Karenni interests.⁶

As far as it was concerned, the British government had already made allowances for the former frontier areas to be given special dispensation for self rule in any future independent Burma. Aung San and a number of AFPFL representatives, minus any ethnic members, were invited to London for discussions with then Prime Minister Clement Attlee. Despite the fact that Attlee had received a cable from the Shan Sawbas stating that '*Aung San and his delegation did not represent the Shan and the frontier areas*' talks continued.⁷ The result was that the Aung San – Attlee agreement, originally designed to give the country full self-government within the commonwealth, stated that ethnic states, including Karenni, could decide for themselves if they wished to join with the Union of Burma. It also stated that a conference to discuss ethnic representation must be arranged by the AFPFL.⁸

The subsequent conference, held at Panglong in Shan State on the 12th of February 1947, resulted in the signing of what became known as the Panglong agreement.⁹ This agreement provided for autonomy for both the Shan and Chin states and the future demarcation for a Kachin state.¹⁰ The ethnic issue was also later addressed in the 1947 constitution which included a provision that ethnic states could secede from the Union but not within 10 years of the constitution coming into law.¹¹

The situation for the Karenni however was more complex. After the Panglong agreement the British Government ordered the Frontier Areas Commission of Enquiry (FACE) to gauge reaction to the Panglong agreement. While the FACE report recognized the independence of Karenni it also believed that a future Karen state could be designated to include both. It was noted that:

Whether the Karenni State should merge with the Karen State or not is a matter left entirely to the people residing within Karenni State to decide. If the Karenni State is willing to merge with the Karen State, the matter can be regulated under section 180 of the Constitution.¹²

After a number of consultations with the people, Karenni representatives made it clear that it sought an independent Karenni state outside of the Union of Burma. Regardless, Karenni state was included as a special area of Karen State under section (180) of the 1947 constitution.¹³ In an attempt to change the constitution a four man Karenni delegation, led by Saw Wunna, was sent to Rangoon on the 14th September 1947 to meet with the AFPFL. After apparently accepting bribes, Saw Wunna and another member of the delegation, U Sein, joined the AFPFL as Karenni State representatives and attended the constituent assembly on the 19 September 1947.¹⁴

On 9 August 1948 at 04:00 am, AFPFL military police attacked the headquarters of the Karenni National Organization in Mya leh Daw. Karenni villagers took up arms and numerous attacks were made against the central government to protect Karenni interests. In response, the United Karenni States Independence Army was formed, on 17 August 1948, to fight against the Burmese government. U Bee Tu Ree, Chairman of the KNO, was later captured and purportedly placed in a sack, dragged behind a car, and then thrown into the Belachaung River on the 8 September 1948.¹⁵

SPLITS WITHIN THE KNPP

The anti-regime KNPP saw a number of factions split from the group since its creation. The first, the Karenni National People's Liberation Front (KNPLF), originally split due to ideological differences in 1978 but did not come to an arrangement with the Burmese Government until 1994. While the KNPLF proved to be the strongest pro-regime Karenni party it was actually the second to sign a ceasefire. The first, the Kayan National Guard (KNG), joined the junta in 1992 but saw its role in the Karenni nationalist movement side-lined due to its reliance on the narcotics trade.

Another ex-KNPP group, the Karenni National Defence Army (KNDA), also operated in the area although its presence and low strength saw its status mainly relegated to that of a militia. The KNDA, as with the much larger DKBA in Karen state, was used by the SPDC in attacks on refugee camps in an attempt to portray the conflict in the area as Karenni in-fighting thus masking the regimes role in the attacks.

Two further groups also were involved in Karenni State. The Karenni National Solidarity Organization (Ka-Ma-Sa-Nya), led by Ka Ree Htoo (aka Richard), broke away from the Karenni Army's HQ in November 1999 and signed a ceasefire agreement with the junta in 2003. It maintained a headquarters in Kemapew (near Pasaung)

on the Salween River. The KNSO also built a camp at Ka Ser Pia Tin near Lo Ka Lo and maintained a small force of 20 soldiers in Mawchi that worked under the authority of the Burma Army.

Another breakaway faction was the KNPP (Hoya) formed by a former township chairman Koe Ree and secretary Saw Bae Bey of the No 4 Township of Gekaw Region. The two leaders and 14 other individuals officially surrendered on the 22 November 1999 together with 10 assorted guns, 10 magazines and 115 rounds of ammunition.

Notes

¹ 'First priority cease-fire, then dialogue: KNPP', Kyaw Kha, Mizzima, 22 February 2012

² 'U.S., British diplomats observe Karenni, gov't peace talks', Myo Thant, Mizzima, 8 March 2012

³ Email correspondence between BCES and Khu Oo Reh, KNPP Secretary-1

⁴ Burmese Border Displaced Persons: June 2012, TBBC

⁵ Personal correspondence with Khu Oo Reh, 25 July 2012

⁶ 'The 50th Anniversary of the Karenni National Resistance Day', KNPP Information Committee, 1998, p14 and personal correspondence with Khu Oo Reh, 25 July 2012

⁷ 'The Shan of Burma', C.T. Yawnghwe, ISEAS, 1987 p. 99

⁸ See the Aung San-Attlee agreement clause 8 reproduced in Rhododendron, Vol. 4 No 1, 2003, CHRO, p. 8

⁹ A The first Panglong Conference occurred in March 1946

¹⁰ It must be noted that the 1947 constitution did not allow the Kachins to secede. See Union of Burma, Constitution, 1947, Chapter IX, 178

¹¹ Union of Burma, Constitution, 1947, Chapter X, 202

¹² Regional Autonomy Enquiry Commission, GUB, 19 February 1949

¹³ 'The 50th Anniversary of the Karenni National Resistance Day', KNPP Information Committee, 1998, p19

¹⁴ Ibid. p20

¹⁵ Ibid. p23