



CENTRAL COMMITTEE  
**KACHIN INDEPENDENCE ORGANIZATION**

26 September 2011

His Excellency Mr. Ban Ki-Moon  
Secretary-General of the United Nations  
United Nation Headquarters  
New York, NY 10017, USA

Dear Mr. Secretary-General

On this occasion, I am writing to you on behalf of the people of Kachin State and as a Chairman of KIO (Kachin Independence Organization). We are very appreciative of your office's current efforts regarding the ethnic minority issues in Burma. In an effort to assist you, we believe that a full set of facts and relevant information will help provide a strong basis for new solutions to the current ethnic conflicts of Burma.

The current Union of Myanmar is demarcated and united by our diverse ethnic people and their ancestors' territories. After World War II, on the 12<sup>th</sup> of February in 1947, the historic Pang Long agreement was made between the ethnic people living in frontier areas and the people living in the Burma proper areas. At that time we were all unified in our efforts to draft an agreement to obtain Independence from the British government. The main objective of the Pang Long agreement was to build up a genuine Federal Union in which it properly address the fundamental rights of all indigenous people, addressing the concerns of the ethnic people and equal political rights for all. Despite the fact that Burma achieved independence in 1948 as the Union of Burma, it has been operating as a Unitary System, rather than practicing a true federal system as agreed to by independence leader, Gen. Aung San and ethnic leaders.

Over the last 60 years, each successive government has ignored these agreements and broken the promises of building a federal union. In fact they have found new ways to suppress the concerns of the ethnic minority people; continuing to ignore our basic rights despite our willingness to resolve these differences through peaceful means. This on-going disrespect of our original agreement ensured by the Burman majority rulers, has driven the ethnic minority to maintain arms to protect our peoples and to ensure our basic rights, self-determination and promised autonomy inside our own lands.

As you surely know, throughout our country there are civil wars between the many armed forces of the ethnic groups and the government troops. Through successive governments our country's leaders have never tried to solve the ethnic problems through political means. Instead, they have always sought to portray our ethnic armed groups, who are fighting for the people's rights, as insurgents or terrorists. True ethnic reconciliation cannot be achieved in our country as long as the government perceives and portrays our ethnic armies as an "insurgent problem".

Since independence in 1948, the ethnic minority territories have been pushed to the outer edges of our country, bordering all of our neighboring nations. And civil war is happening in almost all of the border areas of the Union of Burma. One can interpret this civil war as a people's war to secure equal rights for not only the ethnic minority, but also the problems of un-equal development in the country. It also presents a very complex set of national security issues. As such, these civil wars are not only the concern of our own country, but also viewed as problematic and burdensome for our neighboring nations.

Set in this complex environment, the KIO has been trying to resolve a civil war through political means since 1994. It was then that the KIO entered a ceasefire with the military government and attended the National Convention to draft a new constitution. After conferring with our Kachin people, as well as the KIO leadership, we submitted a just proposal at the National Convention. The military government ignored these and nearly all other recommendations from the ethnic minorities. In the end, they rewrote the constitution themselves, and held a referendum in 2008 to solidify their plans. It is important to note that the military government's invitation to the ethnic armed political groups at the National Convention was for nothing more than show, a tragic missed opportunity to demonstrate true sincerity.

With the constitution in place, the military government was ready for organised elections in 2010. With this kind of foundation it was of no surprise that the elections were not free and fair for all. The government officially announced that a total of 3400 villages, including the villages under KIO controlled areas, were completely banned from election voting. With this declaration, a single ethnic minority population of over two million people instantly lost their rights to vote. Political parties who represented the concerns of these and other ethnic groups were also not allowed to participate in the election. The military government did not engage with the ethnic minority groups to find a political solution through peaceful means. The next step in the plan was to put pressure on the armed ethnic groups by demanding their surrender and reconstitution as a "Border Guard Force".

Formation of the Border Guard Force is no substitute for a political solution to end the civil war. For this and many other reasons the KIO and all other major armed ethnic groups rejected this option. Ethnic armed groups who did not accept the BGF were attacked by the military government. Once again, violent civil war is spreading throughout the country. The new civilian government has an opportunity to take a different path than the failed strategy of previous military governments.

On 9 June 2011, civil war broke out in Kachin State; nine months after the military government informed the KIO that it was unilaterally rescinding the 1994 ceasefire. It happened in several other ethnic areas as well. The KIO does not accept that the way to solve civil conflict is through military means. We believe that the only option to solve these civil conflicts is by addressing the political problems through peaceful means and setting up a mechanism to resolve our differences through on-going dialogue.

All that the ethnic minority groups are demanding are basic fundamental rights. These are the same human rights, the same common principles that the United Nations stands for in our world. It is to this end that all the ethnic groups have united and it is with one voice that we are asking for true political dialogue.

Our fear is that the current forces in power are trying to continue their old tactics of “divide and rule”. Recently they announced that the each ethnic armed group must contact their respective State governments for independent peace negotiations. However some of these groups were allowed to bypass this directive and were allowed to negotiate directly with the Union government. Since they were contacted directly by the Union government it seems that their public response and rationale for working with the State governments wasn’t really an attempt to empower the State governments after all. This may or may not have been an intentional strategy by the government to again divide our ethnic solidarity. It is important to note that we believe that the State governments have not been organised in a way that we would expect equal representation on the issue of peace negotiations. If we are to convene true political dialogue among the ethnic minorities of this land, then we need an equitable and defined process with clear support and consistently applied guidelines from the central government, to end our civil conflicts.

For these reasons, it is difficult for the KIO to jump at the State government’s offer to accept peace talks which is destined for inequality. Whether it lacks sincerity and true openness as invited by the government is yet to be seen. If the political dialogue is conditioned solely by the 2008 constitution framework, then, how can it ever end our civil conflicts? Our nation’s ethnic groups desire a platform for political dialogue that acknowledges the root causes of the civil conflict in our country.

When we entered into the ceasefire agreement in 1994, the military government stated that it could not negotiate political issues because it was only “a temporary military government” and that political negotiations must wait until a civilian government was seated. Refusing to recognize that our problems are political and not other issues, the government has demanded our surrender, refused to allow the major Kachin political party to contest the elections, and now attacked us militarily. For these reasons, we will maintain our arms to protect our people until we can reach a political solution.

Recently, during meetings with the state level peace negotiation team, the KIO raised questions to better understand and clarify the intended subsequent terms of the future peace talks. This request for clarity around the assurances and specifics of this political dialogue has not yet seen a reply from the government. The reason for this clarification was that the government was using terms like “Achieved Peace” for the ceasefire period,

and changing our definitions of ceasefire groups to “Peace Organization”. Other questions raised by the KIO to the state government peace negotiation team included the following:

1. Has the new government classified the KIO as an illegal organization?
2. What is the position of the new government towards the mutual respect principles agreed to in the Pang Long agreement?
3. KIO wanted to know the definition of their term “Forever Peace”.
4. KIO wanted to know their plan to achieve “Forever Peace”.
5. Did their idea of achieving “Peace” include more than a mere ceasefire?
6. Who was the responsible person from the government side and his/her status over the subsequent negotiations with the KIO?
7. Why did they say it was not necessary to assign witnesses to this agreement?  
Without proper monitoring of agreements and resolution mechanisms, ceasefires are weak agreements.

The KIO has clearly said that further action cannot be taken if the above questions are not addressed. So far the government has been unable to respond with any direct answers.

The KIO wants the UNFC (United Nationalities Federal Council organised by the ethnic armed political groups), to take the lead in solving the ethnic problems directly with the government. It is our belief that in order to pave the way for peace talks, it is necessary for everyone to stop one-sided accusations. Open and constructive attitude, as a first step will serve us well. It is also noted that through the use of media, newspapers and press conferences, inaccurate information and one-sided accusations continue to deter from the promise of real peace talks. We respectfully ask that all references to the KIO as an insurgent organisation with terrorist actions be abandoned. In order for real peace to begin it will be necessary to stop all similar actions to every ethnic armed group labeled as insurgents by the new government. This will be a true step forward if the Union government is able to drop this language as it prepares for a successful peace process.

Actions towards the Irrawaddy Myitsone Dam construction will be key for the future of harmony in our lands. Throughout our successive governments, there have been policies that monopolised our nation’s natural resources. These policies were formed without consultation of the local people, much like the cultural heritage issues of our regions. As you may already be aware, the Myitsone dam construction is a huge project with potential negative environmental risks to our entire nation. Therefore, the Kachin populace, including the KIO, denounces such acts of improper decision making by those behind this project. The KIO is also calling for the Myanmar and Chinese governments to halt the Myitsone dam construction, in line with the significant concerns raised by the 2009 Environmental Impact Assessment, until further studies can be made. This request is made together with the petition papers signed by the surrounding populace. The KIO is taking this issue on as not only a duty of the Kachin people, but also on behalf of the people in the lower river areas and in response to the need to protect our national interests.

Finally, it is well documented that the civil war of the Union of Myanmar, which is based on the ethnic conflict, directly affects the regional development and stability of the neighboring countries as well. Therefore, the KIO is humbly calling for all stakeholders and international communities, such as United Nations, ASEAN and our bordering countries, to help us find a solution towards ending our civil war and finally achieving national reconciliation in the Union of Myanmar.

Yours truly

A handwritten signature in blue ink, followed by the date '26/9/11' written below it.

(Lanyaw Zawng Hra)  
Chairman  
Central Committee  
Kachin Independence Organization

## **Brief Data of Kachin Independence Organization (KIO)**

- In 1947, the Pang Long agreement was reached and thus, the Union of Burma was born. The ruling U Nu government never practiced Federal system but implemented a unitary system in the country. Though the ethnic leaders tried to raise the genuine federal system within the parliament, it failed and was denied. Therefore, in order to build up a genuine Federal Union to achieve the basic rights of the Kachin populace and equal rights for all, the Kachin Independence Organization was established on 25 October 1960.
- The Kachin Independence Army was established on 05 February 1961, which is the military wing of the KIO.
- The KIO wishes to find solutions to the civil conflict through the means of political dialogue.
- The KIO had two meetings with the Revolutionary government in 1963 and 1972, and then in 1980-81 with the Burmese Socialist Programme Party. The government demanded the KIO to surrender their arms. The negotiations failed and the parties were never able to discuss political issues.
- On 24 February 1994, the ceasefire agreement was reached with the State Law and Order Restoration Council military government. Although the KIO is expecting political negotiation to follow, within the 17 years of ceasefire, the government never opened the door for political dialogue to solve the ethnic problems. During this period, the KIO was able to implement regional development especially in areas of education, health and civil projects such as road and communication development for the people.
- The KIO fully participated in the National Convention, as requested by the military government, but the KIO's proposals were ignored.
- In 2009, the military government ordered the ethnic armed groups to transform into the Border Guard Force. This transformation was not a viable solution that the ethnic groups could accept. Therefore, the KIO, along with the other major ethnic groups, rejected this mandate and requested other approaches.
- The military government rejected the KSPP and NSPP's application to participate in the political process and 2010 elections, leaving the Kachin population without their main political parties to represent them in the new civilian, so-called democratic government.
- The military government informed the KIO in September 2010 that it was unilaterally rescinding the 1994 ceasefire agreement with the KIO.
- By the military government's intensive military pressure towards the KIO. On 09 June 2011, the ceasefire agreement was broken when the government troops began shooting at our armed ethnic troops that protect our people.