

PEACE Update

Yangon, Myanmar

1 June 2015 – 3 July 2015

Myanmar Peace Process

2-9 June 2015: Ethnic Leaders' Summit (Law Khee Lar, Karen State). Leaders of Ethnic Armed Organizations (EAOs) have declined to sign the Nationwide Ceasefire Agreement (NCA) in its present form and outlined the following changes to the March 2015 draft NCA. See the attached report, "Summit of the Top Leaders of Ethnic Armed Organizations, Resolutions and Minutes" for details.

a. In accordance with Paragraph 2 of the Resolutions and Minutes, there are 10 proposed substantive changes to the wording of the document. Note that comments in Paragraphs 2.4 and 2.12 do not represent changes to the document, so there are only 10 requested changes.

b. In accordance with Paragraph 3, EAOs will sign the NCA collectively, to include the Myanmar National Democratic Alliance Army (MNDAA, or Kokang), Ta'ang National Liberation Army (TNLA), and the Arakan Army.

c. In accordance with Paragraph 4, EAOs expect the President, both Vice Presidents, Speakers of the Pyithu and Amyotha Hluttaws, the Commander in Chief of Defense Services, the Attorney General, and the Vice Chairmen of the Union Peacemaking Working Committee to sign the NCA. Likewise, both the Chairman (or Secretary General) and the Commander in Chief of each EAO will sign the NCA.

d. The EAOs expect the United Nations, the Association of Southeast Asian Nations, the United States, China, India, Thailand, the United Kingdom, Japan and Norway to sign the NCA as witnesses.

In addition, EAO leaders have appointed a new 15-member negotiating team, lead by Naw Zipporah Sein of the Karen National Union, to continue NCA negotiations with the Myanmar Government, as the Nationwide Ceasefire Coordination Team mandate to produce a draft NCA has been completed.

22 June 2015: Meeting between representatives from the Union Peacemaking Working Committee (UPWC) and EAOs (Myanmar Peace Center, Yangon). The Myanmar Government's Chief Negotiator U Aung Min, Lt Gen Thet Naing Win, and U Khin Yi met with EAO representatives Nai Hong Sar, Kwe Htoo Win, and Htun Zaw on 22 June. U Aung Min reiterated the Myanmar Government's position not to accept further changes to the March 2015 draft of the NCA, emphasizing that any delays to the NCA will extend the peace process beyond the 2015 elections. Kwe Htoo Win argued that the changes to the wording of the NCA could easily be implemented, which the EAO Summit minutes and resolutions seem to indicate. However, throughout the negotiations process, the Myanmar Government has steadfastly refused to agree to EAO demands for seven witnessing countries from the international community and for key members of the Myanmar Government and the Commander in Chief of Defense Services to co-sign with the President. In addition, the Myanmar Government has refused to negotiate with the Kokang, TNLA, and Arakan Army and to allow these organizations to sign the NCA.

2 July 2015: EAO Negotiating Team Coordination Meeting (Chiang Mai). The newly-formed EAO negotiating team held a coordination meeting in Chiang Mai on 2 July, in advance of a 3 July meeting scheduled with the Myanmar Chief Negotiator U Aung Min. As the Myanmar Government has not agreed to continue NCA negotiations with the EAO negotiating team, team leader Naw Zipporah Sein expects the meeting to focus on the future timeline for the peace process rather than substantive negotiations. Several press sources have described this new team as "hardline," but Naw Zipporah insists that team members are committed to finding an acceptable way forward for the peace process.

Ongoing Conflict

Kokang Conflict

Although the Kokang issued a unilateral ceasefire with the Myanmar Army effective 11 June 2015, the Myanmar Army attacked Kokang positions in northern Laukkai Township on 12 and 13 June with heavy weapons and light infantry. The Kokang ceasefire statement cited pressure from China and the desire not to derail the 2015 election process in other areas in Myanmar.

Kachin Independence Army (KIA)

After clashes throughout May 2015, followed by a series of airstrikes against KIA forces and positions by the Myanmar Army in late May, clashes between the KIA and the Myanmar Army continued unabated throughout June 2015, centered in Hpakant Township and northern Shan State. Kachinland News reported armed contact at the following locations:

- a. **1 June 2015:** Kutkai Township (northern Shan State), between the KIA 2nd Battalion and Myanmar Army forces
- b. **3 June 2015:** Nam Mwi Bridge, near Mung Ya Village (northern Shan State), between the KIA 36th Battalion (supported by the Kachin People Militia) and Myanmar Army forces
- c. **15 June 2015:** KIA's Naw Lang Post, in Hpakant Township (Kachin State), between the KIA 6th Battalion and the Myanmar Army 423rd/434th Light infantry Regiments
- d. **15-16 June 2015:** Awng Lang Village (Kachin State), where there were four encounters between the KIA 6th Battalion and Myanmar Army forces
- e. **15-16 June 2015:** Hpawng Seng Village, Muse Township (northern Shan State), between the KIA 38th Battalion and Myanmar Army forces
- f. **16 June 2015:** Kutkai Township (northern Shan State), between the KIA 9th Battalion and the Myanmar Army 77th Light Infantry Division
- g. **18 June 2015:** Gwi Hka Village (Kachin State), between the KIA 6th Battalion and Myanmar Army 425th Light Infantry Regiment
- h. **19 June 2015:** Seng Hpra Village, Hpakant Township (Kachin State), where the Myanmar Army 421st Light Infantry Battalion fired a rocket-propelled grenade (RPG) that destroyed a Christian Church
- i. **19 June 2015:** Jawng Kawng Dingsa Village, Kutkai Township (northern Shan State), between the KIA 9th Battalion and Myanmar Army 99th Light Infantry Division
- j. **20 June 2015:** Hpakant Twin Bridge (Kachin State), between the KIA 6th Battalion and Myanmar Army forces
- k. **21 June 2015:** Sut Leng Yang Village, Hpakant Township (Kachin State), between the KIA 6th Battalion and Myanmar Army forces
- l. **25-30 June 2015:** Near the villages of Man Yang, Nawng Jang, Nawng Hpai, and Man Pying (northern Shan State), a series of battles between the KIA 38th Battalion and the Myanmar Army 88th Light Infantry Division
- m. **26 June 2015:** Muse Township (northern Shan State), between the KIA 34th Battalion and the Myanmar Army 16th Military Operations Command

n. **29 June 2015:** Hkum Tsai Zup Village, Hpakant Township (Kachin State), between the KIA 6th Battalion and the Myanmar Army 336th/421st Light Infantry Battalions (supported by the Tai Leng Militia, aka the Red Shan Militia)

Of note, to mark the 5th year of conflict between the KIA and the Myanmar Army, Daw Seng Raw of the Metta Development Foundation reported on 9 June that there are presently 130,000 internally-displaced persons (IDPs) amongst 172 camps in Kachin and northern Shan States. While the KIA battles the Myanmar Army, local aid agencies battle donor fatigue, with each IDP receiving a mere 200 kyat (0.20 USD, or 20 cents) per day in daily food rations.

Ta'ang National Liberation Army (TNLA)

TNLA sources reported the following clashes between the TNLA and the Myanmar Army at the following locations in northern Shan State:

15 June 2015: Between Lung Kam Village and Ja Ram Village, Kutkai Township, between the TNLA 101st Battalion and Myanmar Army forces

20 June 2015: Nam Twe Village, Nam San Township, between the TNLA 987th Battalion and the Myanmar Army 77th Light Infantry Division

20 June 2015: Tar Let Village, Nam San Township, between the TNLA 434th Battalion and the Myanmar Army 77th Light Infantry Division

Presently, battles are ongoing between TNLA forces and the Myanmar Army 33rd/77th/88th/99th Light Infantry Divisions in several areas in northern Shan State. TNLA officials have report a massive influx of Myanmar Army forces to the area.

Arakan Army

As of 30 May 2015, 31 civilians have been bound over for trial in Kyauktaw Township (Arakan State) for their alleged illegal association with the Arakan Army, after the Arakan Army clashed with the Myanmar Army in northern Arakan State on 29 March 2015. As the Arakan Army does not have a ceasefire agreement with the Myanmar Government, the terms of Articles 17(1) and 17(2) of the Unlawful Associations Act [India Act XIV, 11 December 1908] continue to apply to individuals who support the Arakan Army.

United Wa State Army (UWSA)

The Myanmar Army has released 16 members of the UWSA in Mongton Township (eastern Shan State) for illegal logging on 2 June 2015. While the SHAN Herald Agency for News has reported that the UWSA has agreed to pay a hefty fine and that tensions have been reduced somewhat ("Burma Army: All Quiet on the Southern Front," 1 July 2015) the Irrawaddy reported the continued increase in militarization by both the UWSA and the Myanmar Army in the Wa Special Region and surrounding townships ("UWSA Vows Peaceful End to Tensions with Burma Army," 30 June 2015).

National Socialist Council of Nagaland (Khaplang), aka NSCN(K)

Although there have been no clashes between the NSCN(K) and the Myanmar Army since their bilateral ceasefire agreement in 2012, the Indian Army reported that NSCN(K) ambushed an Army convoy in Manipur on 4 June 2015, killing 20 Indian soldiers. The Indian Army launched a counterattack on the NSCN(K) on 9 June, at two locations in India and one location in northern Sagaing Division (Myanmar). On 30 June, the Indian Express reported the capture of Khumlo Abi Anal (aka Ambison), a "regional Chairman" of NSCN(K) in Manipur's Chandel District, by India's National Investigation Agency on 29 June. While Myanmar Government officials deny that India crossed into Myanmar territory, they admit that Myanmar and India conduct military-to-military cooperation activities with regards to armed groups who cross the Myanmar-India border.

Democratic Karen Benevolent Army (DKBA)

On 2 July 2015, fighting broke out again in the Kawkareik Village area (Karen State), on the Myanmar side of the twin cities of Myawaddy and Mae Sot, Thailand. DKBA sources report an increase in Myanmar Army forces in the area around the new Asia Highway, which was closed for several hours during the clash.

Myanmar-Bangladesh Border Conflict

On 17 June 2015, forces from the Bangladesh border guards and the Myanmar Army exchanged gunfire near the Rakhine coastline along the Naf River, with the Myanmar Army arresting one Bangladesh border guard. The Myanmar Government offered to repatriate the Bangladesh guard if the Bangladesh Government accepted 600 of the 727 refugees that had been intercepted in May 2015 by the Myanmar Navy. However, the Bangladesh Government declined this offer, and Myanmar subsequently repatriated the border guard on 25 June.

Events That May Affect the Peace Process

1. **2008 Constitutional Reform.** Failure of the Myanmar Parliament to approve major amendments to the 2008 Constitution may further reduce the likelihood that the NCA will be signed prior to the 2015 elections. Constitutional reform is a critical part of the peace process, as the vast majority of EAOs do not accept the 2008 Constitution. In addition, military representatives to the Myanmar Parliament have expressed displeasure in the proposed amendment that would allow State-level Parliaments to propose respective State-Level Chief Ministers for endorsement by the President, rather than their direct appointment by the President. Military representatives claim that this would disrupt the balance of power between State legislatures and the President. While Daw Aung San Suu Kyi has insisted that the Constitution should be amended through the Parliamentary process, it is evident that the Myanmar Army bloc in Parliament will effectively prohibit this from happening, which has further disillusioned EAOs regarding the possibility of long-term political change in Myanmar.

2. **Media Interviews with Commander in Chief of Defense Services, Sr Gen Min Aung Hlaing.** Over the past several months, international media interviews with Sr Gen Min Aung Hlaing have indicated his continued “hard line” stance regarding the peace process. While many domestic news sources have attempted to soften Sr Gen Min Aung Hlaing’s views, interviews with Channel News Asia (January 2015) and Mainichi Shimbun (June 2015), along with The Irrawaddy’s coverage of his visit to China (June 2015) report that Sr Gen Min Aung Hlaing has much harsher opinions on the peace process, including his insistence that EAOs disarm and demobilize as a part of the peace process and accept his “six principles of peace” (which include adherence to existing law and the 2008 Constitution), while defending the 2008 Constitution and existing law as adequate to meet ethnic demands and discounting the need for a federal Union army. Min Aung Hlaing’s views do not correspond with promises made by the Myanmar Government to delay disarmament, demobilization, and reintegration until after completion of political dialogue; eliminate the “six principles of peace” from the NCA; amend the 2008 Constitution and national law as a part of the peace process; and create a federal union.

a. See attached document for January 2015 Channel News Asia interviews, which include a three-part series on Sr Gen Min Aung Hlaing’s views on the peace process, his running for political office, and the possibility of a military coup prior to the 2015 elections.

b. <http://mainichi.jp/english/english/newsselect/news/20150611p2a00m0na005000c.html>
(Mainichi Shimbun interview)

c. <http://www.irrawaddy.org/burma/burma-army-chief-says-ethnic-rebels-should-abandon-arms-make-logical-demands.html> (The Irrawaddy report on Sr Gen Min Aung Hlaing’s visit to China)

Ongoing and Upcoming Meetings and Events

3 July 2015

Meeting between U Aung Min and EAO Negotiating
Team (Chiang Mai)

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