

MYANMAR *weekly* UPDATE

14-20 January 2021

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Declaration for a United Arakan

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IN FOCUS

On 18 January, Rakhine, Rohingya and other community members announced the '[Declaration by the Diverse and United Communities of Arakan](#)', a commitment to 'peaceful coexistence and the building of a new society'. In an online briefing ([transcribed here](#)) to launch the declaration, representatives outlined an ambitious agenda to engage domestic and international stakeholders and tackle a wide array of challenges currently facing Rakhine State. This is a bold and important initiative: just two years ago it would have been impossible to imagine leaders from divided Rakhine and Rohingya communities collaborating publicly. But this milestone will have to overcome serious challenges.

Community representation

The fact that most of the public-facing representatives of the group are from the Rakhine and Rohingya diaspora will evoke criticisms that they don't reflect sentiments held by community members, and that they ultimately have little influence to drive change.

However, at least one prominent member of the Arakan National Party -- Rakhine State parliament speaker San Kyaw Hla -- reportedly gave his support to the declaration, and contacts close to the initiative report wider engagement with diverse representatives of the Rakhine community. This should not be surprising. The Arakan Army has been particularly active in advocating unity between Rakhine and Rohingya communities in western Myanmar, and the Arakan National Party stood on a unity platform in the 2020 general elections: a huge change from its former position of exclusive nationalism.

With the initiative now public, some civil society actors are asking why they were not consulted. But this is not to say there is no sympathy for the sentiment shared in the declaration. Ideally, the declaration represents the start of a longer process of consultation. For now, some political or civil society actors may be taking a 'wait and see' approach before taking a position. This is an unfortunate Catch-22: their absence from the initial session contributes to a poor response to the overall movement.

Hesitancies

Yet it is clear why actors within the country would be hesitant to openly participate. While relationships between communities on the ground have clearly improved from the peak of violent tensions in 2012 and 2017, there remain massive barriers to reconciliation.

Hardline politicians are still active on social media platforms such as Facebook, where they have recently taken advantage of the COVID-19 pandemic to call for even greater segregation of Rakhine and 'Bengali' communities in central Rakhine State. There remains an audience for this sentiment. Furthermore, in a context in which conflict lines can change overnight, politicians will be hesitant to be seen as allying with Rohingya diaspora leaders [accused by the national press](#) of being traitors.

For now, the declaration has opened some discussion online and offline about reconciliation and the declaration. Nyi Nyi Lwin, a public-facing member of the initiative, hopes this will develop into a fruitful national dialogue.

Blowback?

There is a risk that hostile actors who do not want to see reconciliation between Rakhine and Rohingya communities may attempt to undermine this initiative. It should be remembered that the Tatmadaw's levers of control in Myanmar's border regions go beyond sheer military force. It is well-known for its **divide and rule** tactics, which seek to prevent unity among ethnic groups while widening a divide between leaders of ethnic armed groups and the communities they claim to represent.

The timing of this declaration is also perhaps less than fortuitous. The Arakan Army has now established a position on the ground in Rakhine State, and its leaders are in dialogue with the Tatmadaw. But where will this process leave the Rohingya? Will external actors who seek to influence Rakhine State attempt to incite new tensions between communities?

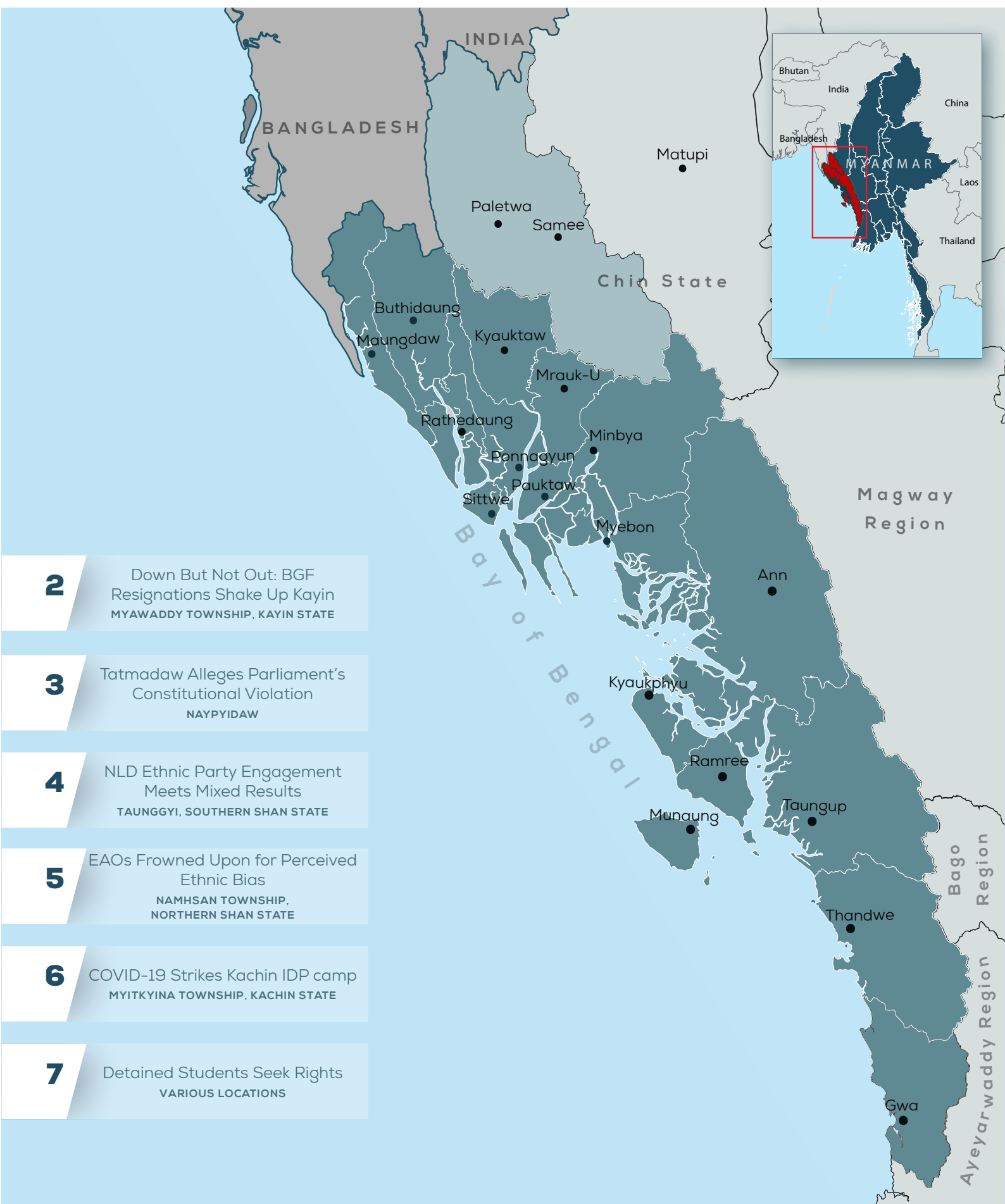
Delicate international engagement

The enthusiasm among international actors for reconciliation in western Myanmar will no doubt prompt many international actors to get behind the declaration. However, social cohesion initiatives such as this need to be locally-owned. This is true anywhere in the world, but is particularly so in the context of western Myanmar -- where nationalism and suspicion of external actors runs strong. Here, the 'INGO-isation' of social movements risks undermining them.

Rather than co-opting this initiative with funding and branding, international agencies should engage meaningfully to understand what support is welcome and where it is needed. It will be important to make space for this initiative and seek wider support for its processes.

Nyi Nyi Lwin wishes to see more engagement between his group and international communities in the future. This includes on; income generation; landmine eradication; reconciliation; communications; education; and improving understanding community perceptions of root causes, national development and reconciliation.

Most of all, the initiative cannot be dismissed out of hand, and deserves an opportunity to engage a wider range of stakeholders and drive change. //



1 Repatriation to be Realised?

MYANMAR-BANGLADESH BORDER

On 19 January, Myanmar, Bangladesh and China held tripartite talks to discuss the return of Rohingya refugees from Bangladesh to Myanmar. Bangladeshi authorities say they have handed Myanmar a list of nearly 840,000 names of refugees verified for return, but say only 42,000 names have been verified by Myanmar, slowing the process down. China previously invited Bangladesh and Myanmar to tripartite talks in 2020, but Myanmar did not reply to the invitation. Perhaps explaining the change in approach, this week's talks follow a visit from the Chinese Foreign Minister Wang Yi to Myanmar on 11-12 January. Myanmar and Bangladesh have said they will attempt another repatriation attempt in the second quarter of the year.

Returns on the cards

Despite the failure of the Myanmar government to improve conditions for the Rohingya inside Myanmar, there is a distinct possibility for Rohingya repatriation at this time. Bangladesh is under significant domestic pressure to present a solution to the refugee crisis, which threatens its political stability, environment and the livelihoods of host community members. At the same time, the security situation inside the camps has deteriorated significantly over the last six months. The fear of armed groups in the camps was on display this week. Some community members blamed the Arakan Rohingya Salvation Army for a fire which destroyed multiple shelters and UNICEF schools, and news of new detentions by the same group were shared on social media. CASS contacts in the camps this week said that insecurity in the camps was driving appetite for return to Myanmar. They also noted concerns about repatriation, including the right to return to place of origin, freedom of movement, access to citizenship, and fear of arrest on accusations of involvement in the 2012 or 2017 violence. As such, international agencies in Rakhine State should expect returns on a small scale. Agencies should engage the government to ensure that those who do return are allowed to settle on their original land, are provided freedom of movement, and are able to access basic service provided by the state. //

2 Down But Not Out: BGF Resignations Shake Up Kayin

MYAWADDY TOWNSHIP, KAYIN STATE

Despite the DKBA being accused of smuggling the arms, sources close to ethnic armed groups remarked that the Kayin BGFs are more likely to be involved in arms smuggling.

On 14 January, at least 7,000 members of the Kayin State BGF Battalion 1018 (Kayin State BGF) resigned to protest the ousting of their top leaders under pressure from the Tatmadaw. Tensions have risen in recent weeks amid controversy over business dealings by the BGF on the Thai-Myanmar Border. This mass resignation followed the removal of BGF senior officer Major Saw Mout Thon under Tatmadaw pressure on BGF General Secretary, Colonel Saw Chit Thu, and Major Saw Tin Win, both of whom resigned after being summoned by the Tatmadaw last week. The Tatmadaw officers met the BGF leaders three times and warned them to quit their positions if they wanted to engage in business activities. Responding to this pressure, Colonel Saw Chit Thu told the media that the BGF would struggle to support 7,000 soldiers, including disabled soldiers and their families, if they cannot conduct business, and requested the Tatmadaw to reconsider this matter.

On 15 January, Tatmadaw officers met with the BGF commander, Colonel Saw Chit Thu, urging him to reconsider his resignation and those of his colleagues. The Tatmadaw Special Operations Commander Lt. General Aung Soe joined the meeting, which was held in Myaing Gyi Ngu -- an area formerly controlled by the Democratic Karen Benevolent Army (DKBA). In the meantime, residents in Myawaddy Town are increasingly worried about

increased numbers of Tatmadaw troops in many parts of the city and suburbs, threatening stability and their ability to trade. An official agreement between the Tatmadaw and the BGF **remains unsettled** at the time of writing, and sources close to ethnic armed groups said the Tatmadaw gave the BGF leaders two months to reconsider their unit's resignation.

Business or arms concerns?

Following widespread public concerns over the USD 15 billion Shwe Kokko city project operated by the Kayin State BGF near the Thai border in Kayin State's Myawaddy Township, the Tatmadaw have finally intervened and asked top leaders to resign. Following the Tatmadaw's urging of all peace settlement groups to convert their troops into Tatmadaw-aligned BGFs in late 2009, the Kayin State BGF was formed in 2010 by 12 battalions from the DKBA and one battalion from Karen National Union splinter group, the Karen Peace Force. The Kayin State BGF has been guarding areas along the border with Thailand in southern Myanmar since, while engaging in business activities, many of them reportedly illegal. The government says it has **suspended the Shwe Kokko project** due to its violation of investment regulations, and government concerns about stability in the project area. The government has transferred the project's supervision from the BGF to the government. In addition to government concerns of illegality, the Tatmadaw leaders are likely to have been worried about the Kayin BGF engaging in arms smuggling across the border. On 24 June 2020, a Thai joint task force **seized** a large cache of Chinese-made weapons, which were believed to be destined for Myanmar, particularly for insurgent groups in Rakhine State. Despite the DKBA being accused of smuggling the arms, sources close to ethnic armed groups remarked that the Kayin BGFs are more likely to be involved in arms smuggling. Media has also previously **reported** that the March 2020 Tatmadaw raid and disarmament of the Kaung Kha militia in Northern Shan State was due, at least in part, to suspected involvement in arms smuggling.

Although the current tension between the BGF and the Tatmadaw is reasonably likely to be de-escalated through talks, it is unsustainable in the long-run. Without a more comprehensive settlement, tensions will rise again when the BGF inevitably re-engages in illegal business as usual. If the Tatmadaw retains its pressure on the BGF leaders to quit, the risk of an escalation in armed clashes rises. International agencies and donor countries should monitor the peace and security dynamics in southern Myanmar. //

3 Tatmadaw Alleges Parliament's Constitutional Violation

NAYPYIDAW

The Tatmadaw has **alleged** that the Pyidaungsu Hluttaw (Union parliament) speaker's refusal to call a special session of the Hluttaw may be in violation of Myanmar's constitution. On 11 January, the Tatmadaw, together with 203 lawmakers, requested a special session of the outgoing parliament to discuss election disputes, a request rejected by the speaker. A call for a special session requires at least one-quarter of the total number of Pyidaungsu Hluttaw representatives. However, the Pyidaungsu Hluttaw speaker denied their request, arguing that electoral disputes are the mandate of the Union Election Commission (UEC), according to article 402 of the constitution. In the meantime, the Tatmadaw **reported** that about 7 million fraudulent votes (for example, multiple voting or voting malpractice) were found in 314 townships.

Alfred Stepan's new professionalism?

The Tatmadaw's interventions in the 2020 election results has been much more serious than its response to the 2010 and 2015 elections. Six days before the 8 November 2020 election, the Tatmadaw **released** a statement accusing the UEC of violating election-related "laws and procedures of the pre-voting process", and asked the government to take "complete responsibility for all the intentional and unintentional mistakes of the commission." Additionally, the Tatmadaw did not hesitate to endorse military-linked political parties by encouraging **soldiers' families** to vote for experienced and educated candidates who understand the law and are committed to "protecting all Myanmar's race and the Buddhist religion". These interventions in electoral politics (and other sectors) by the Tatmadaw can be explained when viewed through the lens of the 'New Professional Doctrine' -- a widely accepted doctrine in the Tatmadaw. New Professionalism, popularized by Professor Alfred Stepan in 1973, encourages military intervention in domestic politics, and suggests the expansion of military expertise to cover political, social and economic affairs. Despite its many critics, the doctrine of 'New Professionalism' is widely accepted in the Tatmadaw as it legitimates their participation in domestic politics. Since

the Tatmadaw officer corps has been thoroughly socialised, both in practical terms as well as ideologically, with the concept of new professionalism, it is unrealistic to expect that it will give up its political role anytime soon. Despite opposition to engagement by human rights groups, international actors cannot discount the fact that exposure to democratic, civil-military relations and military professionalism through training programs in Western countries may contribute to a changing Tatmadaw role. International agencies should monitor Tatmadaw interventions based on the new professionalism doctrine, and consider its implications for peace, security and Myanmar's internal politics. //

4 NLD Ethnic Party Engagement Meets Mixed Results

TAUNGGYI, SOUTHERN SHAN STATE

Most ethnic parties leaders see the engagement by the NLD as an initial step for the national reconciliation process, but one of the most difficult meetings is yet to come.

The National League for Democracy (NLD) has continued its post-election engagement of ethnic political parties. On 15 January, the negotiating team, led by Dr Aung Moe Nyo, held meetings with the Shan Nationalities League for Democracy, Wa National Party, and Lahu National Development Party at the NLD Taunggyi office, Southern Shan State. That these meetings were held at all should be considered a success in itself. The ruling party's negotiating team's proposed meetings with the Mon Unity Party and Kayah State Democratic Party were cancelled after the parties could not decide on a venue. The newly-elected ruling party is yet to meet with Rakhine and Chin ethnic representatives.

Much at stake

Most ethnic parties leaders see the engagement by the NLD as an initial step for the national reconciliation process, but one of the most difficult meetings is yet to come. The NLD will announce a date to meet the Arakan National Party after their Central Executive Committee Meeting on 24 January. So far, the ruling party's post-election engagement with ethnic parties has met mixed reviews, with many ethnic parties left feeling snubbed. Talks with the Arakan National Party will have to be handled carefully, as they have the potential to inform de-escalation of conflict in western Myanmar. This is not least because they will tackle the important question of the state chief ministership -- a heavily politicised role appointed by the Union government. The outcome of the talks may well inform the future trajectory of conflict in western Myanmar. //

5 EAOs Frowned Upon for Perceived Ethnic Bias

NAMHSAN TOWNSHIP, NORTHERN SHAN STATE

On 12 January, around 300 Ta'ang (Palaung) ethnic people staged a protest travelling between Man Loi (upper) village and Manton Town, demanding the Kachin Independence Army (KIA) release six Ta'ang villagers it detained on 10 January. The arrested villagers are from Man Loi (upper), a Ta'ang village in Namhsan Township. The arrest is reportedly related to a local land dispute over the ownership of forest near a Kachin village called Ho Hoke, and the ancestral right to log for firewood there. This arrest, the protest, and the media coverage, have increased tensions between Kachin and Ta'ang ethnic people living in Northern Shan State. Till now, neither the KIA nor the Ta'ang National Liberation Army (TNLA) have responded to this incident. Ta'ang people are not happy with the KIA because they perceive the arrest of Ta'ang villagers to mean the armed group is taking sides with the Kachin community who reported this land dispute to the KIA. Meanwhile, Kachin communities in Northern Shan State believe that the TNLA is biased towards Ta'ang communities in its handling of disputes. A recent notable incident is the TNLA's controversial trial in the murder case of a Kachin man, allegedly committed by TNLA members on 5 June 2020 in Kutkai town, Northern Shan State.

As ethno-nationalism is on the rise, there is a perception of ethnic bias in all sectors, and the humanitarian response is no exception.

Complex context

Dispute resolution in this context is complicated by the fact that there is little coordination of justice systems between the KIA and the TNLA. Such a joint justice system by the KIA and the TNLA, which respects the customary laws and regulations of both Kachin and Ta'ang communities, is not entirely unfeasible, as the armed groups have a close relationship and share many areas of control or influence where a mix of Kachin and Ta'ang populations live in close proximity to each other, especially in rural hilly areas. In the absence of an effective joint justice system, the KIA and the TNLA selectively involve themselves in certain disputes and crime cases. By doing so, at times, they have become caught up in public relations crises due to criticism that their dispute resolution mechanisms suffer from ethnic bias. The recent controversies are unlikely to affect the TNLA-KIA relationship to any great extent, since both remain **committed to their 'perpetual alliance'**. Nevertheless, they will impact communities' grievances against EAOs, and are boosting Ta'ang and Kachin ethno-nationalism while negatively affecting inter-ethnic cohesion. International agencies need to be sensitive about ethnic tensions in the areas of Northern Shan State where they work. As ethno-nationalism is on the rise, there is a perception of ethnic bias in all sectors, and the humanitarian response is no exception. As such, agencies should ensure inclusivity when choosing project communities and in selecting partner organisations, who community members may associate with certain ethnic groups. Agencies with specialised expertise in alternative dispute resolution should consider strengthening the mediation skills and experience of community leaders from diverse ethnic groups. These actors could then take on a mediator role in inter-ethnic conflicts and disputes, and act as advocacy agents -- influencing EAOs to provide more transparent and impartial justice services. //

6 COVID-19 Strikes Kachin IDP camp

MYITKYINA TOWNSHIP, KACHIN STATE

Challenges in IDP camps in Kachin State include an inability to socially distance, a lack of quarantine centres in some camps, and a lack of jobs.

A 15-year-old boy from St Joseph's IDP site, Myitkyina, is **the first COVID-19 patient** to be confirmed in an IDP site in Kachin State. His family members are now in a quarantine center and about 50 people in contact with him have taken swab tests. All contacts tested **negative**. Government authorities have put the entire camp under lockdown, which is expected to be lifted on 20 January if all COVID-19 test results are negative. According to the camp coordinator, the boy will be discharged from Myitkyina General Hospital within the week, but will need a quarantine space, as their camp has no dedicated quarantine center. The camp management committee also worries that he may face discrimination and accusations from other people in the camp if someone gets sick in the future. During the lockdown, humanitarian access to the IDP site for local responders remains open, and KMSS is providing food relief and COVID-19 equipment. The camp houses about 2,000 IDPs but half of the listed residents work outside the camp, mostly in gold or jade mines, or farming in their villages of origin. Most of the camp's residents are either children, the elderly, or particularly pregnant women, who worry about catching the virus during childbirth.

Fighting the COVID-19 battle

Challenges in IDP camps in Kachin State include an inability to socially distance, a lack of quarantine centres in some camps, and a lack of jobs. Despite some WFP monthly cash assistance, IDPs mainly rely on casual work outside the camps and tend to lie about their travel plans

to the camp management committee. According to some camp coordinators in Myitkyina, Waimaw and Bhamo townships, all IDPs were highly alert during the first wave of COVID-19, and the internal camp management committees did not allow people to enter or leave the camps. Since then, regulations have gradually relaxed, except for posting volunteers at camp entrances with sign-in lists of people entering and leaving. Fewer IDPs now abide by the health restrictions, seeming to think the danger is past. International actors and local humanitarian organizations together with local CSOs and CBOs should: ensure quarantine centers are available in all camps; continue education on COVID-19 guidelines and provide food assistance to ensure that IDPs do not travel outside of the camp area during lockdown. //

7 Detained Students Seek Rights

VARIOUS LOCATIONS

On 18 January, the Arakan Students Union (ASU) called on the government to release anti-war student activists arrested for staging protests last year. At a press conference, the ASU Chair Toe Toe Aung claimed that authorities were violating the rights of the detained students by postponing hearings for three months without justification. He also

accused authorities of exploiting COVID-19 to deny family members prison visits. On 15 January, the ASU organized a pamphlet campaign in Sittwe, demanding the unconditional release of students and political prisoners detained across Myanmar. Meanwhile, a court in Mandalay Region this week sentenced a student leader to one year in prison for taking part in a Mandalay demonstration opposing the war in Rakhine State.

Suppressing a call for peace

Despite rights groups and civil society organizations supporting the students' 'a call for peace' campaign, the National League for Democracy (NLD) government and the Tatmadaw likely see those movements as a threat to political stability and to their legitimacy, and thereby seek to suppress them. In September 2020, authorities arrested at least 15 students for participating in anti-war movements and filed charges against them under Section 19 of the Peaceful Assembly and Peaceful Procession Law, Sections 505 (a) and (b) of the Penal Code, and Section 25 of Natural Disaster Management Law. In a 30 September statement, the All Burma Federation of Student Unions called on the public to stand up and support nationwide peace movements against the Tatmadaw. As authorities' continued arrests and ongoing sentencing of 'a call for peace' activists, activists remarked that the same approach is likely to be continued under the newly re-elected NLD government, threatening freedom of expression and peaceful protest. Meanwhile, international actors and human rights organizations should advocate for the government to respond to students' demands, respecting their fundamental rights. //

// Other Developments

- IDPs hoping to return to Rathedaung's Kyauktan village tract -- the site of repeated Tatmadaw operations against the Arakan Army -- turned back this week after finding that Tatmadaw troops had erected temporary camps in their villages. The militarisation of civilian spaces continues to threaten livelihoods, and poses protection and security risks.
- On 18 January, the Karen Peace Support Network [released](#) a statement, calling for international action to respond to Tatmadaw artillery attacks against civilians, and urging all international donors to suspend funding for the peace process. As reported in this previous [CASS Weekly Update](#), the escalation of armed clashes between the Tatmadaw and the Karen National Liberation Army rose in Hpapun Township in 2020 before spreading and displacing over 3,700 villagers in northern Kayin State.
- Daw Aung San Suu Kyi [received](#) the Chairman of the Japan-Myanmar Association and former Member of the House of Councilors of Japan, Mr Wantanabe Hideo, on 18 January. The two discussed the further expansion of Japanese investments in Myanmar and the continued provision of Japanese development assistance. Although the civilian government remains absent from the dialogue between the Arakan Army and the Tatmadaw (which was kick-started by Japan's Special Envoy to Myanmar), it is clear that Japan will continue its approach of constructive engagement -- despite criticisms that it disregards human rights concerns.
- On 19 January, an estimated 100 displaced people in Kyauktaw Township, Rakhine State, [protested](#) against the Rakhine State Government and the Tatmadaw, demanding action to be taken against soldiers who committed abuses in their village, and IDP access to property left behind. Despite appealing to the Rakhine State government on 31 December 2020 for permission to collect their belongings, locals report that the government has given no response.
- The Rakhine State security and border affairs minister has said the [Tatmadaw will engage in landmine removal](#) if an agreement is signed with the Arakan Army. In a separate initiative, the Ministry of Social Welfare, Relief and Resettlement has announced the establishment of the Rakhine State Mine Risk Working Group to focus on Mine Risk Education and victim assistance. Stakeholders should lobby for the inclusion of civil society groups already working in this space.

MYANMAR *weekly* UPDATE / WHAT TO WATCH THIS WEEK / KEY READINGS

// What to Watch This Week

- On 24 January the National League for Democracy will propose a date to meet the Arakan National Party to discuss the coming term of government. Among topics for discussion will be the controversial Rakhine State chief ministership.
- A third group of Rohingya refugees are [expected to be relocated](#) to Bhasan Char from the sprawling Bangladeshi camps between 24 and 29 January, where they will join 3,414 others.

// Key Readings

- Fortify Rights has released a report [The Torture in My Mind: The Right to Mental Health for Rohingya Survivors of Genocide in Myanmar and Bangladesh](#), pointing to a mental health crisis among Rohingya refugees in Bangladesh resulting from pervasive human rights violations and violence.
- Amid uncertainty for the future of peace in Kayin State, [Charles Petrie and Ashley South ask](#) whether international supporters of the peace process will respond to Tatmadaw's violations of the Nationwide Ceasefire Agreement there?
- As the expected retirement of the current Tatmadaw Commander-in-Chief is approaching, [Frontier Myanmar](#) is optimistic about the possibility for the appointment of his successor to be a consensus-reaching exercise between the military and the civilian government -- breaking with past traditions of the Tatmadaw topman simply picking his successor.



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