Peacebuilding amidst war in northern Myanmar

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Introduction

After decades of military rule, Myanmar's 2010 General Election appeared to be a watershed moment. The emergence of a democratic political system, the launching of a formal peace process in 2011 and Aung San Suu Kyi's 2015 election victory inspired hopes that Myanmar was embarking upon what the World Bank dubbed as a 'triple transition': from authoritarian military rule to democratic governance, from a centrally directed economy to a market-oriented economy, and from 60 years of conflict to sustainable peace in the country's border areas.

Yet, alongside these positive changes a number of the country's border areas have experienced some of the worst fighting for more than 25 years. There have been very significant escalations in violence since 2010, especially in Rakhine State (against the Rohingya population), and in Kachin State and northern Shan State in the north-east of the country close to the border with China. In these two northern border areas – which are the focus of this article – previous ceasefires have broken down (notably the 17-year ceasefire with the Kachin Independence Army or KIA) and new insurgencies have emerged. Internally displaced persons (IDPs) now number in the hundreds of thousands and there are continued reports of human rights violations.

The country's high-profile democratic transition encouraged a rush from the international community to engage in Myanmar. Nationally, space opened up for peacebuilding activities, but on the ground in conflict-affected borderland areas this space remains extremely constrained. Peacebuilding efforts face the challenge of how to engage in a peace process where formal dialogue, peace conferences and government-led efforts to strengthen a nationwide ceasefire agreement operate in tandem with ongoing military offensives, worsening violence, increasing restraints on local, national and international development agencies, and sustained attacks on press freedom.

This article explores why the peace process in Myanmar has faced major difficulties in reaching an initial nationwide ceasefire, and how peacebuilding, humanitarian and community development initiatives in Kachin State and northern Shan State continue to face huge challenges despite the country's democratic transition and formal peace process.

The first part analyses one of the central puzzles in Myanmar's peace process: why renewed violence broke out throughout Kachin State and northern Shan State at the same time as a national peace process was launched. It demonstrates how the late 2000s marked a culmination of political, social and economic processes that simultaneously provided the foundations for a military-orchestrated political transition at the centre *and* triggered renewed armed conflict in Kachin State and northern Shan State. It situates the current peace process within a deeper understanding of the contested and unresolved processes of state-building and centre–borderland relations – showing how the country's war-to-peace 'transition', its experiences of ceasefire arrangements, and the prospects for peace look very different when viewed from the margins rather than from the capital, Yangon, or abroad. The second part explores the profound challenges that have faced peacebuilding initiatives led

by local organisations in the northern Myanmar–China borderlands. In doing so, the article critically reflects upon the overly optimistic framing of Myanmar's so-called triple transition and argues that international donors and non-governmental organisation (NGOs) need to centre the experiences of local peacebuilding initiatives when re-assessing how to engage in the country's faltering peace process. This article draws upon extensive interviews conducted by the authors with civil society organisations and local and international NGOs in Lashio, Myitkyina and Yangon between 2015 and 2018.

De-centring understandings of Myanmar's transition

Since independence, much of the country's borderlands with China have remained beyond government control. The KIA administered much of Kachin State while the powerful Communist Party of Burma (CPB) controlled large amounts of territory along the China border and supported an array of other ethnic armed groups. Securing control of the northern Shan and Kachin borderland region has been central to the state-building agenda of successive post-colonial governments in light of its geopolitical importance close to China, its strategic location on the main Myanmar–China trade routes, and its abundant natural resources. However, the region's topography of remote hills and dense forests, and the back channels of cross-border support ethnic armed groups have received, limited the effectiveness of the Myanmar army's counter-insurgency campaigns. The government's use of military force to achieve this has fuelled longstanding grievances and protracted armed conflict in the ethnically diverse borderlands, where the power and legitimacy of the central state has historically been weak and contested.

The false promise of ceasefires and transition

A series of ceasefire deals in the late 1980s and early 1990s – initially with the four main splinter groups of the CPB (which had collapsed in 1989) and culminating with the 1994 KIA ceasefire – gradually transformed the political economy of Kachin State and northern Shan State. By using ceasefire deals to stabilise one of the most contested regions of the country, Myanmar's military government was able to concentrate on restoring control in the rest of the country after nationwide pro-democracy protests of 1988 and continued insurgency elsewhere – including the launch of devastating counter-insurgency offensives in the Thailand–Myanmar borderlands of southern Shan State and Karen State throughout the mid-late 1990s and early 2000s.

Given the precariousness of the government's finances, the ceasefires were also used to establish the stability required to accelerate resource extraction, especially of jade and timber, and expand formal cross-border trade with China. In the late 1980s and early 1990s, the military government legalised cross-border trade through government-controlled trade gates – the most important of which was the Muse–Ruili crossing in northern Shan State which links China to Mandalay – and devised new foreign investment and land laws, allowing the government to allocate large-scale land and resource concessions.

For the KIA and other armed groups in northern Shan State, a ceasefire was more logical than continuing to fight in light of declining support from China and increasing threats from the Myanmar army; it also allowed them to capitalise on emerging economic opportunities. However, although the ceasefires in Kachin State and northern Shan State largely held until 2010, little progress was made in addressing longstanding political grievances, creating a 'no-war-no-peace' environment in this region.

The ceasefire period came to be defined by three dynamics: a prolonged process of militarisation in borderland areas which saw the number of Myanmar army units and military-backed militia groups proliferate in Kachin and northern Shan State; the opening up of borderland areas for economic 'development'; and a stalled peace process in which government promises of political dialogue never materialised. Over the next two decades, this region became central to the country's crony-controlled economy as a result of the vast

revenues generated from logging, jade mining (an industry estimated by Global Witness to have generated more than $30 billion in 2014, equivalent to 48% of Myanmar's annual GDP), the region's illicit drug economy (heroin and methamphetamines), hydropower dams, large-scale agribusiness concessions, expanding cross-border trade with China, and the construction of pipelines that transect former conflict zones to deliver offshore oil and gas to China. The region's economic transformation has been underpinned by establishing and enforcing, often through violence, highly unequal control over land and resources which serve the interests of a powerful nexus of military and private sector actors, comprising military elites, local militias, Myanmar business elites, cross-border and international investors, and in some cases ethnic armed groups. The ceasefire period also saw the reinvigoration of nationalist tropes within the military, which have long acclaimed the army's role as a safeguard against internal fragmentation and external subjugation by the country's powerful neighbours.

Thus the very ceasefire agreements that served to reduce levels of outright violent conflict exposed borderland populations to an array of violent and destructive forces of militarisation, continued counter-insurgency, exclusionary nationalism, dispossession and destructive development that served to reinvigorate long-held resentment against the central government.

Distrust in the ceasefire process in Kachin and Shan States was also heightened by a number of events since the mid-2000s. In 2005, the military forced the surrender of smaller ceasefire groups and arrested a number of high-profile Shan political and military leaders. In 2008, the country's new Constitution locked-in the military's control over the political system by enshrining the military's right 'to participate in the National political leadership role of the State' and providing it with effective veto power over any constitutional reform. This was followed in 2009 by a government declaration that all ceasefire armed groups were to be absorbed into the Myanmar army as Border Guard Forces (BGF). The government also declared that after September 2010 all ceasefires would be 'null and void' and groups which had not converted into BGFs would be deemed insurgents. Throughout the 1990–2008 period the military government consistently informed ceasefire groups that, as a transitional government, it had no mandate to enter into political dialogue until a new constitution had been enacted. The BGF proposal, therefore, marked a clear turnaround in which ceasefire groups were now told to surrender autonomy prior to any form of political dialogue. The government's position also offered no acknowledgement of the systems of governance administered by ethnic armed groups that provided health, education and justice systems to large populations.

By the late 2000s, the military government's increasing control over the country's borderlands, the country's improved financial position and the promulgation of the 2008 constitution encouraged military elites to instigate a transition to civilian rule and capitalise on the international support such a process would bring. The government's decision to initiate a formal peace process in 2011 was underpinned by a belief among military elites that they were in a strong enough position to manage this process on their own terms.

However, for those living in Kachin State and northern Shan State there was deep distrust of government promises of ceasefires, peace and development. These terms have become dirty words, weighed down by experiences of continued violence, expropriation and insecurity. Myanmar's 'transition' in 2010-11 therefore came at a time of crisis – from the perspective of many armed groups and borderland populations – in the ceasefire system of the previous two decades. This included a *legitimacy* crisis, in which the leadership of various armed groups, especially the KIA, became tarnished by claims that they were profiting from the exploitation of the people and environments they claimed to be protecting; a crisis of *strategy*, as the hope that ceasefire agreements would pave the way for more

meaningful political dialogue faded away; and a *military* crisis, as ethnic armed groups faced increasing pressure from the Myanmar army.

The China effect
Centre–periphery tensions in northern Myanmar, and their impact on the peace process, have been further complicated by diverse cross-border influences from neighbouring China. China's decision in the 1980s to decrease its support for ethnic armed groups and strengthen government-to-government relations was instrumental in shaping the military government's ceasefire strategy. Weapons sales, protection in UN Security Council debates, and increased investment and border trade from China were all important in strengthening Myanmar's military government throughout the 1990s and 2000s. Stabilising Myanmar government control over the country's borderlands has also been viewed by some within China as a way to address security threats, especially the cross-border flow of drugs, and to provide a more secure environment for Chinese trade and investment. For business and political elites in Yunnan especially, cross-border trade and investment was viewed as an essential component of the province's development strategy.

Yet, the Chinese government remains wary of Western influence in Myanmar's borderlands, and continues to see the benefits of maintaining a buffer zone that limits Myanmar military presence along its border. The influx of refugees has also increased concerns in China about ongoing counter-insurgency offensives along its borders. Furthermore, the reliance of border-based armed groups on maintaining support from China arguably makes them more pliant to Chinese interests than Myanmar military elites, which remain wary of China's influence in Myanmar. Chinese security forces and business elites have enduring formal and informal relationships with various ethnic armed groups and elites in northern Myanmar that remain important in enabling them to secure access to resources, intelligence and protection. And some border areas are much more closely integrated with China, reflected by their use of Chinese currency, language, time and SIM cards. Closer government-to-government relations therefore co-exist alongside a set of interests that have simultaneously empowered non-state armed groups and networks of power, communication and resources beyond state control.

The peace process in Kachin State and northern Shan State stands at the apex of three competing pressures: (1) the interests of Myanmar's ruling elites who view the peace process as a mechanism through which to make ethnic armed groups compliant, rather than a reason to enter into genuine political dialogue with them; (2) powerful scepticism among ethnic armed groups and borderland populations towards the rhetoric of ceasefires, political dialogue, and inclusive development that surrounds the peace process; and (3) diverse – and at times conflicting – cross-border political, security and business interests.

Peacebuilding amidst conflict
National-level processes
At a national level, the peace process that emerged after 2011 sought to formalise existing ceasefires, establish new ones with groups the government previously hadn't dealt with, and renew ceasefires that had broken down, notably with the KIA. These agreements were to provide the foundation for a nationwide ceasefire agreement (NCA), which Aung San Suu Kyi's government claimed would provide the starting point for more substantial political dialogue – including on issues of federalism, revenue-sharing and the future status of ethnic armed groups – through a series of Union Peace Conferences. The Myanmar government has retained strong control over the peace process and rejected the need for formal external mediation.

However, the NCA process has faced huge challenges, especially in northern Myanmar. Although a 'nationwide' ceasefire agreement was finalised in October 2015, many of the country's most powerful ethnic armed groups refused to sign. The rejection of ceasefire

offers and a return to fighting rejuvenated the legitimacy of the KIA, while fresh insurgencies have broken out in northern Shan State. A number of the country's most powerful armed groups established the so-called Northern Alliance in 2016 to oppose the government-led peace process, demanding a genuine federal union in which the rights of self-determination, regional autonomy and equality were guaranteed. In response, the Myanmar army has launched renewed counter-insurgency offensives and has backed a large number of local militia groups. Violent conflicts have also emerged in northern Shan State between ceasefire and non-ceasefire armed groups. The years following the launching of Myanmar's formal peace process in 2011 have witnessed some of the heaviest fighting in Kachin and northern Shan State for more than three decades.

Sub-national peacebuilding efforts
At the sub-national level, there have been various initiatives within conflict-affected areas aimed at building trust, support and engagement with the peace process. This article focuses on the experiences of activities conducted by local organisations. A number of civil society organisations (CSOs) emerged in the 1990s and 2000s to address the challenges facing communities in Kachin State and Shan State. While some were able to operate within the country – often through religious networks – others were located beyond the country's borders, mostly in northern Thailand. These organisations undertook a wide range of activities, including conducting research in conflict-affected areas, drawing attention to on-going human rights abuses, supporting IDPs and refugee populations, and supporting a range of low-profile health, education and development activities. Following the launch of the government's peace process in 2011, existing and new organisations gained formal permission to operate within the country, while the decision by many donors to prioritise support for in-country activities, and cuts in funding to organisations based outside the country – provided added incentives and pressures to establish projects in Myanmar.

The priority for many organisations was to address the damage inflicted on populations by decades of conflict. Initiatives have focused on trying to make the government, ethnic armed groups and international donors and NGOs more responsive to the needs of populations in conflict-affected areas. This has included attempts to strengthen the voice of marginalised populations (including a specific focus on women and youth) in the peace process. Programmes have also sought to identify and address major social and economic issues facing impoverished communities, including improving health and education services, promoting small-scale community-led development initiatives, addressing the environmental damage created by decades of unchecked resource extraction and addressing both historic and contemporary cases of land-grabbing. This has also involved efforts to ensure that new international development initiatives are sensitive to the challenges of operating in conflict-affected areas. These initiatives have sought to begin to address underlying grievances and lay the foundations for a more sustainable and equitable peace. However, as violent conflict escalated, priorities often shifted to emergency humanitarian work.

Challenges for local organisations
The most fundamental of challenge facing these peacebuilding initiatives is the fact that the Myanmar army – the de facto authority in the region – views the peace process as secondary to its priorities of consolidating state authority. Under the 2008 constitution, the military enshrined its control over the key ministries of Defence, Home Affairs and Border Affairs. Myanmar's civil service – the General Administration Department (GAD) – is housed under the Ministry of Affairs and is largely staffed by military and ex-military personnel. Local organisations remain under heavy surveillance, to the extent that military intelligence officials join their meetings. High levels of scrutiny also discourages communities from engaging with organisations, as they remain fearful of repercussions from military, police and army-backed militias. In many areas, ethnic armed groups continue to provide services to marginalised populations, but opportunities to work through these systems remain extremely constrained

– especially in northern Myanmar where the main armed groups have not signed ceasefires with the government.

Local authorities' continued distrust of CSOs also presents huge challenges to gaining access and permission to work in many borderland areas. Personalities and personal ties continue to be more important than formal structures and systems. Organisations are required to constantly assess where power lies in the country's bureaucratic structures and who best to approach, creating a system of perpetual uncertainty where the reasons for gaining or being denied permission remain opaque and are not easily replicated. Organisations are required to navigate multiple levels of authority, including the Union (national) level (through the Ministry of Home Affairs), the state level, and through local township authorities (part of the GAD). Since the NLD government came to power, it has become even less clear where power lies, as parallel civilian and military structures operate alongside each other.

In this system, organisations' requests for access to undertake activities are passed back and forth between different levels of government decision-making. Organisations are regularly told at local level that their requests require higher permission, only then to be told by central ministries that decisions have to be made by local authorities based on the situation on the ground. This provides a subtle way to restrict programmes without being seen as directly confrontational. The ongoing sensitivity and ambiguity surrounding the peace process continues to make officials reluctant to approve of any activity that could run the risk of upsetting the fragile balance of power that exists in conflict-zones between the army, ethnic armed groups, and militias. The fear of making the wrong decision has long encouraged both senior figures and lower-ranking cadres to stall rather than approve work in areas under their jurisdiction.

A second fundamental challenge is that ethnic minority populations continue to be treated with suspicion and hostility by the Myanmar army. The military often does not distinguish between armed groups, CSOs and local populations from the same ethnic group. The upsurge in violent conflict in Kachin and northern Shan State since 2010 has created both a huge local need for peacebuilding and humanitarian support and renewed distrust from the military towards local populations, which the military often views as supporting insurgency. Organisations trying to support IDPs throughout northern Shan State and Kachin State face difficulties not only in moving through conflict zones but also in navigating the military's response to the IDP crisis. Large shipments of emergency food aid – including from international organisations – have regularly been denied to ensure food does not reach ethnic armed groups, placing huge pressure on small-scale, often clandestine networks. At times emergency supplies have been able to move back and forth across the border with China in order to reach IDP camps. However, these cross-border networks remain unofficial and subject to sudden change, reflecting the multiple interests that CSOs have to navigate.

Military distrust of peacebuilding and community development initiatives is also rooted in the fact that attempts to address issues facing borderland populations threaten to undermine and destabilise the political deals and hybrid governance structures that emerged during the ceasefire period and which underpin the military's control over contested territories. This is epitomised very clearly in the dynamics of Myanmar's illicit drug economy. The country is a major producer of opium and methamphetamines, with production concentrated in Shan and Kachin states. Increasing drug use throughout the ceasefire period has caused huge damage among borderland communities, and the peace process has created very little opportunity to address these problems. This is largely attributable to the fact that drugs are deeply embedded in localised governance structures: in many areas, army-backed militias deployed to act as local counter-insurgency forces and to protect development projects are given the opportunity to run legal and illegal businesses – primarily drugs. This is a way for the army to strengthen their loyalty and enable them to be self-financing. Despite the huge

social damage wrought by drugs in Myanmar's borderlands and the aspiration to use the peace process as an opportunity to start to address this, there is strong reluctance among authorities to risk destabilising the delicate local power structures that have sedimented around the drug economy.

Conclusion

The worsening violent conflict in Kachin State and Shan State has led many donors and organisations to critically reflect on Myanmar's transition and reconsider how they engage in peacebuilding in the country's borderlands. This article suggests some ways in which these efforts can be recalibrated.

First, it emphasises the need to better understand the country's current transition from the vantage point of those at the margins of the Myanmar state. Much external engagement with Myanmar's peace process has been based upon the assumption that opening up political space at the centre – through supporting the country's democratic transition, Aung San Suu Kyi and the national-level peace process – would provide the foundations for peacebuilding throughout the country's borderlands. However, this approach fails to account for how political transition at the centre and renewed violence in the margins are intimately connected. The experiences of local peacebuilding initiatives demonstrate that the same dynamics that facilitated the launching of the peace process at the national level – especially the Myanmar military's belief that they were in a strong enough position to manage this process on their own terms – have constrained opportunities to address the drivers of conflict in Kachin and northern Shan State.

Second, the experiences of local peacebuilding initiatives demonstrate that the prospects for working in these regions are shaped by the interplay of: *local dynamics* – in Myanmar's case how to operate in highly fragmented sub-national systems of governance; *centre-borderland relations*, especially ongoing efforts by the Myanmar military to control the peace process and to consolidate state authority through securitising borderland regions; and *cross-border dynamics*, notably the influence of diverse and at times contradictory Chinese interests. To engage effectively in Kachin State and northern Shan State, organisations will need to ensure that they develop partnerships and channels of communication that enable them to better understand and operate across these different scales.

Third, this article emphasises the need for more rigorous political economy analysis of Myanmar's peace process that centres borderland experiences of ceasefires and 'development'. The difficulties confronting local CSOs are rooted in the fact that the challenges communities face in Kachin State and northern Shan State – violence, drugs, poverty and rising inequality – are embedded in the systems of borderland governance that the Myanmar army used to expand its authority during the previous ceasefire period. Strong government control over the peace process, and the subsequent limitations placed on international organisations, has meant that much support is directed towards technical aspects of peacebuilding. This approach has offered limited scope to situate the peace process within a deeper understanding of processes of statebuilding in the country's borderlands, and the local politics and power relations surrounding these processes. Local organisations often have the clearest understanding of systems of borderland governance, their likely impact on peacebuilding programmes, and how to navigate these systems, but they are also in a highly vulnerable and exposed position. Learning from the experiences and knowledge of local organisations, integrating this knowledge into programme planning and design, and developing ways to support local organisations' efforts to navigate the complex and often violent structures of authority in Myanmar's borderlands, are important starting points for international organisations rethinking how to work for peace in Myanmar's fragile and violent borderland regions.