



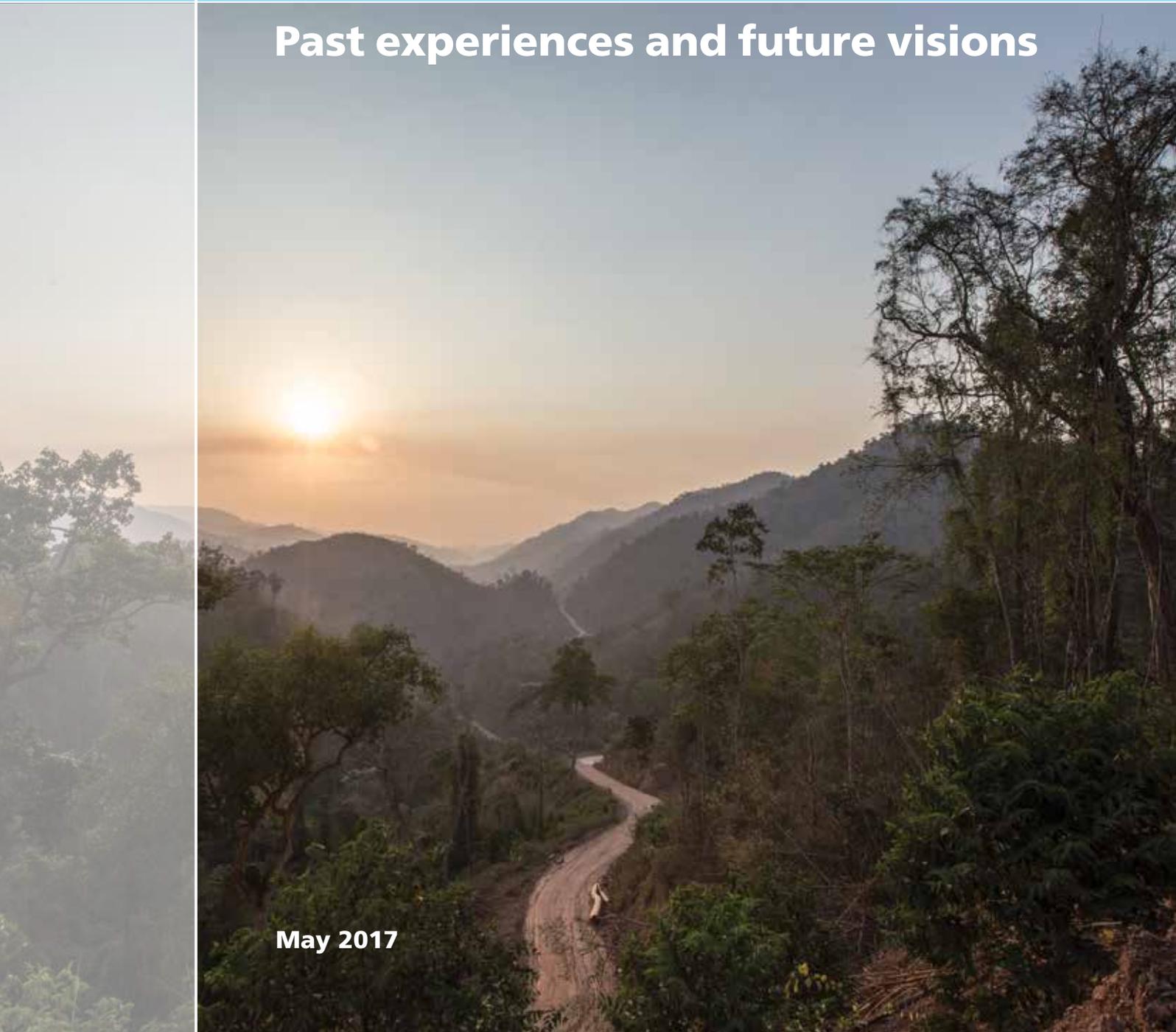
SAFERWORLD

PREVENTING VIOLENT CONFLICT. BUILDING SAFER LIVES

Security integration in Myanmar

Past experiences and future visions

May 2017





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About the Authors

The lead author of this report was Kim Jolliffe, with additional input from John Bainbridge and Ivan Campbell.

Kim Jolliffe is an independent researcher, analyst and resource person specialising in security, conflict and international aid in Myanmar. Since 2009, Kim has conducted research on Myanmar's conflicts, armed actors and security challenges from a variety of angles. He has been working with Saferworld in Myanmar since 2013.

John Bainbridge is Saferworld's Myanmar Country Manager, based in Yangon.

Ivan Campbell is a Senior Conflict and Security Adviser with Saferworld, based in London.

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Glossary

Glossary of acronyms and terms

| | |
|-----------------|--|
| Bamar | Majority ethnic group in Myanmar |
| BGF | Border Guard Forces |
| CPB | Communist Party of Burma |
| DDR | Disarmament, Demobilisation and Reintegration |
| EAO | Ethnic Armed Organisation |
| FUA | Federal Union Army |
| GAD | General Administration Department |
| KKY | KaKweYe – meaning “defence” in Myanmar language and the name given to 23 militia units established by the state in the 1960s and 1970s |
| LIDs | Light Infantry Divisions |
| MOCs | Military Operations Commands |
| MOHA | Ministry of Home Affairs |
| MPF | Myanmar Police Force |
| NCA | Nationwide Ceasefire Agreement |
| NDSC | National Defence and Security Council |
| NLD | National League for Democracy |
| PMF | People’s Militia Forces |
| RMCs | Regional Military Commands |
| SSR | Security Sector Reform |
| Tatmadaw | Myanmar language word for “Armed Forces”, used in this report as the formal name for the national armed forces |
| UPC | Union Peace Conference |
| USDP | Union Solidarity and Development Party |

Glossary of ethnic armed organisations, military governments, state-backed ethnic paramilitary actors, and ethnic alliances

| | |
|--------------|---|
| DKBA | Democratic Karen Buddhist Army |
| KDA | Kachin Defence Army |
| KIO | Kachin Independence Organisation |
| KNDO | Karen National Defence Organisation |
| KNG | Kayan National Guard |
| KNLA | Karen National Liberation Army |
| KNLP | Kayan New Land Party |
| KNPLF | Karenni State Nationalities Peoples’ Liberation Front |
| KNPP | Karenni National Progressive Party |
| KNU | Karen National Union |
| MNDAA | Myanmar National Democratic Alliance Army |
| MTA | Mong Tai Army |
| NDA-K | New Democratic Army – Kachin |
| NDF | National Democratic Front, a 12-member (originally ten member) EAO alliance formed in KNU territory |
| NMSP | New Mon State Party |
| PNO | Pa-O National Organisation |
| PSLP | Palaung State Liberation Party |
| SSA | Shan State Army |
| SSPP | Shan State Progress Party |
| SLORC | State Law and Order Restoration Council |
| SPDC | State Peace and Development Council |
| TNLA | Ta’ang National Liberation Army |
| UNFC | United Nationalities Federal Council, headed by KIO, currently representing seven EAOs |
| UWSP | United Wa State Party |

Foreword

FOR ALMOST THREE DECADES, Saferworld has been working with partners to prevent violent conflict and help build safer lives. In many of the countries where we operate, the way security is delivered and experienced lies at the heart of the complex factors that determine how a country or society can move towards lasting peace. We typically work with local actors – governments, security services and civil society – and support them to achieve peaceful and just societies. Since Saferworld first engaged in Myanmar in 2012, it has become increasingly apparent that without country-wide transformation in the security sector, this goal will remain even further out of reach. Consequently, over the past few years we have worked with communities to make their local environments safe, and we draw on these experiences to inform and catalyse discussion about how the country’s future security architecture can become more inclusive, responsive and accountable.

The discussion paper is intended to contribute to an evidence-based approach for security sector reform (SSR) by contextualising the complex history and current discourse surrounding this topic. It is written to inform all actors involved in or supporting the peace process about Myanmar’s previous experiences of SSR and the different visions major stakeholders have for the future: especially the National League for Democracy, the Tatmadaw and the multiple ethnic armed organisations. It examines former attempts at security integration and considers the current state of play in relation to the political context and peace process. It also reflects on the positions and perspectives of key stakeholders regarding the future structure and governance of the security sector.

The paper is based on desk research of existing open-source materials supplemented by the authors’ many years’ experience of researching security issues in Myanmar. Although these are profoundly complex and sensitive issues, we hope it will make a constructive and useful contribution in support of all those actively seeking positive changes in the sector.



Paul Murphy
Executive Director

Executive Summary

MAJOR DEVELOPMENTS IN MYANMAR'S PEACE PROCESS have brought to the fore a critical debate about the future of the country's security sector. In October 2015, the Myanmar Armed Forces (Tatmadaw), which ruled the country for decades and retains significant political powers, signed a Nationwide Ceasefire Agreement (NCA) with eight ethnic armed organisations (EAOs).

The NCA is yet to be signed by more than ten other EAOs and so is still far from 'nationwide' in practice. Nonetheless, the deal is significant because it has committed all sides to undertaking political dialogue towards the establishment of a federal system of government, as long demanded by most EAOs but resisted by the Tatmadaw. Additionally, an agreement has been made regarding a dual process of security sector reform (SSR) and disarmament, demobilisation and reintegration (DDR), referred to in the NCA as 'security re-integration'. This raises important questions about what a transition from a de facto unitary structure to a more federal security structure in Myanmar would look like, and how EAOs might be incorporated into it.

This discussion paper aims to support an inclusive and evidence-based approach to SSR in Myanmar and to help contextualise the ongoing discourse and upcoming negotiations. It is based on desk-research of existing open-source materials, supplemented by the authors' many years experience of researching security issues in Myanmar. The paper was written to inform all stakeholders involved in, or supporting, the peace process about Myanmar's previous experiences with SSR and future visions among the major stakeholders: the National League for Democracy (NLD), the Tatmadaw and Myanmar's multiple EAOs. It examines previous attempts at security integration, considers the current state of play in relation to the political context and peace process, and reflects on the positions and perspectives of key stakeholders regarding the future structure and governance of Myanmar's security sector.

From the 1960s through the late 2000s, the Tatmadaw initiated multiple programmes to convert EAOs into paramilitary forces under its command, typically offering EAO leaders security and business concessions in return for their military cooperation.¹ While dozens of units have been formed over the decades, such programmes have also often led to new conflicts, EAOs have splintered or tensions have arisen between EAOs and the Tatmadaw. In 2009 while still in power, the Tatmadaw demanded all of the country's 40 ceasefire EAOs to form Border Guard Forces (BGFs), under direct Tatmadaw control, which led to a wave of new and renewed conflicts that still persist today. Furthermore, BGFs and other paramilitaries have poorly-defined roles and are often primarily focused on business activities.

i Buchanan (2016), Kramer (2009), Lintner (1999), Smith (1999).

The concept of integrating EAOs into the state security forces is therefore not new and has a complex history. Nevertheless, there are hopes that the current peace process will achieve better negotiated and more sustainable arrangements.

Since signing the NCA, political dialogue has been broadly structured around a three-way discourse between the Tatmadaw, EAOs and the National League for Democracy (NLD) – led by Aung San Suu Kyi – which has been in power since March 2016. Each of these stakeholders have widely divergent positions on what forms ‘federalism’ and ‘security integration’ should take.

The Tatmadaw – a powerful and well-established institution, deeply entrenched in Myanmar’s political and economic life – holds firm to its perceived role as defender of the nation’s sovereignty and integrity. Its vision for the future of the armed forces is primarily focused on the accelerated modernisation of its capabilities, and it has often emphasised the need for EAOs to enter a process of DDR or simply to come under the command of the existing Tatmadaw.

The NLD has been long focused on the need for democratic reform of the Tatmadaw, for it to relinquish its political role and come under civilian control, and for it to rebuild trust with the people. Nevertheless, Aung San Suu Kyi has repeatedly voiced a personal commitment to the Tatmadaw, as it was founded by her father,ⁱⁱ and has indicated it remains a crucial institution of the state.ⁱⁱⁱ While Aung San Suu Kyi has loosely given support for the EAOs’ long-held demand of a Federal Union Armed Forces, the NLD has given little indication of if and how it envisages the integration of Myanmar’s numerous EAOs into a reformed Tatmadaw.

EAOs vary greatly in their size, history, and interests, and in their positions on SSR. For a core bloc of pro-federal EAOs, the demand for the reform of the armed forces along federal lines has been of paramount importance since at least the late 2000s, and remains their central SSR principle. Informed by the experience of the state’s previous attempts to convert EAOs into BGFs, the EAOs will continue to be sceptical of any SSR process that they regard to be redeploying their capacities to serve the Tatmadaw, unless there is comprehensive decentralisation of the state, including the military.

To develop a lasting solution to the interlinked political and security complexes that drive armed conflict in Myanmar, all three of the main stakeholder groups – the Tatmadaw, NLD and EAOs – will need to develop a shared vision of security integration. Reconciling the divergent perspectives outlined above – or even identifying where there is common ground – will be far from easy, and will likely become a long-term and incremental endeavour.

While much more research is needed to fully understand these dynamics and to make well-informed policy recommendations, this report concludes with some broad reflections on what the major challenges and key questions will be going forward. It also recommends some particular topics on which further research and learning work could be carried out.

Saferworld will publish a companion paper that focuses on comparative models and experience of federal models of security and security integration to equip Myanmar’s stakeholders with knowledge that will help them to participate constructively in discussions about the future of Myanmar’s security sector.

ii Selth (2001b), p. 4.

iii Selth (2001b), NLD Manifesto (2015).

1

Introduction

MAJOR DEVELOPMENTS IN MYANMAR'S PEACE PROCESS IN 2015 AND 2016 have brought to the fore a critical debate about the future of the country's security sector. The Tatmadaw, Myanmar's powerful armed forces, has committed, at least in principle, to the objective of building a union based on a federal system of government through political dialogue. This has been long demanded by the majority of the country's more than 20 ethnic armed organisations (EAOs), eight of whom have signed the Nationwide Ceasefire Agreement (NCA).¹ Additionally, an agreement has been made regarding a dual process of security sector reform (SSR) and disarmament, demobilisation and reintegration (DDR), referred to in the NCA as 'security re-integration.' This raises important questions about what a transition from a *de facto* unitary structure to a more federal security structure in Myanmar would look like, and how EAOs might be incorporated into it.

These developments have come alongside the formation of a new government, which places the country's much-admired democracy icon, Aung San Suu Kyi, in an uneasy coalition with the leaders of the Tatmadaw. Two successive Tatmadaw regimes ruled the country directly between 1962 and 2011, with the latter regime keeping Aung San Suu Kyi under house arrest for much of the 1990s and 2000s. During this period, the regime maintained ceasefires with the majority of the country's EAOs, but kept them and Aung San Suu Kyi's National League for Democracy (NLD) party from gaining meaningful political influence while almost unilaterally creating the current 2008 constitution.²

The constitution grants the armed forces complete autonomy in the conduct of warfare and automatic representation in the executive and legislative branches, with particular influence over public administration at the local level. It also provides the Tatmadaw with veto powers over most constitutional amendments, which it has used to block Aung San Suu Kyi from becoming President.³ Additionally, despite creating state and region governments and an upper house that provides equal representation to all states and regions, the 2008 constitution remains essentially unitary. The local governments are centrally appointed, extremely weak, and have few legislative or executive powers. The Tatmadaw used its constitutional veto to block significant decentralisation reforms in June 2015 and is expected to remain resistant to such change.

¹ Myanmar is a country of great ethnic diversity: the government recognises 135 indigenous ethnic nationalities, but the accuracy of this particular number is a matter of ongoing dispute. The country has long suffered a wide range of ideological, ethnic and state-society cleavages that have often engendered armed conflict and are not always along ethnic lines. From the 1940s until the 1980s, intra-Bamar armed conflicts existed between the state and the Communist Party of Burma, which also greatly influenced the ethnic armed conflicts as will be discussed in this paper. There are also deep-set conflicts involving the Buddhist majority and minority Muslims, but these are not looked at in this paper.

² According to the 2008 Constitution of the Republic of the Union of Myanmar, drafted by the Tatmadaw near the end of its 49-year spell in power, the military holds key positions of government and 25 per cent of all parliamentary seats, and retains near total autonomy in the conduct of defence and security responsibilities.

³ The 2008 Constitution currently blocks anyone with foreign children, such as Aung San Suu Kyi, from taking the position.

Map of Myanmar States and Regions



Aung San Suu Kyi's NLD party has made peace and reconciliation the central priorities of government. For most EAO and other non-Bamar political leaders, progress towards peace depends on significant reform of the state in order that power is shared more equally under a federal system of government. The Tatmadaw however has long stated that it will hold onto its powers until stability is assured.⁴ Trust remains extremely low among leaders on all sides, particularly between the Tatmadaw and EAOs, as the Tatmadaw blames the EAOs for fomenting instability, and EAOs view the Tatmadaw as a hegemonic aggressor.

Since signing the NCA, political dialogue has been broadly structured around a three-way discourse between the Tatmadaw, NLD, and EAOs – each of these stakeholders have widely divergent positions on what forms 'federalism' and 'security integration' should take. The Tatmadaw – a powerful and well-established institution, deeply

⁴ See Chapter 5.

entrenched in Myanmar's political and economic life – holds firm to its perceived role as defender of the nation's sovereignty and integrity. Its vision for the future of the armed forces is primarily focused on the accelerated modernisation of its capabilities, rather than on root-and-branch reform. Regarding the incorporation of EAOs, the Tatmadaw has long sought, and at times succeeded, to convert them into militias under its command, but it has rejected the idea of significant overhaul of its forces to accommodate EAOs' demands or to give them positions of power. The Tatmadaw also controls the police, in accordance with the constitution, which is entirely centralised and uniform across the country. Despite having agreed to political dialogue in order to form a system of government that is "federal in nature";⁵ the Tatmadaw has also repeatedly indicated that it considers the present government system to already be federal.

The new governing party, the NLD, which won an overwhelming victory in the October 2015 elections, has been long focused on the need for democratic reform of the Tatmadaw, for it to relinquish its political role and come under civilian control, and for it to rebuild trust with the people. Nevertheless, Aung San Suu Kyi has repeatedly voiced a personal commitment to the Tatmadaw, as it was founded by her father, and has indicated it remains a crucial institution of the state. Since coming to power, the NLD has handed the Tatmadaw its largest defence budget in history and has chosen not to comment on any military matters despite domestic and international condemnation of its military conduct. Particularly since 2015, the NLD has repeatedly argued that the formation of a federal, democratic system of government is central to the achievement of peace. However, while Aung San Suu Kyi has loosely given support for the EAOs' long-held demand of a Federal Union Armed Forces, the NLD has given little indication of if, and how, it envisages the integration of Myanmar's numerous EAOs into a reformed Tatmadaw.

Between them, Myanmar's EAOs claim to represent more than a dozen different ethnic nationalities, including the Shan, Karen, Kachin, Karenni, Mon, Ta'ang, Chin, and Wa – each varying greatly in size, history, interests, and overall concern with national politics. Nevertheless, for a core bloc of pro-federal EAOs, the demand for the reform of the armed forces along federal lines has been of paramount importance since at least the late 2000s, and remains their central SSR principle. However, they have struggled to come up with a clear, collective position on what this should look like, and their exact policies remain a work in progress. What is clear is that, informed by the experience of the state's previous attempts to convert EAOs into Border Guard Forces (BGFs), the EAOs will fiercely resist any SSR processes that are seen to be redeploying their capacities solely to serve the existing Tatmadaw or even the central government, without comprehensive decentralisation of government.

In order to develop a lasting solution to the political and security complexes that drive armed conflict in Myanmar, all three of the main stakeholder groups – the Tatmadaw, NLD, and EAOs – need to be brought on board to develop a shared vision of security integration. Reconciling the divergent perspectives outlined above – or even identifying where there is common ground – will be far from easy, and will likely become a long-term and incremental endeavour.

The purpose of this paper is to review past experiences of security sector integration in Myanmar, and the visions of the three main stakeholder groups regarding the country's future security sector. These visions have changed and evolved over time, and the exact positions of most actors are in flux. Nonetheless, there are broad trends and central themes that help to foresee key challenges and identify spaces for mutual agreement.

⁵ NCA (2015), Article 1a.

2

Security forces in Myanmar

DESPITE DECADES OF DIRECT MILITARY RULE, the Myanmar state has never been able to establish control over the whole country. Across large rural areas of eastern and northern Myanmar, the security environment is best understood as a complex of multiple armed actors forming multiple centres of power, exercising a range of military, law enforcement, and justice-related functions. These forces often have overlapping territorial claims and jurisdictions, and are sometimes in direct competition. In addition to the highly militarised and deeply centralised state security forces, these actors include a large range of EAOs and state-backed paramilitary organisations. EAOs typically have dedicated armed wings, justice departments and judges, and sometimes their own police forces. Reforming the security sector to create a set of legitimate forces capable of defending the territory from external aggression, enforcing the law, and protecting the rights of citizens will therefore depend on commitments to transformative change from a wide range of actors.

The Myanmar state's security forces

From the country's first coup d'état in 1962 until the implementation of the 2008 constitution in 2011, the Tatmadaw was the country's primary state-building institution, dominating the public and private sectors while retaining total independence from civilian oversight. In 2010, the Tatmadaw founded the Union Solidarity and Development Party (USDP), which took power in 2011, following a controversial general election that was boycotted by the NLD. Today, following the NLD's landslide victory election over the USDP in 2015, power is formally divided between the Tatmadaw and the civilian government. According to the terms of the 2008 constitution, the Tatmadaw has control of the Ministry of Defence, the Ministry of Home Affairs (MoHA) and the Ministry of Border Affairs; the right to appoint 25 per cent of the representatives in all legislatures; and complete autonomy in the handling of all military and security responsibilities and institutions. The Tatmadaw also maintains significant business interests and has notable influence over many sectors of the national economy.⁶ The key functions of government at the township level are also shaped by the military through the structures of the General Administrative Department (GAD) of the MoHA.

In line with the constitution, the Tatmadaw retains control over the Myanmar Police Force (MPF), via the MoHA and various intelligence bodies. In turn, the MPF

⁶ Michael Peel, "Myanmar: the military-commercial complex", *Financial Times*, 02-02-2017; available at: <https://www.ft.com/content/c6fe7dce-d26a-11e6-b06b-680c49b4b4c0>

oversees a number of other additional bodies, including Border Guard Police on the Rakhine State-Bangladesh border and *Lon Htein*⁷ security units (riot police), which offer the MPF paramilitary capabilities.⁸ At present, none of the country's seven states, seven regions, or six self-administered areas have any formal security force of their own.

Box 1: Ethnic, religious and gender representation in the Tatmadaw and Myanmar Police Force

The Tatmadaw and the MPF are widely viewed as Bamar-dominated forces, though serving generals deny this to be the case. In 2013, the current commander-in-chief, Min Aung Hlaing, insisted that "Different ethnic groups are enlisted in our army,"⁹ and that the military was already "inclusive of all ethnic groups, including 4,500 officers from ethnic minority backgrounds".¹⁰

The original Tatmadaw was formed in 1945 under British patronage, and had a Karen commander-in-chief and chief of air staff. Facing mass defections to various insurgencies in the late 1940s, the Tatmadaw lost nearly half of its troops. Both the Karen commander-in-chief and chief of air staff were removed from their roles in 1949, when conflict broke out between the state and the country's first EAO, the Karen National Union (KNU). The new commander-in-chief, General Ne Win, was a vigorously nationalist Bamar commander, who would later undertake the country's first coup d'état and rule from 1962 to 1988. Ne Win set about a mass recruitment of Bamar males, increasing the force to 100,000 by 1962,¹¹ and developed a notably Bamar-centric doctrine. Non-Bamar personnel, including non-Buddhists, were able to move up the ranks to some extent during the Ne Win era, but have never made it to the top brass since.¹²

The policy was continued by the post-1988 ruling regime, the State Law and Order Restoration Council (SLORC)/State Peace and Development Council (SPDC), which purged unknown numbers of non-Bamar, particularly non-Buddhists, from commander posts and seemingly introduced informal ceilings for upcoming recruits from these backgrounds.¹³ Writing in 2009, the scholar Maung Aung Myoe noted that non-Buddhists or husbands of non-Buddhists were unlikely to rise above the rank of major because of requirements for them to gain patronage from Buddhist monasteries for their battalions.¹⁴ In a 2017 paper, veteran Myanmar scholar, Robert Taylor, states that the Tatmadaw is diverse and relatively representative among the lower ranks but Bamar-heavy in the officer classes.¹⁵

The Tatmadaw upper ranks are predominately male dominated. Following the 1962 coup d'état, a small number of women were recruited, but primarily assigned to administrative and medical duties, while a few worked in signals and engineering roles.¹⁶ Women were barred from combat roles. Under military rule, this near complete exclusion of women from the senior ranking roles in the Tatmadaw also served to marginalise women from political participation.¹⁷

The 2008 constitution notes that women can be drafted for military service during times of emergency, although it was not until 2013 that the Ministry of Defence began actively recruiting women into their ranks using adverts placed in state-run media.¹⁸ These new women recruits remain subject to higher entry criteria than their male counterparts. This includes being a university graduate between the ages of 25 and 30, at least 1.6 metres or taller, unmarried, and weighing less than 59kg.¹⁹ Men who enter the Tatmadaw are not required to meet such requirements. They must have finished 10th standard education (age 15–16) in order to join training programmes at the Defence Services Academy, and can go on to become captains, whereas women can go as high as second lieutenants.²⁰

The Tatmadaw also commands a host of paramilitary organisations that are more ethnically diverse. Paramilitary organisations include 23 BGFs and 15 People's Militia Forces (PMFs) that were mostly formed by defecting factions of EAOs. Some of these organisations have direct connections to political parties, but none are officially tied

7 *Lon Htein* is short for "Lon-chon-hmu Htein-thein Tat-yin", or "security preservation battalion", according to Selth (2012) pp. 53–79.

8 Selth (2012) pp. 62–63, citing Myanmar Police Force, 2005, op. cit., pp. 8–9.

9 Lawi Weng (2013), "'Federal Army' already exists, Says Military Chief", *The Irrawaddy*, 5 December; available at: www.irrawaddy.com/news/burma/federal-army-already-exists-says-military-chief.html

10 Hein Ko Soe (2015), "Government rejects ethnic group bid for a federal force", *Mizzima*, 10 December; available at: www.burmanet.org/news/2014/12/10/mizzima-news-government-rejects-ethnic-group-bid-for-a-federal-force-hein-ko-soe/

11 Callahan (2003), p. 173.

12 Maung Aung Myoe (2009), p. 199. According to this source, some Karen, Kachin, and Chin made it to rank of Brigadier General (equivalent to UK Brigadier).

13 Separate interviews with a former army major and senior naval officer by the author.

14 Maung Aung Myoe (2009), p. 199.

15 Taylor (2017), pp. 4–8

16 Selth (2001) pp. 77, citing Bunge, F. M. (ed) *Burma: A Country Study* (American University, Washington, 1983) p. 249.

17 Michaels (2014), 'The Ladies', *The Irrawaddy*, 13 January; available at: <https://www.irrawaddy.com/specials/women/ladies.html>

18 Holdal (2013), 'Burmese army recruits female soldiers as it struggles to tackle rebel groups', *The Guardian*, 16 October; available at: <https://www.theguardian.com/world/2013/oct/16/burmese-army-recruits-female-soldiers-rebel>

19 *Ibid.*

20 Michaels (2014), 'The Ladies'

to any particular government entity at the local level. Additionally, the Tatmadaw maintains hundreds of *people's militia*, which typically number a few dozen part-time troops that were either established directly by the Tatmadaw or by local ethnic strongmen who have built alliances with it. Tatmadaw relations with such paramilitary forces are often established and maintained by providing economic concessions to leaders and personnel, rather than paying salaries.²¹

At present, the Myanmar government formally controls the majority of the country's territory. In many areas it maintains this dominance through the widespread territorial representation of the Tatmadaw but also, if understood within the context of a doctrine of the "people's war", depends on paramilitary organisations to establish patronage relations with local populations in areas where the EAOs also have access.²² Meanwhile, the MPF is largely restricted to cities and towns, with a limited presence in rural areas, but has been undergoing reforms aimed at preparing it for a more prominent role in internal law enforcement and justice.

The Tatmadaw

The Tatmadaw consists of three conventional military branches: the army (Tatmadaw *Kyi*), the navy (Tatmadaw *Yay*), and the air force (Tatmadaw *Lay*). The Tatmadaw *Kyi* is formally supreme to the other branches, "by taking a leading role of the entire Armed Forces".²³ Due to great secrecy, very little is known about the Tatmadaw's overall size, order of battle or capabilities.²⁴ An informed estimate in 2009 put its size at 350,000,²⁵ though more common estimates often put it at 400,000 since the early 2000s. A study in 2008 estimated that around 90 per cent of its personnel were in the Tatmadaw *Kyi*, and that two thirds of these troops were infantry.²⁶

The Tatmadaw *Kyi* has infantry battalions stationed in rural areas across all of the country's states and regions. The majority of these are organised under 14 Regional Military Commands (RMCs), though these do not correspond directly to the government's 14 administrative states and regions. Seven of these RMCs are stationed in northern and eastern parts of the country most affected by conflict, and each contains around 30–40 infantry battalions.²⁷

In addition, the Tatmadaw *Kyi* has ten mobile Light Infantry Divisions (LIDs), which specialise in counter-insurgency and jungle warfare, each with ten infantry battalions and embedded support units, including artillery units. Equivalent in the Tatmadaw's order of battle are 21 Military Operations Commands (MOCs), which are made up of ten mechanised infantry battalions.²⁸ LIDs and MOCs are stationed in specific locations, but can be deployed across any of the RMC areas of operations, and are often deployed for counter-insurgency operations.²⁹ These infantry-heavy units all operate in coordination with specialised artillery and armoured commands, intelligence-focused Military Affairs Companies and other support units. Particularly since 2012, the Tatmadaw *Lay* has played an increasing role in providing air support in counter-insurgency, through bombardments and strafing of EAO positions and sometimes of civilian settlements.

²¹ Buchanan (2016).

²² Maung Aung Myoe (2009) "Building The Tatmadaw: Myanmar Armed Forces Since 1948", Institute of Southeast Asia Studies, Singapore.

²³ Naypyitaw (2015), p. 25.

²⁴ See Selth (2009).

²⁵ See Selth (2009) via Selth (2013b), p.19. See also, Selth (2015), p. 1 for later estimate of between 300,000 and 350,000.

²⁶ Maung Aung Myoe (2008).

²⁷ These are the Northern Command, that covers Kachin State; the North Eastern Command, which covers northern Shan State; the Eastern Central Command, which covers central Shan State; the Eastern Command, which covers southern Shan State and Kayah State; the South Eastern Command, which covers Kayin and Mon States; the Southern Command, which is headquartered in Taungoo and covers Bago Region and Magwe Region; and the Coastal Command, which covers Tanintharyi Region.

²⁸ One of these MOCs is an airborne infantry unit.

²⁹ Additionally, the Tatmadaw *Kyi* operates at least seven Regional Operations Commands that oversee four infantry battalions each.

The Tatmadaw retains ideologies developed by its two longest-serving leaders, who were also heads of state: Ne Win, who was commander-in-chief from 1949 and *de facto* head of state from 1962 to 1988; and Than Shwe, who led the armed forces and military government from 1992 until 2011. These ideologies emphasise the need for order and stability, in order to protect the country from disintegration, while promoting a particular conception of ‘unity’ that views all ethnic nationalities as essentially homogeneous in spite of divisions purported to have been created by the British colonialists. The Tatmadaw’s primary stated objectives are to protect the “Three Main National Causes” that were laid down by the SPDC. These are: “(a) Non-Disintegration of the Union; (b) Non-Disintegration of the National Solidarity; and (c) Perpetuation of the Union[’s] Sovereignty.”³⁰ As section 5 explores, these aims relate largely to the Tatmadaw’s long-held fears of Balkanisation if ethnic nationality movements gain too much influence and seek to secede.³¹

Following decades of playing a deep role in governance, economic affairs, and rule of law provision at every level – down to individual battalions in the operational field – the Tatmadaw maintains that its force must be “instilled with military, political, economic and administrative outlooks... in order to be capable of participating in the national political leadership role in the future state.”³² The Tatmadaw also has an explicit, continued role in assisting in the rule of law, rendering social services, and disaster response and relief.³³

While retaining preparedness for external aggression, and slowly building capabilities for regional power projection, the Tatmadaw is geared primarily towards counter-insurgency against a multitude of EAOs across the country. The Tatmadaw’s strategy towards EAOs can be seen to have been characterised by a three-part approach of counter-insurgency campaigns, strategic ceasefires, and programmes to convert EAOs into para-military organisations under its command. Since the late 1980s, it has maintained ceasefires with the majority of EAOs at the same time as undertaking intensive counter-insurgency campaigns against just a few groups at a time. It has simultaneously worked to shrink ceasefire territories through increased deployments to surround or infiltrate their territories and by expanding the state’s administrative and infrastructural presence through local-level development. Particularly in recent years, the government has invested greatly – and has benefited from international aid resources – to expand its delivery of social services and development in ceasefire areas still greatly influenced by EAOs.

When undertaking counter-insurgency campaigns, the Tatmadaw tends to flood the target areas with artillery and infantry battalions, so that it outnumbers its opponents. Operations focus on the seizure of EAO positions through infantry advances backed up by heavy artillery and, in more recent years, by aerial bombardments. In this way, the Tatmadaw establishes networks of fortified encampments across EAO territories, limiting EAOs to guerrilla operations. Over time, the Myanmar government seeks to connect these isolated encampments with roads that the Tatmadaw defends, and thus slowly expands its administrative presence to the surrounding communities.

The Tatmadaw has frequently been accused of human rights violations by the United Nations (UN) and by local and international human rights organisations.³⁴ Many such abuses have been linked to the armed forces’ long-standing ‘Four Cuts’ counter-insurgency strategy,³⁵ which revolved around the mass relocation of populations to

³⁰ Naypyitaw (2015), p. 13.

³¹ See Chapter 5

³² *Ibid.*, pp. 18–19.

³³ *Ibid.*, pp. 24–25.

³⁴ See reports by successive UN Special Rapporteurs on Human Rights in Myanmar here: http://ap.ohchr.org/documents/dpage_e.aspx?m=89

³⁵ The term “four cuts” is often interpreted to mean the cutting of four forms of support that populations provide to EAOs (scholars have suggested differing combinations of food, funds, resources, recruits, sanctuary, among others). Others have interpreted it as a four-stage process, that ends with communities turning on the EAOs and cutting the heads of EAO leaders. See Maung Aung Myoe (2009), pp. 25–26; Smith (1999), pp. 258–262; Selth (2001), pp. 91–92, p. 99, pp. 163–164; South (2008), p. 34, pp. 86–87

limit EAOs' popular support. Additionally, an apparent "self-reliance" policy that required individual battalions to source their own resources has been associated with reports of widespread land confiscation, forced labour and extortion from local communities.³⁶ In recent years, the Tatmadaw has used the term "clearance operations" when referring to counter-insurgency operations in and around civilian settlements. The International Crisis Group (ICG) has noted that these appear similar in nature to the traditional 'Four Cuts' campaigns.³⁷

The Myanmar Police Force

The MPF is the state's only official police force and remains subservient to the military under the guidance of the Ministry of Home Affairs, whose minister must be a standing Tatmadaw officer and is effectively selected by the commander-in-chief. It is known to have around 100,000 personnel (approximately one for every 510 citizens), including an increasing but disproportionately low number of female officers. The MPF has long been viewed as weak and corrupt by civilians and international observers alike.³⁸ Since 2011, it has reportedly been undergoing a wave of reform, with increasing support from the international community, including successive police reforms and capacity-building programmes funded by the European Union.

The police have begun taking a leading role in internal security challenges such as public protests, which were formerly handled primarily by the Tatmadaw, and has increased its number of combat-ready battalions.³⁹ The MPF has also extended its reach to more remote areas, along with other government departments, in 84 'sub-township towns', small settlements designated to act as administrative centres for surrounding remote areas, often in ceasefire and conflict-affected areas. However, the force remains largely restricted to these centres and thus relies on paramilitary forces and the Tatmadaw to refer suspected criminals to it in most rural areas.

Border Guard Forces and People's Militia Forces

The Myanmar state's most prominent paramilitary organisations are its 23 BGFs and at least 15 PMFs, which were formed from ceasefire EAOs and Tatmadaw proxy militia in 2009 and 2010. The process of their formation is discussed in detail in section 3. The BGFs contain Tatmadaw officers and support personnel within their ranks and come under the direct command of regional military commands in a similar way to most regular Tatmadaw infantry units. Each BGF is supposed to contain 326 troops, but in reality they vary in size. PMFs retain greater autonomy, do not have Tatmadaw officers within their ranks, but also fall under the command of the Tatmadaw.

BGFs and PMFs are typically quartered on the outskirts of civilian settlements, where they are often seen as the *de facto* authority despite allowing access for, and cooperating with, other government bodies and security forces. They frequently have large offices in major towns, including state/region or township capitals.

Most BGFs and PMFs engage in considerable commercial activities through affiliated companies. Such activities range from extractive industries, agribusiness and border trade, to hotel management, manufacturing and retail. In addition, some BGFs and PMFs have former members or close associates in governmental positions, either through their own parties, through the Tatmadaw-founded USDP, or as independents.

BGFs and PMFs play substantial, but largely informal, roles in administering justice and maintaining security in their respective regions of influence. As in most rural areas in Myanmar, the large bulk of minor crimes and civil disputes are handled through customary practices at the village level by village heads, elders, and other

³⁶ ICG (2014), p. 15.

³⁷ ICG (2016), p. 7, p. 10.

³⁸ USIP (2013), p. 22.

³⁹ Selth (2013a).

influential persons. However, more serious crimes and disputes are typically referred to the BGFs and PMFs, who then carry out arrests before either holding informal trials and administering punishments themselves, or referring the case to the MPF. Even after referring such cases, BGFs and PMFs often continue to support the MPF, due to their local knowledge and recognition of their authority.

The security functions of ethnic armed organisations

EAOs vary greatly in size and power, and in their relations with local communities. Some have well-developed civilian institutions for governance and political relations, while others are military organisations first and foremost. From a security perspective, most EAOs are primarily focused on territorial defence through guerrilla operations aimed at thwarting the Tatmadaw from establishing a stable presence in their areas of influence. Most EAOs also have a dedicated apparatus in place for maintaining order and administering justice for the civilian population in their region, though these vary greatly in structure.⁴⁰ This role – often seen as a responsibility to their people – is central to their efforts to establish themselves as the recognised and legitimate authority in the areas they seek to govern. EAO justice systems vary considerably – from those with independent police forces and judiciaries, to those with a few extrajudicial and law enforcement responsibilities handed to their ordinary foot soldiers.

Most EAOs organise their military wings into operational brigades, divisions or regions, whose areas of operation typically correspond to between two and five government townships. These units are then made up of battalions, which are mostly composed of infantry, sometimes with organic artillery, medical and intelligence capabilities within them. Some EAOs have dedicated artillery and intelligence units, and most have dedicated medical units, which are the most common units that include female personnel. The United Wa State Party (UWSP) is the most powerful EAO in the country with an estimated 20,000–30,000 troops, and it is known to have armoured vehicles and man-portable air-defence systems. In combat, most EAOs rely on the use of ambushes, landmines, and improvised explosive devices to disrupt Tatmadaw patrol and supply routes and to defend their key positions. They typically remain ready to flee key positions and find sanctuary, benefiting from their knowledge of terrain, relations with communities, and proximity to international borders.

EAOs usually retain a combination of in-service and reserve forces and rely primarily on local people from their areas of influence. Most EAOs request every family in their area either to provide a male for recruitment or to put forward a family member for another function of the organisation. This often leads to obligations that are deeply entrenched and understood by communities that have long lived under EAO control. Some EAOs practise forced recruitment more directly, either through sporadic recruitment drives or consistent conscription policies. Particularly during times of conflict, such practices – combined with taxation and demands for supplies – have contributed to higher levels of forced migration.⁴¹

Most EAOs also organise communities to carry out security functions. These vary from the delegation of specific security, intelligence or justice roles to individuals on village or village tract leadership committees, through to the training and arming of local militia for defence, internal law enforcement, or both. In some ways, these are similar to the village-level people's militia organised by the Tatmadaw, except the EAOs do not organise large militia like the Tatmadaw's PMFs. These EAO-formed local-level militia sometimes also provide reserve forces for the EAO armed wings when needed.

Most EAOs have justice departments in some form. In some cases, these directly oversee judges at each administrative level. In others, they focus on lawmaking and

⁴⁰ South and Jolliffe (2014).

⁴¹ South and Jolliffe (2014).

associated training and awareness-raising, while judges remain independent. Some EAOs have a justice department at a central level but, in practice, have very few formal procedures for handling justice issues at the local level.

Only the Karen National Union (KNU), Kachin Independence Organisation (KIO), and UWSP are known to have dedicated police forces, and the latter two are only active in urban areas. The KNU claims its Karen National Police Force has 600 personnel, who are trained in basic investigative procedures and work closely with judges at each administrative level. Other EAOs vary in the extent to which they have active judges, and generally rely on their armed wings or on village level militia to carry out arrests and other security functions. EAOs typically allow minor crimes and civil disputes to be handled through customary practices at the village level, but require village heads to report certain crimes – such as murder, rape, and high-value thefts – for trial in their formal system.

Human rights organisations, whether UN bodies, international or local groups, have reported relatively far fewer human rights violations by EAOs. There have however been increasing reports of abuses by EAOs in northern Shan State, for example. In some areas, this is partly because local human rights organisations are aligned to a lesser or greater degree with the political aims of EAOs in the areas they focus on. Furthermore, local human rights groups have depended on security provided by EAOs to gather information in conflict-affected areas, and as a result have focused more on the Tatmadaw. Nonetheless, while EAOs vary greatly in their conduct and respect for human rights, the more established ones have typically relied on good relations with communities in their areas of operation, so have tended not to target civilians as part of their military strategy. Moreover, some EAOs have strong civilian institutions that keep military personnel in check, and have received expert training on international humanitarian law. However, EAOs have often been found to extract forced labour, food, resources, and recruits from communities, and in some cases they punish civilians thought to be supporting their enemies – particularly people of other ethnicities. In recent years, EAOs involved in conflicts in northern Shan State have increasingly used intimidation tactics, forced relocation, and forced recruitment, among other abuses.

3

Past experiences of security integration

There has been a long history of attempts at security integration by the Myanmar state, with mixed results. This section considers various government initiatives over the years to convert EAOs into paramilitary units of different forms. The current perspectives, concerns, and positions of key stakeholders are informed and influenced by these past experiences.

THE INTEGRATION OF MYANMAR'S MULTIPLE ARMED GROUPS into a unified force has been an important but contentious topic for much of the country's modern history. Indeed, the Tatmadaw itself is essentially the product of a failed attempt at post-conflict integration. For much of World War II, majority Bamar forces led by independence hero General Aung San were pitched against Karen, Kachin, Chin, and other non-Bamar units, as the former supported the Japanese and the latter supported the Allied cause. When Aung San switched sides near the end of the war, these previously opposed indigenous forces were placed side-by-side in an uneasy alliance, securing victory. In 1945, with the Kandy Agreement,⁴² these forces were then incorporated into post-war national armed forces under British command. These armed forces included ethnically segregated class battalions, including Karen, Bamar, Kachin, and Chin Rifles units, some of which were commanded by individual influential leaders with their own interests or agendas.⁴³

Following independence in 1948, the country descended into civil war as large numbers of Tatmadaw troops, including entire infantry units, broke away to join or form various communist, socialist-inspired, or ethno-nationalist insurgencies. Initially planned as a force of 12,000,⁴⁴ by the time of independence the Tatmadaw stood at 5,000 troops, but was depleted to less than 2,000 by early 1949.⁴⁵ However, after Ne Win took command of the Tatmadaw in 1949, he began the mass recruitment of mostly Bamar men; by the time Ne Win seized control of the government in 1962, the army stood at more than 100,000 troops.⁴⁶

Since the 1960s, a central facet of Tatmadaw counter-insurgency has been to convert EAOs into paramilitary organisations under its command, and, more recently, to formally integrate them into its order of battle. It has had mixed success. The majority of larger EAOs have sought to retain their status as independent armed actors, only willing to enter the Tatmadaw once assured of transformative political change that would allow their regions more autonomy. Today, the main former EAOs under Tatmadaw command form 23 BGFs and at least 15 PMFs.

⁴² In September 1945 General Aung San led a military delegation to the Allied Forces South East Asia Command Headquarters in Kandy, where he signed a historic agreement to form a new armed forces, which paved the way for Burma's independence from Britain.

⁴³ Callahan (2003), pp. 75–99.

⁴⁴ *Ibid.*, p. 98.

⁴⁵ *Ibid.*, p. 173. The 2,000 figure is also discussed on p. 119.

⁴⁶ *Ibid.*, p. 173.

Transforming EAOs into paramilitary units

From the earliest days of conflict, the Tatmadaw has employed various auxiliary units in the front line, such as the Sitwundan at independence. But the antecedents of today's more formal BGFs and PMFs emerged from the late 1950s and early 1960s,⁴⁷ when Ne Win initiated a programme to convert local armed actors in Shan State into state-sanctioned militias. Termed KaKweYe (KKY), 23 militia units were formed, comprising Wa, Shan, and ethnic-Chinese units, which included remnants of Kuomintang nationalists who had crossed the border from China. These militia were given access to state infrastructure and resources in return for cooperation against ethno-nationalist armed groups and other outlawed entities.⁴⁸ However, as the KKY became harder to control, in 1969 the military government arrested prominent militia leader Khun Sa on drugs trafficking charges, and in 1973 ordered all the Shan State KKY to disband – sending some underground, and some into political opposition.

Meanwhile, Tatmadaw doctrine had become increasingly shaped by the Maoist concept of 'People's War', and geared towards mobilising the civilian population toward strategic military aims.⁴⁹ As part of this shift, the Tatmadaw began a 'People's Militia' or *pyithu sit* initiative to establish local militia from among the civilian population, who would be prepared for national security crises. From 1973 onwards, the People's Militia programme also became the primary means for converting EAOs into state-backed units. Through the 1970s and 1980s, an unknown number of people's militia were formed under the command of former rebel leaders that pledged loyalty to the state. By the mid-1980s, the total number of people's militia troops had risen to an estimated 35,000.⁵⁰

Despite these initiatives, the state did not manage to entice any significant factions from large EAOs, such as the KIO and KNU, to come under its command between the 1960s and 1980s. Indeed, the Communist Party of Burma (CPB), which was forced to shift its headquarters to the China border, was much more effective in this regard, as it established patron-client relations with many factions from these and other ethno-nationalist groups. The state's success in this regard began to change after the country's second coup d'état in 1988 and the subsequent collapse of the CPB in 1989, as the new military government managed to broker ceasefires with a host of new EAOs that formed out of the CPB's ranks and its 'client' proxies. Following those ceasefires, the new military government of the SLORC (subsequently SPDC) then went on to secure further ceasefires with many of the country's non-communist EAOs as well, including the KIO, Palaung State Liberation Party (PSLP),⁵¹ New Mon State Party (NMSP), and Pa-O National Organisation (PNO).

While veteran EAOs like the KIO, NMSP, and Shan State Army (SSA) continued to push for a political settlement, others among the new ceasefire EAOs began to cooperate with the Tatmadaw against other EAOs, and a number even came under its command. In 1995, for example, a large breakaway faction from the KNU, the Democratic Karen Buddhist Army (DKBA), began conducting joint operations with the Tatmadaw against its parent organisation and effectively became its proxy militia. Then in 1996, the Tatmadaw cooperated with the largest ceasefire EAO, the UWSA, to take over the territories held by Khun Sa, who had been released from jail in 1973 and by then led the Mong Tai Army (MTA). Numerous other small factions of Karen, Karenni, Pa-O, Kachin, Kayan, Palaung, Shan, and other EAOs also became fully-fledged proxies of the state. Some of these were rogue splinter factions, while others were headed by EAO leaders willing to retire with small symbolic militias, allowing the bulk of their former troops to dissipate or join other EAOs.

⁴⁷ As Buchanan (2016) notes, while this programme is usually said to have begun in 1963, some sources show that it could have started in the late 1950s. See pp. 8–9.

⁴⁸ For more on the history of Shan State militia, see Lintner (1999), pp. 231–232; Smith (1999), p. 221 and Buchanan (2016), pp. 9–11.

⁴⁹ Maung Aung Myoe (2009), pp. 22–25.

⁵⁰ See Buchanan (2016), 35,000 figure is attributed to Selth (2001a), p. 78. Note that this figure includes a large number of militia established from local civilians by the Tatmadaw so does not only represent former rebels brought under Tatmadaw command.

⁵¹ Formerly the Palaung State Liberation Organisation and Palaung Liberation Front. Antecedent to the Palaung State Liberation Front that has been fighting the Tatmadaw since 2011.

In 2008, the newly-drafted constitution stated: “All the armed forces in the Union shall be under the command of the Defence Services”. It also maintained the country’s long tradition of ‘people’s warfare’ by stating that:

With the approval of the National Defence and Security Council, the Defence Services has the authority to administer the participation of the entire people in the Security and Defence of the Union. The strategy of the people’s militia shall be carried out under the leadership of the Defence Services.⁵²

The National Convention that led to the creation of the 2008 constitution was seen as highly exclusionary, and a major bloc of pro-federal ceasefire EAOs that were party to it complained repeatedly about the centralised structure of government and the powerful role of the military provided for in the charter. Following the confirmation of the constitution, the ceasefire EAOs were told that to fall in line with the country’s path to “disciplined-flourishing democracy”, they would have to come under Tatmadaw command. Accordingly, in April 2009, the military government issued demands for all ceasefire EAOs to form BGFs, new 326-man units that would be formally integrated into the Tatmadaw order of battle. Unlike any previous militia, these units would have 30 ordinary Tatmadaw officers and support personnel embedded in their ranks, while all troops would receive a full package of salaries, benefits, healthcare and training.

The responses of the ceasefire EAOs varied greatly, from those that eventually accepted the government’s demands to those – including the most prominent and influential – that refused, thus provoking fresh attacks by the Tatmadaw (*see Annex*). The 23 BGF battalions that were formed came out of five former ceasefire groups and a number of smaller existing militia. Meanwhile, at least 15 EAOs or factions managed to negotiate terms to form another new type of unit, PMFs, which would retain greater autonomy by not having Tatmadaw officers in their ranks, but would receive less extensive assistance and would still have to pledge loyalty to the military government. Some BGFs and PMFs then formed associated political parties or placed members in the military-backed USDP and entered the 2010 elections.

The two largest ceasefire groups, the KIO and UWSP, attempted to negotiate more preferable terms, but ultimately rejected the deal. The KIO made numerous proposals, including for the transformation of the KIA into a Kachin Regional Guard Force, which would have much greater autonomy and be more senior than a standard BGF.⁵³ The group’s final counter-proposal, which was reportedly endorsed by a mass meeting of 324 representatives of Kachin religious, cultural and civil society groups, also demanded that the KIO be given automatic positions in the Kachin State government that was to be formed in 2011. According to one KIO official at the time, “We know there should not be several different armies within one country... But there is no genuine peace in Burma yet. This is why the country has more than one army”.⁵⁴

Around the same time, the UWSP also submitted a counter-proposal, accepting the government’s demands in principle but refusing to allow Tatmadaw officers to be integrated at the battalion level, alongside other demands related to the territorial demarcation of districts in their area.⁵⁵ One UWSP official reportedly stated that “they had no problems with changing their group’s name, but reforming the army structure was impossible, as it would prove meaningless after their decades’ long struggle”.⁵⁶

⁵² Constitution of Myanmar (2008), Article 340.

⁵³ The KIO reportedly stated that they would form an autonomous “brigade”. Though such units do not exist in the current Tatmadaw, it is assumed this would represent a larger command made up of multiple battalions. For two of the more detailed articles on these counter-proposals, see Kachin News Group (2009), “Junta yet to respond to KIO’s demands”, 19 August; available at: www.kachinnews.com/news/1049-junta-yet-to-respond-to-kios-demands.html; and Kachin News Group (2009), “Snr-Gen Than Shwe rejects KIO’s demands”, 30 July 2009; available at: www.kachinnews.com/news/1009-snr-gen-than-shwe-rejects-kios-demands.html

⁵⁴ Mizzima (2009), “Kachins Reject Border Guard Role”, 7 September; available at: <http://reliefweb.int/report/myanmar/myanmar-kachin-rejects-border-guard-force-proposal>

⁵⁵ S.H.A.N. (2010), “War Looms as Junta Sets Deadline”, 9 March; available at: <https://democracyforburma.wordpress.com/tag/war-looms-as-junta-sets-latest-deadline/>

⁵⁶ Mizzima (2009), “UWSA turns down junta’s ‘Border Guard’ proposal”, 22 May; available at: <http://archive-2.mizzima.com/archive/2177-uwsa-turns-down-juntas-border-guard-proposal.html>

This proposal was also rejected by the SPDC. In 2012, however, the UWSP reportedly reconsidered forming a PMF, likely having seen the level of autonomy that other PMFs in Shan State had managed to retain whilst gaining official status and recognition.⁵⁷

The ceasefire EAOs that rejected the government's demands effectively had their ceasefires annulled. This initiated a wave of new conflicts that, seven years later, has escalated to see most of northern Shan State and many parts of Kachin State engulfed by regular armed conflict between the Tatmadaw and former ceasefire groups or their progeny. These fresh conflicts began with Tatmadaw attacks on the Myanmar National Democratic Alliance Army (MNDAA) in 2009, a group that had rejected the BGF demands. The MNDAA was largely defeated and its senior leadership fled to China, while lower-ranking leaders formed a splinter faction that did become a BGF. In March 2011, the Tatmadaw attacked a major faction of the SSA which had rejected the BGF demands, while another faction of the SSA formed a PMF. Then in June 2011, violence erupted between the Tatmadaw and the KIO, with the Tatmadaw citing the BGF demands as one of several causes of the renewed conflict. Although the UWSP has managed to maintain the peace, its relations with the Tatmadaw have deteriorated significantly, as it has close relations with several non-ceasefire EAOs in the region.

Ceasefires were eventually re-brokered with the majority of EAOs that refused the demands in 2011 and 2012. Nonetheless, their trust was greatly damaged. In sum, what was touted by the SPDC as a programme aimed at increasing stability in line with its democratic reform agenda, ultimately led to rapid increases in armed conflict. Without a direct link to comprehensive reforms, therefore, EAOs remain deeply sceptical of all government attempts to convert them into official security forces of the state.

⁵⁷ Mizzima (2012), "Powerful Wa army considers becoming People's Militia Force", 13 July; available at: <http://archive-2.mizzima.com/news/inside-burma/7521-powerful-wa-army-considers-becoming-peoples-militia-force.html>

4

Coming to a consensus

IN 2011, A MILITARY-BACKED GOVERNMENT CAME TO POWER led by President Thein Sein – previously prime minister under the SPDC and a former general who had long served in ethnic conflict zones. From July 2011 onwards, his government began a series of significant reforms, aimed at liberalising the economy and re-establishing relations with Western countries, which had put significant sanctions in place. Despite an overall increase in conflicts in Kachin, Shan, and Rakhine States, new ceasefires were signed with a number of EAOs, including the KNU, and political progress was made through a fresh peace process involving the majority of ceasefire and non-ceasefire EAOs.⁵⁸

By 2013, talks were underway between the government and Tatmadaw on one side and a bloc of 17 EAOs on the other, to form a nationwide ceasefire agreement (NCA). Multiple problems persisted as conflicts continued to rage in the country's north, and the Tatmadaw increasingly used heavy aerial and artillery bombardments on EAOs. Nevertheless, the talks represented the first time that the state had negotiated with EAOs collectively, and as such, were considered a major breakthrough. By March 2015, an NCA text was agreed that included a commitment to political dialogue with the explicit aim of forming a federal system of government. Additionally, agreement was reached that 'security re-integration' – loosely referring to a process of DDR and SSR – would form a key part of a peace settlement in line with these reforms.

Ultimately, as tensions remained high on numerous fronts, only eight EAOs signed the NCA, alongside the Tatmadaw and Thein Sein government in October 2015, and armed conflicts have continued in many areas. Nevertheless, this secured the commitment on paper of all signatories to engage in dialogue on the process of federalisation as well as on security integration, which represented a significant breakthrough. This has since opened up important questions about what a transition to a more federal security structure in Myanmar would look like, and how EAOs might be incorporated into it.

⁵⁸ During the current peace process, between 2011 and 2014, 14 bilateral ceasefires between individual groups and the government were signed, although fighting continued to escalate elsewhere. This was not the first attempt at signing ceasefires. Over 40 groups had been involved in ceasefire processes during the previous military government era – some had transformed into BGFs and PMFs, while others refused to cooperate formally with the Tatmadaw.

Consensus on a federal future

This section considers the process that led to a long-awaited consensus among the country's major political stakeholders that peace will depend on the formation of a governmental system that is explicitly federal in nature, following decades of tension around the topic.

Federalism has been at the heart of disputes between Myanmar's Bamar majority and other ethnic nationalities since before independence. In 1947, an official enquiry into the desires of non-Bamar leaders in the semi-autonomous Frontier Areas confirmed that most desired independence only as part of a federation which guaranteed their "fullest possible autonomy" therein.⁵⁹ These demands were then revisited in the early 1960s, when Shan parliamentarians and princes led a pan-ethnic 'Federal Movement', effectively triggering the 1962 coup d'état.

In 1976, a ten-member (later 12-member) EAO alliance called the National Democratic Front (NDF) was formed in KNU territory, to push for the achievement of a democratic federal union. Among the major members were the KIO, NMSP, Karenni National Progressive Party (KNPP) and Shan State Progress Party (SSPP), which remain central players in peace negotiations and keen advocates of federalism to this day. Since then, most EAOs and ethnic-based political parties in Myanmar have maintained calls for a federal system of government as their primary aim, while ethnic-based civil society organisations have conducted widespread awareness raising on the concept, gaining significant grassroots support.

Since the 1990s, the NLD has voiced consistent support for the principle of federalism as the key to building peace.⁶⁰ The NLD stated in its 2015 manifesto that it "has always stood firmly" for a federal union, because this was necessary to achieve peace, and that it would thus be a central aim of its government.⁶¹ Accordingly, in her many campaign speeches, and ultimately in her first presidential address, Daw Aung San Suu Kyi pledged constitutional change to "give birth to a genuine, federal democratic union".⁶² In his inaugural address in March 2016, President Htin Kyaw also stated as his government's main policies: "national reconciliation, internal peace, [and] pursuing a constitution toward a federal union".⁶³

Nonetheless, for as long as the Tatmadaw resisted the notion of federalism, the long-held consensus between the NLD and the ethnic nationalist movements amounted to little in practical terms. Throughout the rule of the SLORC/SPDC, the word 'federalism' was avoided altogether in the state media and in proceedings of its constitutional drafting initiative, the National Convention. The 2008 constitution, which came out of the convention, provided for state and region governments, but these remain extremely weak, centrally appointed, and have few executive or legislative powers.⁶⁴ As recently as March 2015, the Tatmadaw stated in a White Paper that it had assumed power in 1962 specifically because "federalism could [have turned out] to be the cause of disintegration of the Union".⁶⁵

The first signs of a shift in the government's position came in August 2014, when a chief EAO negotiator announced that the government had "accepted the demand to establish a Federal Union".⁶⁶ In January 2015, then-President Thein Sein stated in his Independence Day speech that there was an agreement to establish "a union based

59 The Frontier Areas covered today's Kachin, Shan, Chin, and Kayah States, and parts of Kayin State, Rakhine State and Sagaing Region. See the recommendations of the Frontier Areas Commission of Enquiry (FACE) report (1947), p. 18, in which it was observed, "The view of the witnesses from the Federated Shan States and from the Kachin Hills are strongly in favour of a federated Burma in which the Federated Shan States will form a state or unit and the Kachin Hills another. They desire the fullest possible autonomy for the states within the federation but agree that certain subjects of general scope should be entrusted to the federation."

60 See a report by an NLD-led committee representing 251 disavowed members of Parliament, which discussed federalism as a central issue at the heart of the armed conflicts and concluded that such a form of government would be necessary to achieve peace. Committee Representing the People's Parliament (1999), pp. 88–89.

61 NLD Manifesto (2015), p. 2, 5, 6.

62 Global New Light of Myanmar (2016), "Amendment Essential: State Counsellor offers New Year Message", 17 April; available at: <http://globalnewlightofmyanmar.com/amendment-essential/>

63 The Myanmar Times (2016), "Transcript: President U Htin Kyaw's inaugural address", 30 March; available at: www.mmtimes.com/index.php/national-news/19730-transcript-president-u-htin-kyaw-s-inaugural-address.html

64 Jolliffe (2015), pp. 30–43. Nixon, Hamish; Joeline, Cindy; Kyi Par Chit Saw; Thet Aung Linn; and Arnold, Matthew (2013), 'State and Region Governments in Myanmar', The Asia Foundation; available at: <http://asiafoundation.org/resources/pdfs/StateandRegionGovernmentsinMyanmarCESDTAF.PDF>

65 Naypyitaw (2015), p. 47.

66 Radio Free Asia (2014), "Myanmar Government Agrees to Federal System in Cease-Fire Talks", 15 August; available at: www.rfa.org/english/news/myanmar/ceasefire-08152014182134.html.

on federalism”.⁶⁷ Finally, on 15 October 2015, the NCA was signed, committing the Tatmadaw to establish “a union based on the principles of democracy and federalism... that fully guarantees political equality, the right to self-determination, and democratic practices based on the universal principles of liberty [and] equality”.⁶⁸ Crucially, the agreement also commits all signatories to the former government’s Three National Causes, which effectively bars ethnic leaders from attempting secession.

Significant disagreements remain, however, about exactly what form this union should take, particularly how power should be shared between the union and state/region governments. Indeed, at the first two political dialogue events held in January and August 2016, the Tatmadaw backtracked on its long resistance to the term ‘federalism’ and argued that the country’s governmental system was in fact already federal. In February 2016, a presidential adviser stated his concerns “that instead of a federal system, the country could end up becoming a collection of fiefdoms... [and] that power rivalries could develop between the national – or union – government and state governments.”⁶⁹ This view is probably much milder than the concerns among the Tatmadaw leadership, who have been plagued by fears that the country will break down without deep, centralised rule. Meanwhile, although the NLD has long been pro-federalism, the party also has not made clear what level of autonomy it would be comfortable allowing states and regions.

A fragile consensus on ‘security re-integration’

This section outlines recent progress towards a fragile consensus among parties to the peace process, committing to a future process of ‘security re-integration’. Following two years of negotiations between the government and EAOs, an agreement was reached in 2015 that security re-integration, loosely referring to a process of SSR and DDR, would form a key part of a peace settlement in line with these reforms.⁷⁰

In Myanmar’s ongoing peace process, which has involved a coalition of ceasefire and non-ceasefire EAOs but no BGFs or PMFs, tensions have arisen frequently around the future of the security sector.

When the Thein Sein government began peace talks in 2011, it initially held the position that, following ceasefires, EAOs would only gain formal influence over political affairs by giving up arms, forming political parties, and entering parliament as ordinary MPs. However, in 2013, Thein Sein came to realise that such a position was not viable, and instructed government negotiators “not (to) mention anything about disarmament in your talks”, warning that this would lead to immediate failure.⁷¹ The Tatmadaw also dropped all demands for groups to form BGFs, and soon accepted the need for political dialogue, outside of parliament, to the disarmament of EAOs.

However, on Armed Forces Day in March 2015, the commander-in-chief, Senior General Min Aung Hlaing, announced that if EAOs have a “true desire for peace” then they would need to undergo a DDR process, representing perhaps the first official use of the internationally recognised term.⁷² The Tatmadaw has previously organised the disbandment and demobilisation of defeated EAOs or smaller factions, but these processes have generally not involved significant plans for their reintegration into society. Since then, the commander-in-chief has reiterated the need for DDR numerous times, asserting that “every country only has one armed forces”,⁷³ while simply inviting all EAOs to join the existing Tatmadaw.⁷⁴ In an interview with the BBC, Min Aung

⁶⁷ *Global New Light of Myanmar* (2015), “Main objective of our reforms is to enable people to enjoy peace and development democratically”, 1 April; available at: <http://globalnewlightofmyanmar.com/main-objective-of-our-reforms-is-to-enable-people-to-enjoy-peace-and-development-democratically/>

⁶⁸ NCA (2015), Article 1a.

⁶⁹ Soe Thane (2015), “Navigating the choppy waters of Myanmar’s post-election era”, *Nikkei Asian Review*, 11 January; available at: <http://asia.nikkei.com/Viewpoints/Viewpoints/Navigating-the-choppy-waters-of-Myanmar-s-post-election-era>. This article was later republished in the state-owned newspaper, *Global Light of Myanmar*.

⁷⁰ See NCA (2015), Article 6 and Article 20.g. An addendum to the NCA with agreed clarifications of some terms states that it was agreed in August 2015 that “Security reintegration means the process of SSR-DDR”. This phrase was also used at the first union peace conference in January 2016 in the thematic working group on security matters.

⁷¹ The President was quoted by negotiator Aung Naing Oo, in his illustrative blog article about DDR in Myanmar. Aung Naing Oo (2014), “DDR and the Peace Process in Myanmar”; available at: <http://aungnaingoo2014.blogspot.com/2014/12/ddr-and-peace-process-in-myanmar.html>

⁷² *Global New Light of Myanmar* (2015), “Defence Services Commander-in-Chief promises to support elections in November”, 27 March; available at: www.globalnewlightofmyanmar.com/defence-services-commander-in-chief-promises-to-support-elections-in-november/

⁷³ See the Tatmadaw’s own news website, *Myawady* (2016), “Senior General Min Aung Hlaing receives Chinese Special Envoy to Myanmar”, 30 June; available at: www.myawady.net.mm/en/headlines/item/1844-2015-06-30-10-24-05

⁷⁴ Soe Than Lyann (2016), “Ethnic armed groups ‘welcome’ to join military, says Min Aung Hlaing”, *Frontier Myanmar*, 12 January; available at: <http://frontiermyanmar.net/en/news/ethnic-armed-groups-welcome-join-military-min-aung-hlaing>

Hlaing seemingly presented DDR as a necessary precursor to ending the armed conflict, stating that only by that point would the Tatmadaw be willing to “stay in a military role” – in other words, it would back away from a political role.⁷⁵

Meanwhile, EAOs have refused to enter a unilateral DDR process, noting that this would be synonymous with surrender, and have instead called repeatedly for a more holistic process of SSR, with the aim of forming a more representative Federal Union Armed Forces. These demands were repeatedly rejected by the Tatmadaw, as Min Aung Hlaing claimed that his force is already “inclusive of all ethnic groups, including 4,500 officers from ethnic minority backgrounds”.⁷⁶ Furthermore, the Tatmadaw and former government repeatedly resisted use of the term SSR in the NCA text, instead insisting on the term “security sector reintegration” or simply emphasising DDR.⁷⁷ In late 2015, Tatmadaw negotiators presented materials to the KIO, reportedly representing the Tatmadaw’s understanding of SSR; these turned out to be Myanmar language translations of an international manual on DDR.

The final NCA text commits all sides to “carrying out security re-integration” in line with agreements on political reforms following a political dialogue.⁷⁸ Following concerns among some EAO leaders over the ambiguity of the term, additional negotiations were undertaken prior to the October signing in which an annex was agreed to clarify a number of terms, which included provisions that “security reintegration means the process of SSR-DDR”.⁷⁹ This was the first sign that the Tatmadaw had become more flexible in its interpretation of the term SSR.

Then, in his opening speech to the January 2016 Union Peace Conference (UPC), Min Aung Hlaing stated that, “We will have to practice disarmament, demobilisation and reintegration (DDR) and security sector reform (SSR) in line with the expectations of the international community.”⁸⁰ Accordingly, the phrase “DDR-SSR security reintegration” was also used at the first UPC in the thematic working group on security matters. In May 2016, Min Aung Hlaing said specifically that SSR-DDR “does not mean that the groups have to surrender their arms to the Tatmadaw. But they have to surrender their mindset and principles of solving political problems by means of arms. Within five years after having initial steps, DDR-SSR processes are inevitable.”⁸¹ Despite many outstanding points of contention and uncertainty, this rhetorical shift provides a stronger basis for compromise around the future of Myanmar’s security sector.

EAOs that signed the NCA in October 2015 then went on to agree a framework for political dialogue with the government and Tatmadaw ahead of the first UPC in January 2016. This included security as one of six key thematic areas on which proposals would be tabled and voted on by participants in order to propose changes to the law and to the constitution. Under the ‘Security’ sub-heading there are two articles: “Matters related to national security” and “Matters related to security reintegration”. Following the NLD-initiated 21st Century Panglong Conference in August–September 2016, the framework for political dialogue has been undergoing numerous adaptations, and remains in flux. But the basic two-part model for discussing security issues at the union level will likely remain in place.

⁷⁵ *Myawady* (2015), “The Interview with Commander in Chief of Defence Services Senior General Min Aung Hlaing and BBC News Agency”, 20 July; available at: www.myawady.net.mm/en/headlines/item/1906-2015-07-20-14-10-15

⁷⁶ Hein Ko Soe (2015), “Government rejects ethnic group bid for a federal force”, *Mizzima*, 10 December; available at: www.burmanet.org/news/2014/12/10/mizzima-news-government-rejects-ethnic-group-bid-for-a-federal-force-hein-ko-soe/

⁷⁷ <http://reliefweb.int/report/myanmar/security-sector-crucial-issue-says-absdf>

⁷⁸ At the time of writing, the NCA has only been signed by eight out of 17 involved EAOs, but the text itself was agreed by most of the major parties. See NCA (2015), Article 6 and Article 20.g.

⁷⁹ According to the addendum, this phrase was agreed in August 2015, which is when meetings took place between leading members of five major EAOs to clarify remaining issues.

⁸⁰ Min Aung Hlaing’s speech was not formally published by the government or by any other source in full. The commander-in-chief was quoted saying the above in *Eleven Media* (2016), “Tatmadaw seeks democracy designed for Myanmar”, 13 January; available at: <http://elevenmyanmar.com/local/tatmadaw-seeks-democracy-designed-myanmar>

⁸¹ Lun Min Mang (2016), “Tatmadaw sets out peace conference conditions”, *The Myanmar Times*, 16 May; available at: www.mmtimes.com/index.php/national-news/20303-tatmadaw-sets-out-peace-conference-conditions.html

5

Future visions of Myanmar's security sector

The Tatmadaw's vision: "A strong, capable and modern patriotic Tatmadaw"

This subsection draws on documents and news reports to provide an overview of how the three main sets of stakeholders – the Tatmadaw, the NLD and the EAOs – appear to envision the future of Myanmar's security sector. These visions are very much in play at the time of writing, and are likely to evolve rapidly as the various stakeholders prepare for upcoming negotiations. Nonetheless, a review of past statements, documents, and interviews with key actors provides a helpful overview of their broad perspectives and some examples of specific arrangements that have been suggested to achieve them over the years.

SINCE 2011, the Tatmadaw has transmuted from being the supreme body overseeing all aspects of government to being one of multiple state institutions, sharing power with elected civilian officials. This has forced the army to shift to a more specific focus on its defence and security responsibilities, despite retaining significant administrative and economic roles. However, this is not to say that the Tatmadaw expects to withdraw altogether from a role in Myanmar's politics. Despite major changes and some positive reforms, Tatmadaw generals remain explicit and persistent in their assertions that now is not the time for it to withdraw from its role in politics. Its strategic focus remains primarily on building its military, political, and economic capacity, in line with a stated aim of forming "a strong, capable and modern patriotic Tatmadaw".⁸²

Moreover, the Tatmadaw remains staunchly resistant to external military support "with strings attached",⁸³ and remains more cautious in its international ties than other militaries in the region. It retains strategic relations with, and receives some assistance from, traditional backers such as Russia and China, but it has also begun gradually to develop relations with Western militaries in recent years. However, as this section will discuss, the Tatmadaw is unlikely to embrace a comprehensive approach to SSR in line with global norms and standards.

A chance for change?

Since its creation, the Tatmadaw has gone through three waves of doctrinal development: in the 1950s, to create an armed forces capable of suppressing internal insurgencies and repelling a foreign invasion (during which time it also became the largest institution, in many aspects, of commerce and finance in the country); in the 1960s, under the first military government, to introduce a counter-insurgency doctrine and the concept of People's War following ostensibly socialist principles; and in the 1990s and 2000s, under the second military government, to advance and expand the force's capabilities up to modern standards during a period of preparation for the eventual institution of "disciplined-flourishing democracy".⁸⁴

⁸² Naypyitaw (2015), p. 18; *Global New Light of Myanmar* (2016), "Here to Stay", 27 March.

⁸³ Naypyitaw (2016), p. 16.

⁸⁴ Maung Aung Myo (2009), pp. 16–46.

Since 2012, there have been rumours that the Tatmadaw is developing a new military doctrine to suit the country's political transition.⁸⁵ A number of Western commentators have suggested that such reforms might aim to professionalise the force, improve its image, and even to bring the armed forces under greater civilian control.⁸⁶ Indeed, the Tatmadaw and its former members have spearheaded the country's political and economic transition since the beginning and they have shown unprecedented – albeit still limited – willingness to liberalise and reform multiple other sectors.⁸⁷ Furthermore, the commander-in-chief has demonstrated some interest in rebuilding military ties with the West by very tentatively engaging with the US and other major international players.⁸⁸

There have also been some notable changes in the Tatmadaw's conduct since 2011, despite ongoing concerns voiced by the UN and others.⁸⁹ The armed forces have reportedly significantly reduced the use of forced labour,⁹⁰ extortion and irregular taxation. The Tatmadaw has initiated limited reforms to introduce female officers to its ranks, and has begun communicating more openly on social media and with the press. It has also continued its programme to demobilise child soldiers; although its public attempts at this have largely amounted to the high-profile release of just a few dozen children once or twice per year. In addition, the Tatmadaw has been increasingly handing over internal security responsibilities to the MPF, which it has allowed to receive increased multi-lateral financial and technical support from Western powers and China.

Nonetheless, as subsequent sections will discuss, these reforms do not suggest that the Tatmadaw is prepared for a fundamental and comprehensive transformation of the kind called for by the NLD and EAOs. The Tatmadaw's position and agenda demonstrate that it remains focused primarily on building up its strength and capacity, and is resistant to making major concessions that would diverge from its core values and long-held vision for the country.⁹¹

The Tatmadaw's political vision

Understanding the type of SSR envisioned by the Tatmadaw depends firstly on understanding how it views its role in politics, and how that fits with the country's overall transition. Ever since the 1960s, the Tatmadaw has argued that if politics were left solely to popularly elected civilians, the country would descend into political factionalism, become defenceless against insurgencies, and would be exposed to Balkanisation.⁹² Since the 1990 election, in which the NLD won a landslide victory, the Tatmadaw has stated consistently that the country would one day achieve democracy but that this would depend on a gradual and orderly process, stewarded by the armed forces, to avoid the country descending into chaos.

In his March 2016 Armed Forces Day speech, just days before the NLD took power, Commander-In-Chief Min Aung Hlaing stated that the Tatmadaw has “the responsibility to take the lead in the national politics... [as it has done] in the face of critical situations throughout the history of the country”. The speech was then presented in the state-run media with the unambiguous headline: “Here to Stay”.⁹³

⁸⁵ Callahan (2012), pp. 127–128; ICG (2014), pp. 14–15.

⁸⁶ *Ibid.*

⁸⁷ This process began in 2003, when the SPDC announced a seven step roadmap for the emergence of a genuine and disciplined democratic system, but was largely viewed by the opposition and international community as a means to consolidate Than Shwe's grip on power. The international community largely changed its perspective after the Thein Sein government began initiating a range of liberalisation reforms in 2011.

⁸⁸ Selth (2013b), pp. 23–24.

⁸⁹ See reports by successive UN Special Rapporteurs on Human Rights in Myanmar here: http://ap.ohchr.org/documents/dpage_e.aspx?m=89

⁹⁰ See Karen Human Rights Group (2013), “Civilian and Military order documents: November 2009 to July 2013”, 17 October; available at: <http://khrgh.org/2013/10/civilian-and-military-order-documents-november-2009-july-2013>. Also this progress was rewarded by the International Labour Organisation which lifted sanctions that had been tied to ongoing forced labour in 2013. See www.ilo.org/ilc/ILCSessions/102/media-centre/news/WCMS_216355/lang--en/index.htm

⁹¹ More below. See also Naypyitaw (2016).

⁹² Egreteau (2016).

⁹³ *Global New Light of Myanmar* (2016), “Here to Stay”, 27 March.

Whether this narrative represents a genuine perception of responsibility or is more about defending the existing power and assets of the military is a matter of debate. Nonetheless, the Tatmadaw has been consistent about this vision for more than two decades, and takes it very seriously. Thus, although the military has overseen an unprecedented period of reform since 2011, it has explicitly and unapologetically retained significant powers, viewing itself as a guardian of the country's sovereignty and integrity. In an English-language Defence White Paper from early 2016, it explained its position as follows:

As the Tatmadaw had formulated the prevailing conditions for emergence of the democracy system, it will continue holding the firm stance in implementing the national politics in accordance with the Constitution unswervingly from the current path.⁹⁴

The Tatmadaw's existing powers and its political vision are currently enshrined in the 2008 constitution, which it views somewhat dogmatically as the highest law of the land, which must be defended above all else. The constitution provides for a mostly civilian government structure, but one in which the military retains near total autonomy in the spheres of defence and security, a strong administrative role in day-to-day governance, and a lesser role in legislative affairs. Furthermore, through its automatic allocation of 25 per cent of parliamentary seats, the military retains a *de facto* veto power over the majority of constitutional amendments with the consequence that no significant changes to Myanmar's governance or political structure are possible unless they have Tatmadaw approval.

Whether to defend vested interests or out of a sense of genuine obligation to the country, the Tatmadaw appears committed to defending the constitution even where it limits the military's power. Indeed, the current order is far more pluralistic than that which had existed under successive military regimes since the 1960s. Particularly since the NLD government was formed, the Tatmadaw has stated repeatedly that it sees itself as junior to the president in authority, despite maintaining autonomy in its own affairs. Min Aung Hlaing has emphasised that the president as head of state is unequivocally more senior than the commander-in-chief as a matter of constitutional law.⁹⁵ Speaking to local journalists in May 2016, Min Aung Hlaing went so far as to state that, although he has the power to nominate the ministers of defence, home affairs and border affairs, "those union ministers represent the government in their functions [and] abide by the policy of the government led by the President," and that "The Tatmadaw has no authority to adopt the policy for them".⁹⁶

Regarding defence, Min Aung Hlaing further explained that, despite the Tatmadaw's freedom from reporting to the president about specific military operations, the budget process still has to go through the Ministry of Defence – which reports to the president, and ultimately to parliament. Moreover, he noted, "if necessary, the [president-chaired] National Defence and Security Council (NDSC) calls us how to act and how to do, we have to report it [sic]".⁹⁷ He also said that the Tatmadaw's 25 per cent bloc of seats in parliament should not be viewed as "the opposition" and that they are just there to present the "dos and don'ts", and raise what is "unlawful" in order to make it "lawful".⁹⁸

These concessions by the Tatmadaw appear to have been driven to some extent by the realisation that beyond military strength, security in the country also depends on the transformation of the political, economic and social sectors. The 2016 Defence White Paper specifically posits that promoting multi-party politics, international economic

⁹⁴ Naypyitaw (2015), p. 49.

⁹⁵ See *Myawady*, "Excerpts from the meeting with local media that reflect the stance and actions of the Tatmadaw", 17 March 2016; available at: www.myawady.net.mm/en/headlines/item/2288-excerpts-from-the-meeting-with-local-media-that-reflect-the-stance-and-actions-of-the-tatmadaw

⁹⁶ *Ibid.*

⁹⁷ These comments are from the same press conference but are published at *Myawady* (2016), "Questions and answers of the meeting between the Tatmadaw and Myanmar Media Council and local media", 15 May; available at: www.myawady.net.mm/en/headlines/item/2280-2016-05-15-21-50-42

⁹⁸ See *Myawady*, "Excerpts from the meeting with local media that reflect the stance and actions of the Tatmadaw", 17 March 2016; available at: www.myawady.net.mm/en/headlines/item/2288-excerpts-from-the-meeting-with-local-media-that-reflect-the-stance-and-actions-of-the-tatmadaw

cooperation and development are crucial to overcoming security challenges.⁹⁹ In his 2016 Armed Forces Day speech, Min Aung Hlaing outlined one of the Tatmadaw's four priorities as the need "to cooperate between the government, the parliament, the military and all nationalities in satisfying the country's fundamental needs of stability, solidarity and development".¹⁰⁰

These steps may be viewed optimistically by some as the first tentative steps towards a full retreat from political power as the democratic system of government continues to progress. From the perspective of the Tatmadaw, however, such progress is actually dependent on the military's continued role in politics, and its relative autonomy in security affairs. In particular, the Tatmadaw sees itself as central to maintaining the rule of law (both in upholding the constitution and in maintaining public order) and to defending the state against armed insurgencies. In his 2016 Martyr's Day speech, Min Aung Hlaing stated: "Only when these two hindrances are properly tackled and overcome will there be advancement on the path to democracy".¹⁰¹ In other words, until the Tatmadaw is satisfied with progress in these areas, it shows no intention of conceding power beyond what is currently provided for in the 2008 constitution.

In November 2015, veteran Tatmadaw scholar Andrew Selth summed up the Tatmadaw's view of its own role in politics, and pointed to common misperceptions:

One question often asked since 2011 has been: when will the Tatmadaw "return to the barracks"? This reflects a widespread wish for a genuinely democratic and civilian government in Myanmar, but it misses a vital point. The Tatmadaw has never seen itself as having separate military and political roles, with the first naturally having primacy over the second. Rather, it is deeply imbued with the idea that, since the country regained its independence in 1948, the armed forces alone have been responsible for holding the Union together, defeating its enemies – both internal and external – and saving the country from chaos.¹⁰²

The Tatmadaw's military vision

The Tatmadaw has yet to publish a new doctrine, as has been anticipated since 2012. Nonetheless, the Defence White Paper circulated in early 2016 provides a detailed account of the Tatmadaw's strategic vision, particularly matters of defence and security. The paper presents the Tatmadaw's primary defence mission, "To build a strong, capable and modern patriotic Tatmadaw",¹⁰³ which mirrors statements made by the commander-in-chief as early as 2012.¹⁰⁴

The vision laid out in the White Paper remains unambiguously focused on upgrading the Tatmadaw's combat capabilities, weapons technologies and overall strength, as well as its economic and administrative capacity. True to existing doctrine, it refers frequently to the continuation of the "People's War Strategy... comprising the entire people", in order "to deter, contain, repel and annihilate any aggressor trespassing the territory".¹⁰⁵ It further states the need "To train and develop a strong defence force which is instilled with military, political, economic and administrative outlooks... in order to be capable of participating in the national political leadership role in the future state".¹⁰⁶

The White Paper makes no mention of professionalising troops; adapting approaches to counter-insurgency; making the force more transparent; or ensuring accountability to the people, judiciary or government. There is no mention of the ethnic make-up of

⁹⁹ Naypyitaw (2016), pp. 19–20.

¹⁰⁰ *Global New Light of Myanmar* (2016), "Here to Stay", 27 March.

¹⁰¹ *Ibid.*

¹⁰² Selth (2015b), p. 2.

¹⁰³ Naypyitaw (2015), p. 18.

¹⁰⁴ See Min Aung Hlaing's speech in *Global New Light of Myanmar*, 28 March 2012.

¹⁰⁵ Naypyitaw (2015), pp. 18–19.

¹⁰⁶ *Ibid.*

its forces or representativeness of its leadership. The only mention of the term ‘human rights’ is in relation to the observation that “some powerful States are now interfering with the internal affairs of the smaller nations” under the auspices of this and other liberal agendas.¹⁰⁷ While noting the important role of police and other services in law enforcement, it repeatedly references the Tatmadaw’s continued role in assisting in these tasks.

In public, the Tatmadaw has increasingly referred to its vision of upgrading the Tatmadaw Kyi to become a ‘standard army’, although it is not immediately clear what this refers to. The Tatmadaw has been using the term at least since 2014, and has generally associated it with improving the standards of training among all ranks, and occasionally to modernising weapons and other technologies.¹⁰⁹ In an interview with the BBC, Min Aung Hlaing referred to the agenda as being aimed at building a “professional” and a “modern” army, concluding that this referred to “building a skillful and a powerful army”, in addition to improving the well-being and training of troops.¹⁰⁹ Despite the apparent focus on military capacity, one ethnic commentator has used the same term, defining it as becoming more ‘humane’, ‘professional’ and civilian-controlled.¹¹⁰ However, there are no signs from the Tatmadaw that this is what standard army means.

In line with its modernisation agenda, the Tatmadaw has been pursuing significant increases in its airborne and naval capabilities, while adding to its inventory of armoured vehicles. It has also shown a particular interest in strengthening its artillery corps, which is used regularly in counter-insurgency.¹¹¹ Most of these procurements have come from China, Russia, India and possibly North Korea, while the commander-in-chief has also recently visited Israel and Germany to examine military equipment. In addition, the military was granted its highest ever budget for 2015–2016, which accounts for 13.34 per cent of the union budget, and was re-approved by parliament since the NLD came to power. 51.5 per cent of this budget allocation of MMK 2.75 trillion has been earmarked for salaries and allowances, while 29 per cent will go to “vehicles, warships, armoured cars and heavy weapons”.¹¹²

The Tatmadaw maintains that to relieve the burden on government, it is conducting “self-reliance measures as a basis to fulfil the needs of socio-economic lives of service personnel and their facilities”, which appears to refer to and seek to justify its continued role in Myanmar’s economic affairs and its extensive commercial interests.¹¹³

The White Paper adds that “Defence expenditure would be reduced as state security improves and economy develops”.¹¹⁴

Meanwhile, the Tatmadaw remains staunchly resistant to international interference in its affairs. It retains its position – as provided by the military-drafted 2008 constitution – that “no foreign troops shall be permitted to be deployed in the territory of the Union”.¹¹⁵ In addition, it remains committed to the country’s long-practised ‘non-alignment’ policy, which in the current context might be assumed to refer to its balancing of well-established military relations with China and Russia with those it is developing with Western states.¹¹⁶ It also states that it will “deter” from engaging in any military

¹⁰⁷ Naypyitaw (2015), p. 5.

¹⁰⁸ For articles on the Tatmadaw’s news website using the term dating back to 2014, see the following list of search results: www.myawady.net.mm/en/component/search/?searchword=standard%20army&searchphrase=exact&itemid=470

¹⁰⁹ Myawady (2015), “The Interview with Commander in Chief of Defence Services Senior General Min Aung Hlaing and BBC News Agency”, 20 July; available at: www.myawady.net.mm/en/headlines/item/1906-2015-07-20-14-10-15

¹¹⁰ Sai Wansai (2016), “Extra-judicial killings in Shan State: Military’s rare guilt admission signalling a change of heart?”, S.H.A.N., 23 July; available at: <http://english.panglong.org/2016/07/23/extra-judicial-killings-in-shan-state-militarys-rare-guilt-admission-signalling-a-change-of-heart/>

¹¹¹ Selth (2015a), pp. 7–8. Naypyitaw (2015), pp. 40–43.

¹¹² Quote and note on updated budget, in Htoo Thant and Thin Lynn Aung (2016), “Few Alterations to 2016 Budget in Amended Draft”, *Myanmar Times*, 27 July; available at: www.mmtimes.com/index.php/national-news/nay-pyi-taw/21584-few-alterations-to-2016-budget-in-amended-draft.html. Note, this article gives the figure of 1.2 trillion, but states that this is unchanged from the previous budget. Meanwhile the linked article on the original budget gives the figure of 2.75 trillion, as provided in Naypyitaw (2016), p. 43. The 1.2 trillion figure appears to be a typo.

¹¹³ Naypyitaw (2015), p. 43.

¹¹⁴ *Ibid.*

¹¹⁵ 2008 Constitution, Article 42. B. Naypyitaw (2016), p. 16.

¹¹⁶ Naypyitaw (2016), pp. 1–2.

alliances,¹¹⁷ but that it will accept foreign assistance if there “are no strings attached”¹¹⁸ A somewhat isolationist stance is also reflected in the constitutional commitment that “The Union shall not commence aggression against any nation”¹¹⁹

Nonetheless, the Tatmadaw has continued to build relations with long-held partners. Notably, it signed an agreement for military cooperation with Russia in June 2016 that was subsequently approved by the NLD-dominated parliament. The deal “envisages exchanging information on international security issues, including fight against terrorism, cooperation in the sphere of culture and vacation of servicemen and their families, along with exchanging experience in peacekeeping activities”.[sic]¹²⁰ As noted by Min Aung Hlaing, “Thanks to military cooperation with Russia, Myanmar Tatmadaw will have greater opportunities to build itself as modern and capable Tatmadaw”.¹²¹

The strength of Tatmadaw relations with its traditional international partners and its access to an ever-increasing budget – estimated to reach US\$2.8 billion by 2019,¹²² despite being a decreasing proportion of the overall budget – demonstrate the Tatmadaw’s capability to pursue its modernisation agenda. Both for opposition actors inside the country and for international observers hoping that transformative change can be achieved through SSR interventions, it is crucial to understand that the Tatmadaw is a very well-established institution with significant international backers and a clear vision of its current and future role. This being the case, it is questionable how the Tatmadaw will respond to major SSR or related interventions supported by international actors that are designed to transform its role and structure in line with global norms and standards.

The Tatmadaw’s views of ethnicity and relations with ethnic armed actors

In terms of its vision for the future role of EAOs, the Defence White Paper makes no explicit reference to security sector integration or an equivalent process. As discussed, this has been a topic of debate and some contention during the peace process; however, a tentative consensus has been reached on the notion of security integration, which the Tatmadaw appears to have accepted might involve a combination of SSR and DDR.

Despite some compromises on terminology, it is clear that the Tatmadaw envisions any process of security integration as involving the EAOs essentially coming under the command of the Tatmadaw without itself undergoing significant transformation. Indeed, the Tatmadaw is a large and well-developed institution, with a deeply embedded institutional culture, international partners and significant resources from the government, as well as from its own commercial activities. Therefore it is unlikely to regard the incorporation of tens of thousands of former EAO combatants as a reason for a significant overhaul of its entire structure and culture.

As stated simply by Min Aung Hlaing on the first day of the UPC in January 2016, “Ethnic armed groups are welcome if they wish to join the Tatmadaw in defence of the Union”.¹²³ However, as noted by a participant from the Chin National Front, “It is not clear whether that means a sole army that has the same uniform and abstains from politics, or an army composed of different uniforms but united in the time of urgency. We need detailed talks for cooperation”.¹²⁴

117 *Ibid.*, p. 17.

118 *Ibid.*, p. 16.

119 2008 Constitution, Article 42. A.

120 TASS (2016), “Russia and Myanmar sign agreement on military cooperation”, 16 June; available at: <http://tass.ru/en/defense/882419>

121 *Myawady* (2016), “Questions and answers of the meeting between the Tatmadaw and Myanmar Media Council and local media”, 15 May; available at: www.myawady.net.mm/en/headlines/item/2280-2016-05-15-21-50-42

122 Selth (2015a), p. 11.

123 Soe Than Lyann (2016), “Ethnic armed groups ‘welcome’ to join military, says Min Aung Hlaing”, *Frontier Myanmar*, 12 January; available at: <http://frontiermyanmar.net/en/news/ethnic-armed-groups-welcome-join-military-min-aung-hlaing>

124 Lun Min Mang and Pyae Thet Phyto (2016), “Conflicting calls mark peace conference”, *The Myanmar Times*, 13 January; available at: www.mmtimes.com/index.php/national-news/nay-pyi-taw/18440-conflicting-calls-mark-peace-conference.html

In lieu of a public Tatmadaw policy on what the process of security integration might look like, there are some general indications that the Tatmadaw could envisage EAOs taking on law enforcement responsibilities or becoming reserve military forces. The Defence White Paper refers repeatedly to existing people's militia and in one case to BGFs, and notes their significance in achieving the Tatmadaw's security aims. In one case it lists "well-organised and trained people's militia", likely referring to PMFs, as among "reserve elements"¹²⁵ that are important to the Tatmadaw's core objectives.¹²⁶ It notes BGFs in particular as key to its "area dominance" objectives,¹²⁷ seemingly in line with the *de facto* role that BGFs play in securing state control in remote areas where the top-down approach of the Tatmadaw and government administration has proven less effective.

The White Paper also notes explicitly that the Tatmadaw has cooperated "with local organisations for the law enforcement in remote areas where government administrative mechanisms cannot reach out", in an apparent reference to its cooperation with ceasefire EAOs. It justifies the need for such cooperation by stating that "Only when there is nationwide peace and stability in a country, will there be progress".¹²⁸ This could provide a basis for more stable and legally mandated roles for EAOs at the local level, based on the recognition that local forces might be more effective than those dispatched from the centre and made up of non-local ethnicities.

In sum, while the Tatmadaw recognises the role of ethnic forces that cooperate with the state as distinct from its own regular armed forces, it remains focused primarily on how these ethnic forces can be used as auxiliary elements to help achieve its existing security objectives, particularly in areas where its own forces have struggled to maintain control. Based on these signals, the Tatmadaw might be open to a more systematic deployment of ethnic armed units either as reserve elements or as more formal law enforcement bodies (i.e. police forces of some description).

**The NLD vision:
A Tatmadaw
"that defends and
protects democratic
principles and that is
honoured by all"**

The NLD's vision for Myanmar's security sector is greatly shaped by the views of the party's leader, Aung San Suu Kyi, whose father founded the armed forces in 1945. Aung San Suu Kyi has long stated her party's "high esteem" and her own "personal attachment" to the Tatmadaw for this reason.¹²⁹ Additionally, the NLD has numerous former Tatmadaw commanders among its members – most notably former minister of defence and commander-in-chief cum NLD co-founder, U Tin Oo, who had served under U Ne Win before being ousted in 1976. For these reasons, in particular, it has been said that the NLD enjoys notable quiet support from within the Tatmadaw's ranks.

Nonetheless, the NLD has built its entire political platform on the need to reform the Tatmadaw, and for it to ultimately relinquish its political role and come under civilian control. Quoting her father at mass rallies in 1988, Aung San Suu Kyi stated that the Tatmadaw should "be such a force having the honour and respect of the people. If instead the armed forces should come to be hated by the people, then the aims with which this army has been built up would have been in vain".¹³⁰

Aung San Suu Kyi has also stated numerous times that the Tatmadaw's ability to win the respect of the people depends on it coming under democratic rule.¹³¹ In 1999, the NLD released a policy document by its defence committee, which stated that "As in the practice of democracy, the Power of State will lie in the three pillars such as the Judiciary, the Executive and the Legislature. The Tatmadaw and the whole mechanism

¹²⁵ Naypyitaw (2016), p. 30.

¹²⁶ *Ibid.*, p. 18.

¹²⁷ *Ibid.*, p. 33.

¹²⁸ *Ibid.*, p. 54.

¹²⁹ Selth (2001b), p. 4. The quotes come from Aung San Suu Kyi in 1998.

¹³⁰ *Ibid.*, p. 4.

¹³¹ Selth (2001b), p. 6.

for defence will fall under the Executive”.¹³² It also stated that the commander-in-chief position should be a political post, such as a ministerial position, and be subject to a fixed term.¹³³

The NLD’s current vision for Myanmar’s security sector is summed up concisely in the party’s 2015 election manifesto, which states that the following actions will be taken for the defence and security of the country:

1. *The Tatmadaw is an essential institution of the state. The Tatmadaw must be an institution that defends and protects democratic principles and that is honoured by all.*
2. *In order to defend the state, the Tatmadaw will be developed in line with modern standards, with improved technology and combat ability, in accordance with a strategy based on the geopolitical situation of the country.*
3. *To work towards the Tatmadaw and institutions of national defence coming under the aegis of the executive branch.*
4. *To work towards a Tatmadaw that is trusted, respected and relied upon by the people.*
5. *To make the police independent, so as to enable them to carry out their duties in accordance with the law, and under the rule of law.*
6. *To aim to develop the police force in line with international standards so that it is able to fulfill its duties.*¹³⁴

Notably, this manifesto begins by emphasising the importance of the Tatmadaw to the state, as well as the need for its military capabilities to be enhanced. These two points represent an apparent gesture to reassure the Tatmadaw that the NLD will support the institution to continue its modernisation agenda in line with defence objectives. It shortly follows with the assertion that the Tatmadaw should come under the executive branch; but even this is stated as something to “work towards”, rather than an unequivocal pledge that may be seen as threatening. However, the same language also serves as an implicit recognition that the Tatmadaw is not yet “trusted, respected and relied upon by the people”, and that they must not only defend the state but also serve and respond to the people’s needs. Importantly, the manifesto lays out specific objectives for the police force, stating that it should be separated from military control and be brought in line with international standards.

The 2015 NLD manifesto and recent comments from State Counsellor Aung San Suu Kyi demonstrate a broad vision for the country’s security that goes beyond traditional security threats, and emphasises human security concepts. Seemingly in line with Aung San Suu Kyi’s oft-cited position that “the only real freedom is freedom from fear”, the NLD manifesto emphasises the need “to develop a system of government that can fairly and justly defend the people and ensure freedom and security for all”.¹³⁵ It specifically states that security depends on amending the constitution “in accordance with basic human rights and democratic standards... [and] to guarantee ethnic rights and establish a federal democratic union.”¹³⁶ In her New Year’s speech, Aung San Suu Kyi stated that “The very essence of the rule of law is to protect the people and provide them with psychological and physical security”,¹³⁷ and that “the administration of justice shall be fair and just and be in accord with the internationally accepted norms.”

This broad vision, and the specific objectives laid out in the manifesto, demonstrate NLD ambitions to eventually bring the military and the police under the aegis of the elected civilian government, and in line with international – essentially Western – standards and norms. While this vision may be at odds with that of the Tatmadaw,

¹³² CRPP (1999), p. 92. This quote is referred to in the document as from a previous NLD policy statement called “Political Goals and Intent of the NLD”.

¹³³ *Ibid.* Also see Selth (2001b), pp. 8–9 for a concise summary of the committee’s key findings and recommendations.

¹³⁴ NLD (2015), pp. 7–8.

¹³⁵ *Ibid.*, p. 7.

¹³⁶ *Ibid.*, p. 6.

¹³⁷ *Global New Light of Myanmar* (2016), “Amendment Essential: State Counsellor offers New Year Message”, 17 April; available at: <http://globalnewlightofmyanmar.com/amendment-essential/>

the NLD does share the aim of modernising combat methods and technology of the armed forces, and other core military capabilities (see point two of the above excerpt from the NLD's election manifesto).

The NLD has not expressed a public position on the future roles of EAOs and existing paramilitary organisations within its envisioned security structures. In late 2013, Aung San Suu Kyi gave her rhetorical acceptance of the notion of a federal armed forces, which is the primary aim of most EAOs. In a meeting with a coalition of EAOs, she stated that “there must be a federal army if there is going to be a federal state”.¹³⁸ However, beyond this brief reference, there is little indication of how she or her party envisage such a force being constituted. Notably, it was Aung San Suu Kyi's father who, during the formation of the original Tatmadaw, asserted the need for class battalions (i.e. ethnically-segregated units). This appears to have been based primarily on the wishes of the commanders of his own forces, who refused to integrate at the unit level with former ethnic adversaries. However, there is no indication that Aung San Suu Kyi views this issue in the same way.

The EAOs' vision: A “Federal Tatmadaw”

EAOs vary greatly in their political aspirations, organisational structures and relative strengths and sizes, making it difficult to identify a collective EAO vision for Myanmar's security sector. Indeed, difficulties among the major EAOs that have been involved in the recent peace process in agreeing on a set of “basic principles for security and defence” led to the extension of an EAO summit in July 2016 but still left a number of issues unresolved.¹³⁹ Furthermore, this summit was not attended by the most powerful and best equipped EAO, the UWSP, whose position on SSR is largely unknown.¹⁴⁰

A key demand of multiple pro-federal EAOs over the years has been the formation of a Federal Union Armed Forces,¹⁴¹ broadly conceptualised as an armed forces that is equally representative of all ethnic groups in the country and subject to more decentralised powers. This follows a number of statements from pro-federal EAOs over the years that have emphasised formal constitution of their forces as part of the state security structure. It also echoes memories of the ethnically based class battalions in the Tatmadaw that was formed during the negotiations preceding independence.

In 2007, at the close of Myanmar's National Convention which led to the 2008 constitution, the KIO submitted a five-page document of proposed amendments to the then near-final text. Among them were requests for each state to have its own Defence Force Units, made up of members of ceasefire organisations and other citizens of the state, under the command of the state government but within the national armed forces. This proposal fits closely with the KIO's later proposal to form a Kachin Regional Guard Force in response to the BGF demands. It further recommended that states should have their own police forces and that all “Union nationalities [should be] adequately represented” in an integrated force called “the Tatmadaw of the Union”.¹⁴² These proposals were rejected outright by the military government, which then threatened to return to conflict with the KIO as a result.¹⁴³

Meanwhile, an alliance of other pro-federal EAOs led by the KNU – most of which had not had ceasefires during the SLORC/SPDC era, nor had taken part in the national convention – worked with MP-elects from the annulled 1990 election and political

¹³⁸ www.mmtimes.com/index.php/national-news/8918-unfc-daw-suu-agree-on-federal-army-plan.html

¹³⁹ These efforts were made at the Mai Ja Yang Summit in July 2016, where NCA signatories and non-signatories shared policy papers on a range of issues, including the security sector. One day before finishing, there remained ten issues on that topic that required further discussion. See Lun Min Man (2016), “Mai Ja Yang summit extended as ethnic armed groups discuss defence, security”, 29 July, *The Myanmar Times*; available at: www.mmtimes.com/index.php/national-news/21607-structure-of-federal-union-debated-on-second-day-of-mai-ja-yang-summit.html

¹⁴⁰ At a Summit with other EAOs hosted by the UWSP in early 2016, the organisation signed a joint document committing in principle to the formation of a federal union, a view which the EAO had rarely espoused before. However the statement said nothing about the security sector.

¹⁴¹ EAOs have used various version of the term in the English language, sometimes just ‘federal’, and sometimes army rather than armed forces.

¹⁴² KIO (2007).

¹⁴³ Sakhong (2010), p. 128.

organisations in exile to draft their own alternative federal constitution. Among the ethnic leaders working on these drafts were a number who have been very active in the current peace process, such as Dr. Lian Sakhong, Hkun Okker, Htoo Htoo Lay, and NGO-leader Harn Yawngwhe, among others.

The proposed alternative constitution provided for the formation of a Federal Police Force and Federal Armed Forces, the latter of which would be formed by a commission with proportionate representation of all states,¹⁴⁴ and would be placed under the command of the president.¹⁴⁵ The armed forces would also be prohibited from discriminating based on ethnicity, religion or gender, and officer academies for all forces would have a required intake of cadets on a proportionate basis from every state – states which would also be reformed to better reflect their ethnic make-up, including only one large Bamar state. The draft constitution also provided for state police forces – limited to personnel quotas of no more than 0.2 per cent of the respective state's population – and state security forces of no more than 0.1 per cent of the respective state's population.¹⁴⁶ The draft constitution makes no mention of how these security forces would be formed or what would happen to the existing armed forces, police, paramilitary organisations or EAOs. However given the backgrounds of the ethnic leaders working on the draft, it can be assumed that their intention was for EAOs to be included.

In late 2013, 17 EAOs were hosted by the KIO in Laiza and developed a common position statement, which included an agreement to push for the formation of a Federal Union Army (FUA) as a basic principle.¹⁴⁷ Since then the concept has become a central demand, and a coalition of some EAOs has even begun undertaking joint operations against the Tatmadaw, wearing the insignia of the FUA.¹⁴⁸ The EAOs' exact vision of how such an armed forces would be structured is not yet clear, but it would be based on certain values. Numerous comments from KIO leader, General Gun Maw, help illustrate these values:

*We have not yet discussed [with the government what the army would look like], because the ethnic armed groups themselves do not have a specific principle about it. But the ideal army, in our minds, is an army made up of all ethnicities on equal standing and without discrimination, and it must practice meritocracy with regard to promotion. It must be an army which carries out the main responsibilities of a professional army. I don't want to blame the existing army. I don't mean the existing army must be disbanded, I mean we would like to discuss how we can improve it.*¹⁴⁹

[...]

*The role of the Tatmadaw is very important and we can't eradicate its history, which began with Myanmar's independence struggle. The structure of the future federal Tatmadaw will be different from that of the existing one, but that doesn't mean that we are going to destroy it and replace it with something new. The main thing is how we will transform and participate in it.*¹⁵⁰

Despite a failure to agree on all points, at a summit in July 2016, 17 EAOs all agreed that the future armed forces should be firmly under the control of the civilian government under a Ministry of Defence with the president also taking the position

¹⁴⁴ FCDCC (2008), Article 156.e. The police force is provided for in Article 166. It should be noted that this was based on other provisions that would replace the current states and regions to create a single 'Bama State' and Tenasserim (Tanintharyi) and Irrawaddy (Ayeryawady) Nationalities' states, in addition to the existing states. FCDCC (2008), Article 49a.

¹⁴⁵ FCDCC (2008), Article 113e. The president would be commander-in-chief. The police would also be under civilian administration. See Article 166b.

¹⁴⁶ FCDCC (2008), Article 54.

¹⁴⁷ See 'The Laiza Agreement'; available at: www.burmalibrary.org/docs16/BCES-BP-19-Laiza-en-red.pdf

¹⁴⁸ The FUA was formed primarily by members of the United Nationalities Federal Council, but also has included troops from the DKBA and the KNU's secondary defence wing, the Karen National Defense Organisation (KNDO) and has northern and southern divisions. The northern division has been most active, which comprises forces of the SSPP / SSA forces, Ta'ang National Liberation Army (TNLA), MNDAA, Arakan Army and possibly the KIO.

¹⁴⁹ Aung Zaw (2015), 'Signing the ceasefire does not mean achieving peace', Relief Web, 27 March; available at: <http://reliefweb.int/report/myanmar/signing-ceasefire-does-not-mean-achieving-peace>

¹⁵⁰ *The Irrawaddy* (2014), "Toward a Federal Tatmadaw", 11 January; available at: www.irrawaddy.com/magazine/toward-federal-tatmadaw.html

of commander-in-chief.¹⁵¹ Importantly, this position aligns them with the views of the NLD government, but contradicts the current power hierarchy that exists within some of the EAOs. One commentator who attended the summit noted that the general positions being floated continued to focus on state-level security forces in addition to a quota system to ensure that the federal union-level force be more representative than the present Tatmadaw.¹⁵²

The United Nationalities Federal Council (UNFC), currently representing seven EAOs and headed by the KIO, then went on to form its own policy papers on defence and security to present at the 21st Century Panglong Conference in August 2016.¹⁵³ These principles establish a vision for a Federal Union Tatmadaw, made up of separate Union Armed Forces and State Armed Forces, which would also be separated from the Union and State Police Forces. All the forces would be under the control of the civilian government and subject to laws passed by parliament. The Union Armed Forces would be subject to the Union Defence Ministry and would be designed to be representative of all states. This would be achieved through recruitment quotas for ordinary troops and for cadets entering military academies. The Union Armed Forces would then be commanded by Military Bureaus (likely akin to the Tatmadaw's existing Bureaus of Special Operations that each oversee multiple regional commands) formed by commanders who had been sent by local states, and who would then all enter a rotational pool for the position of commander-in-chief – a position that would change every two years. The union-level National Defence and Security Council would also be reformed to include representatives from each state's local defence and security councils, formed under the state governments.

The State Armed Forces and Police Forces would be under the control of their respective state governments and the latter would have the full means for land, sea and air defence. The union would only have the right to utilise state armed forces or to deploy the Union Armed Forces to the states within unspecified constitutional limits. Each state would have its own Ministry of Defence and State Defence and Security Council.

The UNFC paper also states that the country's defence and security policies must be based on human security and cannot “deprive the ethnic nationalities of collective rights, and individuals of individual rights.”¹⁵⁴ It also states that military training institutes will teach curricula based on democratic practices, human rights and humanitarian law, among other Western and international norms. It wards against two perceived problems with the current Tatmadaw: first, by stating that personnel cannot be transferred into other security or civil departments without following relevant rules and departmental procedures. Second, it states that the entire Federal Union Tatmadaw will exceed 0.5 per cent of the total population of the union.

Between 3–6 August 2016, the eight EAOs which signed the NCA held a workshop to discuss their position on the SSR process, including two days with international facilitation. At this workshop, the EAOs discussed the options of forming state-level police forces and state-level reserve forces, in addition to the need for power over the union-level armed forces to be somehow shared between the states. These EAOs also presented papers to the 21st Century Panglong Conference; although these papers are currently unavailable, it is understood that they emphasised separation of defence and justice responsibilities to the armed forces and police respectively, as well as civilian control of the armed forces.

Notably, EAOs have repeatedly called for state-level police and defence forces over the years in their various proposals. Although such units may be conceived differently, this also fits broadly with the Tatmadaw's seeming openness to ethnic units playing security

¹⁵¹ Sai Wansai (2016), “Mai Ja Yang EAOs' Plenary Meeting: Successful but need time to iron out common positions”, 1 August; available at: <http://english.panglong.org/2016/08/01/mai-ja-yang-eaos-plenary-meeting-successful-but-need-time-to-iron-out-common-positions/>

¹⁵² *Ibid.*

¹⁵³ United Nationalities Federal Council (Union of Burma) (2016).

¹⁵⁴ *Ibid.*, p. 2.

roles in their local areas, and the recognition of their strengths in law enforcement in their respective territories. However there are likely to be widely differing views regarding the exact dispensation of powers and command hierarchy. The EAOs often appear to view such local forces as a means to protect their region and political freedoms from central state aggression as well as from each other; while the Tatmadaw views such units as only being acceptable if they serve the union first and foremost.

For most EAOs, any SSR processes that are seen to be redeploying their capacities solely to serve the central government, or even the interests of the Tatmadaw, will continue to be fiercely resisted, as were the BGF demands in 2009. To give just one example, the KNU remains deeply committed to its four founding principles that include “we shall retain our arms”, and “we shall never surrender”. Any SSR-DDR process would therefore have to be very carefully worded and include key safeguards if it is to be acceptable to the KNU, and especially to its armed wing, the Karen National Liberation Army (KNLA). On the eve of the NCA signing, the KNLA released a unilateral statement saying it would “never accept the transformation of the KNLA into the Border Guard Force or Civil Police but shall remain as the Karen National Liberation Army”.¹⁵⁵ Even the KNU’s President, who has generally been enthusiastic about the peace process, reassured KNLA rank-and-file in a recent speech, saying “Because we are a liberated nationality, it is our duty to protect our people from danger”, while urging them to remain ever-ready for a return to conflict.¹⁵⁶

What is clear is that EAOs are keen to deepen their understanding of the technical processes related to security integration to help them present a clear and collective vision in the political dialogue process. Throughout the ceasefire negotiation process, a number of security-related concepts have arisen which are relatively unfamiliar to all Myanmar stakeholders, but where a shared understanding will be essential if there is to be common ground on which to construct an effective and accountable security sector. These concepts include DDR, SSR and security re-integration, referring to the integration of previously adversarial combatants into a combined force.

¹⁵⁵ See Karen National Liberation Army Headquarters, “KNLA Position with regard to Ceasefire”, 14 October 2015; available at: www.mmpeacemonitor.org/images/2015/oct/statement-of-knla.pdf

¹⁵⁶ Saw Yang Naing, “KNU Chairman Urges Military Readiness on Karen Martyrs’ Day”, 12 August 2016; available at: www.irrawaddy.com/burma/knu-chairman-urges-military-readiness-on-karen-martyrs-day.html

6

Conclusions and implications

ACHIEVING A SETTLEMENT ON DDR AND SSR will be crucial to resolving the profound security challenges that drive armed conflict in Myanmar. Above all, this piece of initial research has demonstrated how complex the history and existing discourse on this topic in Myanmar is. A great deal of further research and in-depth consultation with a wide range of stakeholders are needed to determine where there is common ground, where compromises can be made, and what workable solutions will look like. This section offers a few broad lessons that have come out of the research – indicating some of the major challenges ahead – and finishes by providing some suggested areas for further research and learning.

The politics are paramount

Reaching a lasting agreement on DDR and SSR will be inextricable from developing a firm consensus on the country's political future as it will necessarily entail a wide range of actors giving up power currently held through military presence. For actors on all sides to make such compromises, they will need to put their faith in a new political system, and be assured that any changes are in their long-term interests.

The failure of Myanmar's BGF programme to persuade key EAOs to join forces with the Tatmadaw can, partly, be explained by the absence of a meaningful political settlement to accompany such demands. The National Convention that led to the creation of the 2008 constitution was seen as highly exclusionary, and the BGF programme was simply viewed as a demand for EAOs to give up their long-held political aspirations and settle for relatively minor parliamentary positions. The important political developments that have taken place since then are a key reason why the current process offers a better prospect of achieving sustainable security integration.

The political dimension is of particular importance to negotiating SSR in Myanmar because of the Tatmadaw's central role in politics and its current autonomy in matters of defence and security. For the NLD – which is currently leading the peace process – the broader question of the 'civilianisation' of the state is of equal, if not greater, significance than the question of post-conflict security integration. Indeed, public sector reform and SSR will inevitably go hand-in-hand.¹⁵⁷

Ideally, an explicit agreement on the future political order would provide the over-arching framework for all aspects of a peaceful transition. Within that agreement

¹⁵⁷ This reality is discussed in depth in Hook *et al* (2015).

would be a consensus on the structure and core aims of the future security sector. In turn, this consensus would provide the basis for a process of SSR and integration of all armed actors to achieve that vision. Even without such an ideally sequenced process, it is crucial that the integration of armed actors is based on a wide enough consensus that the fundamental political issues driving conflict are being addressed.

In defence of the union

In any country – federal or non-federal – the most basic security function is typically understood to be the maintenance of armed forces for defence against foreign aggression. All key stakeholders in Myanmar subscribe to this basic principle and foresee a union-wide military of some form continuing to take on this role. However, there are significant disagreements regarding the way the armed forces should be governed.

Currently the Tatmadaw is not subject to any parliamentary or government oversight and is under centralised command, with no constitutional mechanisms for providing states and regions with any influence over its conduct, even in relation to security threats in those states and regions. Both the NLD and pro-federal EAOs regard this lack of civilian control as antithetical to their vision of a peaceful union, and have consistently argued for the armed forces to come under the aegis of the executive branch and be subject to parliamentary oversight.

In the spirit of federalism, there would be numerous options for providing states and regions with equal influence over defence affairs. Firstly, if the military were to become subject to parliamentary oversight, Myanmar's upper house would provide a degree of equal representation; it is currently structured to provide states and regions with equal representation, regardless of the size of their populations.¹⁵⁸ Another option would be for the NDSC to be reformed to include representatives from each state or region's security forces and/or civilian governments.

The EAOs have often proposed the rotation of the commander-in-chief between nationalities. It is not clear if this approach has been tried elsewhere in the world, or how it would work in practice, and so the practicalities would need to be carefully considered. In any case, there is little question that the most effective and sustainable way to ensure fair and representative control over Myanmar's security forces would be to make them accountable to fair and representative political institutions.

The role of state-level forces

EAOs have often aspired to form state-level defence units within the Federal Union Armed Forces, but with significant autonomy. Indeed, as the KNLA has stated, it will “never accept the transformation of the KNLA into the Border Guard Force or Civil Police but shall remain as the Karen National Liberation Army”.¹⁵⁹ At the 21st Century Panglong Conference, the UNFC submitted a paper calling for state-level armed forces with the capacity for land, sea and air defence, and which would fall under state governments in accordance with state constitutions. This highlights a central challenge: that EAOs tend to envision defence of their states as being primarily in the hands of local security forces, as trust in the Tatmadaw to undertake this task remains so low.

It is typical for countries with federal systems of government to have a centralised and single federal armed forces as well as state-level police forces. Some federal – and some non-federal – countries do also have state-level military units, either for service overseas or within their own territories. Additionally, some countries place internal combat responsibilities, such as counter-insurgency, in the hands of special combat police, under the command of the local governments.

¹⁵⁸ It should be noted, however, that these states and regions do not come close to providing equal representation of Myanmar's more than 100 ethnic groups.

¹⁵⁹ See, Karen National Liberation Army Headquarters, “KNLA Position with regard to Ceasefire”, 14 October 2015; available at: www.mmpeacemonitor.org/images/2015/oct/statement-of-knla.pdf

However, it would be highly irregular for states in a federal country to have completely separate armed forces for defending their own territories. It seems likely this would be a recipe for renewed civil war, particularly given the deep divides that already exist. This is not to say that forming state-level military forces of some kind is impossible: it just indicates that strong legal and governance mechanisms would need to be in place to ensure that such forces were properly constituted and provided with clear roles and responsibilities. Furthermore, such forces would most likely have to be ultimately subject to central union-level oversight, particularly if inter-state tensions emerged.

This underscores the importance of developing mechanisms for sharing control over the union-level armed forces, and ultimately for making all security forces accountable to representative political bodies to ensure equality among ethnic nationalities in the security sector.

Getting integration right

Negotiating acceptable terms for DDR or integration of all the country's EAOs, existing paramilitary organisations and redundant elements of the state security forces will be immensely complex. Realistically, this is unlikely to be achieved through the multilateral peace process as part of a single and coherent Union Accord. Nonetheless, it is hoped that a broad enough pact can be formed to stabilise the most significant armed conflicts, and to pave the way for a longer process of reform and integration that is likely to take many years.

Major considerations will include whether to integrate EAOs into Myanmar's armed forces, police, paramilitary organisations or other security forces. It will also need to be considered whether EAO personnel will be integrated as individuals to serve side-by-side with Tatmadaw personnel at the battalion level, or if they will form new and separate units. All of these issues relate closely to questions about the extent of overall SSR required to accommodate EAOs.

In general, the Tatmadaw has remained staunch in its view that the current security sector is not in need of significant reform, and that EAOs simply need to disarm or join the existing armed forces. The BGF programme represents the first attempt in Myanmar at unit-level integration. Significantly however, the majority of officers and support staff within BGFs are Tatmadaw personnel, while all infantry are from former EAOs. This disparity might diminish the peacebuilding benefits associated with unit-level integration.

Meanwhile, EAOs have long called for a fundamental reform of the armed forces and have typically envisioned themselves integrating as separate units, possibly as some kind of state-level force. It is possible that EAOs would be open to unit-level integration in the future, but only if they had complete confidence that each constituent state would have equal political influence over the country's security forces.

On the question of maintaining or replacing the existing armed forces, police and other state security bodies, a solution will likely depend on significant compromise from both sides to agree on a set of meaningful but not-too-radical reforms to the current structures. However, how this process is framed – as a 'rebranding', 'restructuring' or 'replacement' – is a politically symbolic statement that could be crucial to gaining the necessary buy-in from all sides.

On the question of unit-level incorporation or segregation, negotiators should be aware that integrating EAOs as separate units – albeit as state-level forces of some kind – risks creating another set of paramilitary organisations, unless the mandate and limitations of such units are carefully considered and clearly defined. While unit-level integration may seem counter-intuitive, history has shown that cases of violence following such integration are rare; while maintaining segregated forces has often led to conflict further down the line, as illustrated by the July 2016 outbreak of violence between segregated units in South Sudan. Ultimately, there is unlikely to be an ideal

model for all of the country's armed actors, so a mix of these various options might be sought.

As noted, the means of sharing military power should ultimately be sought through the development of representative political institutions, rather than by creating multiple armed forces in order to represent all groups. This makes civilian control of defence and security affairs all the more crucial.

Further research and learning

This paper provides a review of the past and present positions and experiences on SSR among key stakeholders to the peace process. Much more work is needed to fully understand and compare the core interests and positions of each of these actors, to identify common ground and potential areas of agreement, and to develop workable proposals for particular reforms.

In the short-term, there is a great deal of useful work that could be carried out by parties to the peace process, domestic civil society organisations and international partners to help improve understanding of the challenges of SSR, and to identify practical options for next steps. Potentially critical areas of research and learning include:

- Qualitative and quantitative surveying of the perspectives and positions on security sector issues and the desired roles of authorities among Myanmar communities (in conflict-affected and non-conflict-affected areas).
- Systematic comparison of key positions and priorities of each of the main stakeholders to the peace process, to identify commonalities that could serve as the focus of initial negotiations on DDR and SSR so that initial agreements can be achieved and confidence built.
- Analysis of the processes of establishing existing paramilitary organisations, including the perspectives of these groups and of communities in their areas of influence, to identify relevant lessons.
- Community-focused research to develop potential models for rural justice and SSR, to determine what would be the appropriate role for police and other normative justice providers in communities where such institutions have never been introduced and where customary practices remain deeply embedded.
- Research on the experiences of former soldiers from all sides of the conflict to understand the difficulties they have faced integrating back into civilian life. Particular lessons could be drawn from organised decommissioning processes, such as those of former child soldiers.

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ANNEX 1: Major ceasefire EAOs and their responses to the BGF policy

| Armed Organisation | Ethnic Group | Original ceasefire date (prior status) | Status in 2008 (pre-BGF initiative) | Status in 2012 and after (post BGF initiative) | Initial response/ attempts at negotiation |
|---|------------------|--|--|---|--|
| Major ceasefire EAOs that formed BGFs | | | | | |
| New Democratic Army – Kachin (NDA-K) | Kachin | 15 December 1989 (breakaway from Communist Party of Burma) | Ceasefire – close ally of the Tatmadaw and politically supportive of 2008 constitution. Controlling Kachin State Special Region (1). | Formed BGFs 1001-1003. Chief commander, Zakhun Ting Ying, runs successfully for upper house as an independent candidate in 2010 and 2015. Had seat rescinded by election commission in 2016 for voter intimidation. | Was one of the first groups to accept the BGF demand. |
| Karenni State Nationalities Peoples' Liberation Front (KNPLF) | Karenni | 9 May 1994 (splintered from KNPP in 1979, supported by Communist Party of Burma) | Controlling Kayah State Special Region (2). Closely allied with Tatmadaw and supportive of 2008 constitution. Occasionally in conflict with the pro-federal Karenni National Progressive Party. | Formed BGFs 1004-1005. Colloquially retains the name KNPLF. | One of the first EAOs to accept the BGF demand. |
| Major ceasefire EAOs that formed PMFs or other form of militia | | | | | |
| Kachin Defense Army (KDA) | Kachin | 13 January 1991 (Split from the KIO in 1991) | Ceasefire. Shan State Special Region (5). Known to be cooperative with Tatmadaw and supportive of National Convention and 2008 constitution. | Formed a PMF, now known as Khaung Kha Militia. | – |
| Pa-O National Organization (PNO) | Pa-O | 11 April 1991 | Ceasefire. Shan State Special Region (6). Known to be cooperative with Tatmadaw and supportive of National Convention and 2008 constitution. | Formed a large PMF, and a political party called the Pa-O National Organisation. Has won all seats in the Pa-O self-administered zone in 2010 and 2015. | – |
| Kayan National Guard (KNG) | Kayan | 27 February 1992 (split from the Kayan National Liberation Party in 1992) | Breakaway from KNPP. Controlling Kayah State Special Region (1). Very small but closely allied with Tatmadaw and supportive of 2008 constitution. | Formed a militia – not clear if a PMF. | – |
| Palaung State Liberation Party (PSLP)¹⁶⁰ | Palaung (Ta'ang) | 21 April 1991 | Had previously controlled Shan State Special Region (7) following its ceasefire, but was forced out through military pressure and formed a small militia, called the Manton Militia. A small faction went to the Thailand border and formed the Palaung State Liberation Front (PSLF). | Manton Militia still active. Prominent former members helped to form the Ta-ang National Party, which won seats in 2010 and 2015 in the Palaung Self-Administered Zone. PSLF rose in strength and re-entered the region in 2011 and has remained in conflict with the Tatmadaw since. | The Manton Militia was seemingly allowed to remain as a small militia – does not seem to be a PMF. |

¹⁶⁰ The PSLP is sometimes better known by its former name, the Palaung State Liberation Organization (PSLO) (1976–1986). It was the Palaung National Front 1963–1976.

| Armed Organisation | Ethnic Group | Original ceasefire date (prior status) | Status in 2008 (pre-BGF initiative) | Status in 2012 and after (post BGF initiative) | Initial response/ attempts at negotiation |
|---|--------------|---|---|--|--|
| Major ceasefire EAOs that splintered as one faction transformed and another rejected | | | | | |
| Myanmar National Democratic Alliance Army (MNDAA) | Kokang | 21 March 1989 (breakaway from the Communist Party of Burma) | Ceasefire. Controlling Shan State Special Region (1) | Splintered: Dominant faction – forced out of Special Region to China, allied with the KIO. Resurged in 2015 to retake positions in Kokang region. Smaller faction – formed BGF 1006 and members won seats in the 2010 election for the USDP, in the Kokang Self-Administered Zone. | Dominant faction rejected the demands explicitly and was the first to be attacked. |
| Shan State Army (SSA) – (Also known as SSA-North) | Shan | 2 September 1989 | Ceasefire. Controlling Shan State Special Region (3). Member of successive pro-federal alliances. | Split into two factions. Dominant faction became Shan State Progress Party / SSA; was attacked by the Tatmadaw in March 2011; signed new ceasefire in September 2011; but remains in conflict in 2016. Smaller faction: formed Shan PMF with central office in Lashio. | – |
| Democratic Karen Buddhist Army (DKBA) | Karen | 1995 | Effectively a proxy militia of the Tatmadaw and regularly in conflict with the KNU. Led regular major joint offensives on KNU positions and communities deemed to support them. | Split into two factions. Dominant faction – formed BGFs 10011-1022. Affiliate members formed the Karen State People's Development Party. Smaller faction – rejected the BGF demands, launched attacks on the Tatmadaw and seized Myawaddy town on election day, November 2010. Formed alliance with the KNU; signed a ceasefire in September 2011. | – |

| Armed Organisation | Ethnic Group | Original ceasefire date (prior status) | Status in 2008 (pre-BGF initiative) | Status in 2012 and after (post BGF initiative) | Initial response/ attempts at negotiation |
|--|---|---|--|--|---|
| Major ceasefire EAOs that negotiated for better terms but ultimately rejected | | | | | |
| United Wa State Party (UWSP) | Wa (some leaders of Chinese descent, and other ethnicities) | 9 May 1989 (Breakaway group from Communist Party of Burma) | Ceasefire. Controlling Shan State Special Region (2). Had previously allied with the Tatmadaw against the Mong Tai Army, led by Khun Sa, and was known to be on good terms. | Party to new bilateral ceasefire re-affirming its hold on Shan State Special Region (2), having rejected the BGF demands. Refuses to allow elections in its area, which covers most of the Wa Self-Administered Division. | Made a counter proposal to transform into new units but without Tatmadaw officers, alongside demands for alterations to district boundaries. Later showed interest in forming a PMF, but was unable to. |
| Kachin Independence Organization (KIO) | Kachin | 24 February 1994 | Controlling Kachin State Special Region (2). Member of successive pro-federal alliances. A leading voice among ceasefire groups presenting pro-federal aims at the National Convention. Critical of 2008 constitution. | In conflict with the Tatmadaw following 2011 ceasefire breakdown under the Thein Sein government. | Made numerous counterproposals, asking to form a more autonomous paramilitary organisation, and reportedly to gain automatic representation in the Kachin State government. |
| Major ceasefire EAOs that rejected the BGF demands | | | | | |
| Kayan New Land Party (KNLP) | Kayan | 26 July 1994 | Controlling Kayah State Special Region (3). Small. Occasionally outspoken against the 2008 constitution. | Retained status as a small ceasefire organisation, without a new bilateral agreement. Has voiced support for pro-federal EAOs. | Came under pressure to form a BGF and PMF, but refused. |
| National Democratic Alliance Army (NDAA) – also known as ‘Mongla’ | Shan, Lahu, Akha | 30 June 1989 (Breakaway group from Communist Party of Burma.) | Ceasefire. Controlling Shan State Special Region (4). | Party to new bilateral ceasefire re-affirming its hold on Shan State Special Region (4), having rejected the BGF demands. | Seemingly rejected the demands outright. |
| New Mon State Party (NMSP) | Mon | 29 June 1995 | Controlling territories in Ye Township, Mon State and Kyainseikgyi, Kayin state on border with Thailand, and other patches along Mon and Karen State border. A leading voice among ceasefire groups presenting pro-federal aims at the National Convention. Critical of 2008 constitution. | Remains a ceasefire EAO based on a new ceasefire signed in 2012, and retains control of some territories. | Rejected the BGF demands outright. |
| Karen Peace Council (aka KNU/KNLA Peace Council) | Karen | 11 February 2007 (Splintered from the KNU in 2007.) | Controls small ceasefire area in Kayin State. Opposed to 2008 constitution. | Rejected the BGF demands outright and joined the DKBA in joint offensives against the Tatmadaw following the DKBA's seizure of Myawaddy. Formed an alliance with the KNU. Signed a new ceasefire with the government on 7 February 2012. | Rejected the demands outright. |

| Armed Organisation | Ethnic Group | Original ceasefire date (prior status) | Status in 2008 (pre-BGF initiative) | Status in 2012 and after (post BGF initiative) | Initial response/ attempts at negotiation |
|--|--------------|--|--|--|---|
| Major ceasefire EAOs that were defunct by the time of the BGF demands | | | | | |
| Shan State Nationalities Peoples' Liberation Organization (SSNPLO) | Pa-O | 9 October 1994 | Had splintered into multiple factions and some had surrendered. Some fighters joined the PNLO in 2009. | Some fighters joined the PNLO in 2009. | – |
| Shan State National Army (SSNA) | Shan | 1995 | Disbanded since 2005 following military pressure from the Tatmadaw. Majority of fighters joined the Restoration Council of Shan State. | – | – |

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SAFERWORLD

UK OFFICE

The Grayston Centre
28 Charles Square
London N1 6HT, UK

Phone: +44 (0)20 7324 4646

Fax: +44 (0)20 7324 4647

Email: general@saferworld.org.uk

Web: www.saferworld.org.uk

MYANMAR OFFICE

No (290/7), U Wisara Road
Kamaryut Township
Yangon, Myanmar

Email: saferworldmyanmar@saferworld.org.uk

Registered charity no. 1043843

A company limited by guarantee no. 3015948

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