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<b>Contents of Document:</b>	<b>Page Number</b>
<b>Part One: The Karen National Union and the Peace Process</b>	<b>2</b>
1.1 Introduction	2
1.2 The major problems facing the citizens in the Union of Burma	2
1.3 The Peace Process	3
1.4 The basic political principles of the Karen National Union	3
1.5 The Peace Processes of the Government	3
1.6 The Peace Processes of the Karen National Union	4
• Preliminary ceasefire agreement	4
• Trust building between the two armed forces	4
• Nationwide ceasefire	5
• Political negotiation or finding solutions for the lack of democracy	6
• Opening a new page in history	7
<b>Part Two: The Ceasefire and Peace Process of the Karen National Union</b>	<b>8</b>
2.1 Step One: State level preliminary ceasefire	8
2.2 Step Two: Union level negotiation	8
2.3 The perspective of the Karen National Union	9
<b>Part Three: Suggestions</b>	<b>10</b>

## **PART ONE**

### **KAREN NATIONAL UNION (KNU) AND THE PEACE PROCESS**

#### **1.1 Introduction**

The Union of Burma is made up of multiple nationalities. All ethnic nationalities struggled and sacrificed for independence from British colonisation. The Panglong Agreement was signed because of ethnic unity. Along with gaining independence, a new Burma was born with inclusive participation, intent on equality and self-determination for all. As an offshoot of this unity, the Union of Burma was granted independence on the 4<sup>th</sup> January 1948. However, after just three months, rebellions based on communism arose due to differences in political ideologies and because of the lack of opportunity to negotiate and find political solutions by political means. The politically motivated armed struggles were intensified in 1949 as the rights of ethnic nationalities failed to be recognised and negotiated politically.

Federalism and the quest for the rights of ethnic nationalities were resurgent again during the year 1958. Instead of confronting the political demands, a military coup occurred. Due to decades of civil war and mismanagement, the Union of Burma became one of the poorest countries in the world. The democratic uprising in 1988 was brutally cracked down by the Burmese army known as the Tatmadaw and again, the Union lost the opportunity to find political solutions democratically. Prior to the 2008 Constitution and before President Thein Sein's election, the culture of political and democratic negotiation did not exist.

#### **1.2 The major problems facing the citizens in the Union of Burma**

In the Union of Burma, there are two major problems that need to be politically addressed as follows:

1. The lack of equal rights for all ethnic nationalities.
2. The lack of a democratic system.

Discrimination based on ethnicity and religion, bred a politically motivated armed revolution and civil war. Taking advantage of the civil war, oligarchy or nepotism emerged and thus, the vision for a democratic Union diminished. As a consequence, Burma became one of the poorest countries in the world, even though Burma was once wealthy in human and natural resources. Regardless of ethnicity, religion and status, every one suffered from this resource curse.

### **1.3 The Peace Process**

Under the auspices of President Thein Sein, chair of the Union Peacemaking Central Committee (UPCC), we believe Burma is moving towards national reconciliation. The UPCC coordinates with the Union Peacemaking Working Committee (UPWC) chaired by Vice-President, Dr Sai Mauk Khan and vice-chaired by Chief Negotiator and Union Minister, U Aung Min. The Myanmar Peace Center supports and plays a secretariat role to UPWC. These committees seem to want to provide the space where all stakeholders can equally participate and work to resolve issues of oppression and discrimination against ethnic nationalities in Burma. In this way, values of trust, mutual recognition and mutual respect will dissipate all oppression and discrimination, and effective political dialogue will provide opportunity for Constitutional amendments aimed at achieving true national reconciliation.

We truly believe that the Government is moving from a preliminary ceasefire and will in turn carry out cessation of hostilities and consistently implement peace conferences. This indeed is the right channel to peace. Together with transparency and accountability, it is necessary that there are basic principles such as equal status in political dialogue and negotiations, and joint co-ordination of the Peace Process and its implementation. It is therefore extremely important that there is transparency and accountability in the Peace Process.

### **1.4 The basic political principles of the Karen National Union**

The Karen national revolution, led by the Karen National Union, started in 1949. The objective from the outset of the revolution was "The independence of Karen State". However, in 1956, Congress at Maw Kow passed a policy for "the establishment of a Federal Union". In 1976, after the formation of the National Democratic Front (NDF), the Karen National Union raised the idea of collaboration based on federal principles. The end of the Cold War in the 1980s resulted in democratic transitions occurring globally which also impacted the political landscape in Burma. Thus, a "policy" in tune with these global democratic transitions was enacted whereby the Karen National Union's aim was "to peacefully and politically find solutions to the problems". That is to say, that reconciliation had to be found through negotiations based on a democratic political system and a genuine Federal Union that guarantees the equality of all the citizens. The Karen National Union continues to firmly hold onto these Federal Democratic Principles and constantly tries to find a peaceful and democratic solution without violence.

### **1.5 The Peace Process of the Government**

The Union government led by President Thein Sein announced (Manifesto No.1/2011) to stop armed conflict and, in order to carry out the Peace Process, he welcomed all the politically motivated ethnic armed oppositions into dialogue. The Karen National Union sees President Thein Sein's invitation as a positive sign and believes that this could be a threshold to genuine peace. For this reason, as the Karen National Union firmly holds onto the

principle of "to peacefully and politically find solutions to the problems", they signed the preliminary ceasefire agreement at Zwe Ka Bin Hotel, Hpa'an on the 12 January 2012 and, took a leading role for most of the politically motivated ethnic armed oppositions, with the aim of establishing genuine peace and national reconciliation.

With the purpose of implementing peace in Burma, from the Union level, the Union Peacemaking Central Committee comprising of eleven committee members led by President Thein Sein, and the Union Peacemaking Working Committee comprising of 52 members and led by Dr Sai Mout Khan were formed on the 3<sup>rd</sup> May 2012. Together with the Myanmar Peace Center's technical team, the Karen National Union now have the forum to dialogue in ways that have not been possible in previous regimes, resulting in paving the right track to peaceful negotiations between all stakeholders. Under the auspices of the Union Peacemaking Central Committee and due to the pursuit of the Union Peacemaking Working Committee, the basic principles for negotiation are laid down as follows:

Step (1): Ceasefire at State level

Step (2): Negotiations at Union level

Step (3): Political negotiations

## **1.6 The Peace Process of the Karen National Union**

- **Preliminary Ceasefire Agreements**

By accepting the manifesto No. 1/2011 of President Thein Sein and through negotiations, the Karen National Union reached an historic preliminary ceasefire agreement with the Burmese Government. From the preliminary ceasefire agreement, however, a persistent pursuit from all parties is necessary to reach a concrete ceasefire agreement.

Due to decades of armed conflict, there are many difficulties to build trust between the individuals and groups. Therefore, it is essential to establish confidence-building mechanisms to surpass all these difficulties, and then establish the basic principles and foundations to terminate hostilities and steps towards political dialogue.

- **Trust building between the two armed forces**

According to the Military Code of Conduct, there are rules and agreements that all armed troops have to abide by. If there is any breach on the rules and the agreements, there will be a monitoring system to handle and solve the problems. At the same time, there are some Government military outposts that have a tendency to be confrontational and outposts that are close to villages and livelihoods of the local population. If these outposts are relocated, military confrontation can be prevented and trust can be built up. In the same way, because of the outcomes, the local populations will also come to put their trust in the ceasefire process and actively participate in the Peace Process. Joint implementation and co-

operation processes can transform the culture of lawlessness and human rights violations in the conflict-ridden areas into a condition of the beginning of the rule of law.

In addition to this, the formation of Joint Peace Committees is necessary so as to prevent the potential difficulties that could come out of misunderstandings of the ceasefire. The Union Joint Peace Committee and the State Joint Monitoring Committee are designed to address potential difficulties and problems. One aspect worthy of note is the emphasis on the participatory role of women and youth at all levels in confidence building mechanisms. This is in accordance with lessons learnt from global Peace Processes case studies which recognize that without the participation of communities and local populations, success will not be achieved.

Because of knowledge and participation of local people in the process, military confrontation and human rights violations are slowly decreasing. In the same way, the local populations in the conflict zones can fully recover their roles and dignity as human beings. For these very reasons, the participation of local grassroots populations in the Peace Process is a key factor for a peaceful process. There is also an opinion to establish joint committees at ground levels and implementation is also necessary.

The idea of confidence building mechanisms is to create a stable situation that is possible for negotiation and, at the same time, constantly holds timely and scheduled discussions at Union and State levels to address the difficulties and problems. If there is transparency and legal justice in addressing problems and difficulties, these will be helpful to build up trust between the negotiating parties.

The Karen National Union is convinced that "Peace is Justice". Only when there are genuine representatives of the people, and only when there is a Constitution that arises out of consultation with the people and for the people, will the Karen National Union be convinced that there is justice in Burma. The Peace Process carried out by the Karen National Union must therefore be a Peace Process inclusive of all stakeholders. And it is only through political dialogue, that we believe we can step towards the amendment of the Constitution.

- **Nationwide ceasefire**

Nationwide ceasefire is mentioned in the first signing ceremony between the Karen National Union and the Union Level Peacemaking Committee (Rangoon Agreement, 6<sup>th</sup> April 2012). During the current Peace Process, there are altogether fourteen groups that individually signed with the Burmese Government (including All Burma Student Democratic Front) and two groups have not yet signed with the Government. In order to reach effective political dialogue in this area, it is essential to have a nationwide level ceasefire agreement, with the Government, including the Tatmadaw, and all ethnic armed organizations as signatories.

This nationwide ceasefire agreement must guarantee cessation of all hostilities, and the commitment of a political resolution by non-violent means through timely and peaceful negotiated solutions. In this way, new pages of a political culture that is based on negotiated solutions for reconciliation and peace in Burma will be opened. Therefore, the agreement must guarantee trust building measures, beginning with the removal of the names of the differing ethnic nationalities armed groups from the Unlawful Associations Act list. Further, is the need for the approval of confidence building mechanisms that will consolidate the ceasefire. These include the re-ratification of the individual ethnic armed group's ceasefire agreements, with the official announcement and agreement of the initiation of political dialogue in this area.

- **Political negotiations or finding solutions for the lack of democracy**

In the third stage of the Peace Process, to settle the rest of the problems of the country, the government recognises the need to include all the stakeholders. This is exactly what the other ethnic nationalities and political parties have constantly called for. In these political conferences, all stakeholders, such as representatives of politically motivated ethnic armed oppositions, the Government, the Parliament, the Burmese military (Tatmadaw), political parties and representatives of all civil and community organizations, must participate together and be willing to work towards identifying and eliminating the root causes of problems. For this to occur, there must be freedom of all stakeholders to express their opinions, thus reflecting the voices and aspirations of the people of Burma. Ultimately, co-operative leadership guaranteeing future justice will be implemented. From these political nexuses, the political dialogue and Peace Process will progress hand in hand.

After decades of political dissension, it is not entirely practical to settle all the problems at once and within one political dialogue. In addition, agreements on the political framework, the process of dialogue and timeframe are necessary as the deep-rooted problems indeed are the problems of all stakeholders. For this timeframe, technical teams from the Myanmar Peace Center and from the other ethnic nationalities have to work together and then present it to the authorities concerned and try to adjust with the different opinions. This now is on the ongoing process.

It is essential for the Government to legislate ceasefire agreements and related outcomes of political dialogue through ratification within parliamentary processes, thus ensuring stability through successive elected governments. That is to say, that transparency and accountability are indispensable to motivate and harness for the active support of all the citizens. These are the requirements the government has to be committed to so that genuine national reconciliation and durable peace for the future generations can be guaranteed.

- **Opening a new page in history**

The Peace Process today is the only Peace Process in the history of the Union of Burma and has never happened before. The development is so fast that the international communities are excitedly watching what changes will follow. All the current government and political leaders together with other ethnic nationalities political leaders and leaders of the communities are also participating in opening a new page of history in peace. That is the reason why all the stakeholders are responsible to be constantly involved in this Peace Process; and if any problems come up to reverse the process of peace, it is necessary to mutually maintain, adjust, forgive and open our hearts with a wide view. Therefore, everyone should strive for durability in the near future and in this way, carry out national reconciliation and national development. In this way, everybody can corporately work to create a better future for the Union of Burma. That is our duty to create a new and harmonious multi-institutional society and thus, as organisations and as individuals, be inscribed in the history of Peace as Peacemakers.

## PART TWO

### THE CEASEFIRE AND PEACE PROCESS OF THE KAREN NATIONAL UNION

#### 2.1 Step One: State Level Preliminary Ceasefire

The preliminary ceasefire process and the implementation to carry out on the ground between the two parties, the Government and the Karen National Union, are described as follows:

1. Factors related to **“stopping fighting between the two parties”**

Explanation: A preliminary ceasefire agreement was signed on the 12<sup>th</sup> January 2012. In addition, there were agreements to implement such as the Hpa'an Agreement on the 4<sup>th</sup> April 2012, the Bago Agreement on the 8<sup>th</sup> April 2012 and the Dawei Agreement on the 9<sup>th</sup> April 2012.

2. Matters related to **“not carrying arms outside of prescribed areas”**

Explanation: It is necessary to negotiate in detail between the Brigadier commanders of the Karen National Liberation Army and the regional commanders of the Burmese Army (Tatmadaw).

3. Matters related to **“staying in restricted areas where both sides agree to”**

Explanation: It is necessary to negotiate in detail between the Brigadier commanders of the Karen National Liberation Army and the regional commanders of the Burmese Army (Tatmadaw).

4. Matters related to **“opening of liaison offices where appropriate and where both sides agree”**

Explanation: The central liaison office of the Karen National Union is in Hpa'an. The district level liaison offices are in Dawei, Three Pagoda Pass, Myawaddy, Tha Hton (Naung Bo Village) and Kyaukkyi. There are also plans to open in other areas as well.

5. Matters related to **“forming a team and negotiating at Union Level”**

Explanation: It is necessary to negotiate as appropriate. Therefore, it is necessary to constantly negotiate between the Karen National Union and the Burmese Government, including the administrative authorities and military commanders from both sides. In this way, the preliminary ceasefire agreement will be consolidated. In the same way, we truly understand that it is necessary to create Trust Building Mechanisms, as it is impossible to rapidly instill trust between the individuals and the groups after decades of armed conflict.

#### 2.2 Step Two: Union Level Negotiation

The guidelines as announced by the Thein Sein Government on 3<sup>rd</sup> May, 2012 include the following eight points. The eight points at the Union Level Peace Negotiations are:



1. To remain forever in the Union
2. To accept the Three National Causes: non-disintegration of the Union, non-disintegration of national unity and continuation of national sovereignty.
3. To cooperate in economic and development tasks.
4. To cooperate in the elimination of narcotic drugs.
5. To set up political parties and enter into elections.
6. To accept the 2008 Constitution and to make necessary amendments via Parliament by majority consent.
7. To fully enter the legal fold for permanent peace and live, move and work in accordance with the Constitution.
8. To transform through negotiation into a single armed force in accordance with the Constitution.

### **2.3 The Perspective of the Karen National Union**

According to the above stated points, no disagreement arises from point's 1- 4. They are the policies that tend to put emphasis on the benefit of the people and for the entire country, and thus, congruent to policies of the Karen National Union. However, points 5 to 8 are related to constitutional matters and we are strongly convinced that they need to be addressed through political negotiation to find alternative solutions in the third step of the Peace Process. These eight points continue to be discussed phase by phase at both Union level and political negotiation.

The Karen National Union already has had negotiation twice at the Union level. The first time was held in Rangoon on 6<sup>th</sup> April 2012. The first six out of the eleven points (the eleven point agreements as on 12 January 2012) such as (1) nationwide ceasefire agreement (2) matters related to protecting the rights and livelihood of the civilians, and (3) ceasefire monitoring mechanisms were mainly discussed. From that discussion, thirteen points were signed. The second Union level discussions were held in Hpa'an on the 4<sup>th</sup> September 2012. Discussions that took place mainly related to civilians being able to regain their normal lives without fear, and the military code of conduct that will strengthen the ceasefire and that both sides have to follow. An agreement regarding the ceasefire code of conduct was signed in principle, and the issue of troop relocation whereby civilians can regain their normal lives without fear, will be submitted to the respective high-ranking military officers. Further discussion on this matter will continue in forthcoming meetings.

Strategically, it is essential to develop a structured timeframe to achieve the aims and objectives set out above. To be prioritized in this timeframe is the consolidation of ceasefire related issues. Social and economic related issues are also crucial. In this way, trust will be built and mutual co-operation developed between all parties that will result in a better situation for all.

## **PART THREE**

### **SUGGESTIONS**

The Karen National Union, for the cessation of all hostilities, for a durable peace and for national reconciliation, would like to propose the following suggestions.

1. In the Peace Process of the country, all stakeholders such as the Government, Parliament, military, politically motivated ethnic armed oppositions, political parties, academics, diverse institutions, regardless of religion and racial backgrounds, and all the ordinary people have to take responsibility to positively engage in the Peace Process of rebuilding a democratic Union of Burma.
2. By agreeing to hold continuous meetings regarding Confidence Building Mechanisms such as the military Code of Conduct, Joint Monitoring Committees, the reduction of military outposts and troop relocation, understanding and trust will be developed that will in turn lead to the signing off of constructive agreements.
3. It is necessary to clearly define the role of the Peace Making Committees and the Parliament in the Peace Process.
4. The Government has to take responsibility to provide awareness of the Peace Process at levels of government institutions thereby gaining their support.
5. The agreements signed during the Peace Process are necessary to be ratified in Parliament.
6. The political framework has to be ratified in Parliament.
7. It is necessary to carry out political dialogue and negotiations as soon as possible.
8. The outcomes of the political dialogue must be ratified in Parliament.
9. Parliament needs to draft a bill on the outcomes of the political dialogue that is ratified.
10. It is imperative to have timely and regular meetings between the peace committees of the Government, Parliament, State and regional authorities and the differing ethnic armed organisations.
11. Create a policy and process of transparency, accountability and responsibility in the Peace Process.

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