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KPSN

Security, justice and governance in south east Myanmar

A knowledge, attitudes and practices survey in Karen ceasefire areas

January 2019

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Contents

Foreword

Saferworld and the Karen peace support network have been working together since 2013 to identify the main conflict and security issues faced by Karen people in south east Myanmar and support locally driven efforts to achieve more peaceful, just and secure communities.

The members of KPSN, as the largest network of Karen civil society organisations in southeast Myanmar, have decades of collective experience working to empower local Karen communities and advocate for a sustainable and equitable peace in Karen areas. Saferworld has been working in Myanmar since 2012, building on over three decades of international experience working with partners in conflict affected areas to prevent violence and build safer lives.

The way that security, justice and governance is delivered and experienced lies at the heart of the complex factors that determine how Myanmar can move towards lasting peace. Since Saferworld and KPSN first formed a partnership in 2013, it has become increasingly apparent that without efforts to transform the security, justice and governance architecture in Myanmar, this goal will remain out of reach. Consequently, over the last six years KPSN and Saferworld have been working to make communities more secure and peaceful, and drawing on this experience to inform and influence authorities to be inclusive and more responsive and accountable to community needs.

This knowledge, attitudes and practices survey is intended to improve understanding of the experiences of ordinary people living in areas affected by Myanmar's most historic armed conflict between the Government of the Union of Myanmar and the Karen National Union. It draws on the experiences of over 2020 respondents from 72 villages randomly selected across rural ceasefire areas in Bago, Kayin, Mon and Tanintharyi. The findings demonstrate the complexity of the governance and territorial landscape, and how these dynamics are intrinsically tied to the protracted conflict, the peace process, governance reforms and aid programmes.

Although the subjects covered in this report are profoundly sensitive and complex, we hope that the recommendations to the Government of the Union of Myanmar, the Karen National Union and the international aid community will support efforts to address the root causes of conflict and insecurity in the Karen ceasefire areas of south east Myanmar.

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Acknowledgements

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From the Saferworld research team

About the Karen Peace Support Network (KPSN)

KPSN (formerly KCBPSN) is the largest network of Karen civil society organisations in Burma [Myanmar]. Its member organisations have been providing support for vulnerable people and communities in this conflict-torn region for decades, striving to empower local communities, build transparent and accountable institutions, and help create a sustainable peace in Burma. The network is dedicated to:

- Raising awareness of the peace process and of human rights issues among Karen communities

- Building the capacity of communities to advocate for and realise their rights

- Providing practical support for communities to create sustainable livelihoods and improve their quality of life

- Supporting Internally Displaced Persons (IDPs) and returnees

- Monitoring the peace process

- Facilitating consultation and advocacy for a sustainable and equitable peace in Burma [Myanmar]

KPSN member organisations and allies:

	Organisation	Acronym
1	Back Pack Health Worker Team	BPHWT
2	Karen Affairs Committee	KAC
3	Karen Development Committee	KDC
4	Karen Education Department	KED
5	Karen Environmental and Social Action Network	KESAN
6	Karen Human Rights Group	KHRG
7	Karen Office for Relief and Development	KORD
8	Karen Refugee Committee	KRC
9	Karen Rivers Watch	KRW
10	Karen Student Network Group	KSNG
11	Karen Teacher Working Group	KTWG
12	Karen Women's Empowerment Group	KWEG
13	Karen Women's Organization	KWO
14	Karen Youth Organization	KYO
15	Mae Tao Clinic	MTC
16	Hsar Mu Htaw	HMH
17	Hku Po Ka Paw	HPKP
18	Youth Circle	YC
19	Mutraw Community Development Committee	MCDC
20	Taw Oo Development Committee	TODC
21	Thwee Community Development Network	TCDN
22	Committee for Internally Displaced Karen People	CIDKP
23	Karen Women's Union	KWU
24	Karen Lawyer Network	KLN
25	Southern Youth Tinnithryi	SYT
26	Karen State Civil Society Organizations Network	KSCN
27	KarenDevelopment Network	KDN
28	Karen Baptist Convention	KBC
29	Burma Medical Association	BMA
30	Committee for Internally Displaced Karen People	CSLD

Myanmar Information Management Unit

Map 1: KAP survey area and selected villages

Legend

Sample Village Tracts

Survey area

Village found to be *

- GoM-controlled **
- KNU-controlled
- Mix-controlled

— Major road
— Secondary road
— River
— International boundary
— State/Region boundary
— Township boundary
— Village tract boundary

* The locations shown on the map are random points within the selected village tract and do not reflect the specific location of the actual villages, for security reasons.

** These are not official definitions recognised by either GoM or KNU - they are illustrative designations based on data collected in this survey on service delivery, tax collection and presence of troops.

Due to security and logistical constraints experienced during the data collection phase, one village was replaced by the team leader in coordination with the survey design expert resulting in a village from outside the original survey area (in Taungoo Township, Bago Region) being included, as shown.

Map ID: MIMU1607v01
Completion Date: 5 July 2018. A4
Projection/Datum: Geographic/WGS84

Data Sources:
Survey: Saferworld
Boundaries: WFP/MIMU
Place Name: Ministry of Home Affairs (GAD), translated by MIMU

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Disclaimer: The names shown and the boundaries used on this map do not imply official endorsement or acceptance by the United Nations.

Karen Human Rights Group (KHRG)

Map 2: Locally-defined Northern and Central Karen (District and township) area

Karen Human Rights Group (KHRG)

Map 3: Locally-defined Southern Karen (District and township) area

Ler Doh Soh

K'Ser Doh

Ler Muh Lah

**BLIQ-DAWEI
(MERGUI-TAVOY DISTRICT)**

Ta Naw Th'ree

A n d a m a n   S e a

Legend

Locally defined Karen District Boundary

Locally defined Karen Township Boundary

International Boundary

KHRG Karen Human Rights Group

0   20   40   80 Miles
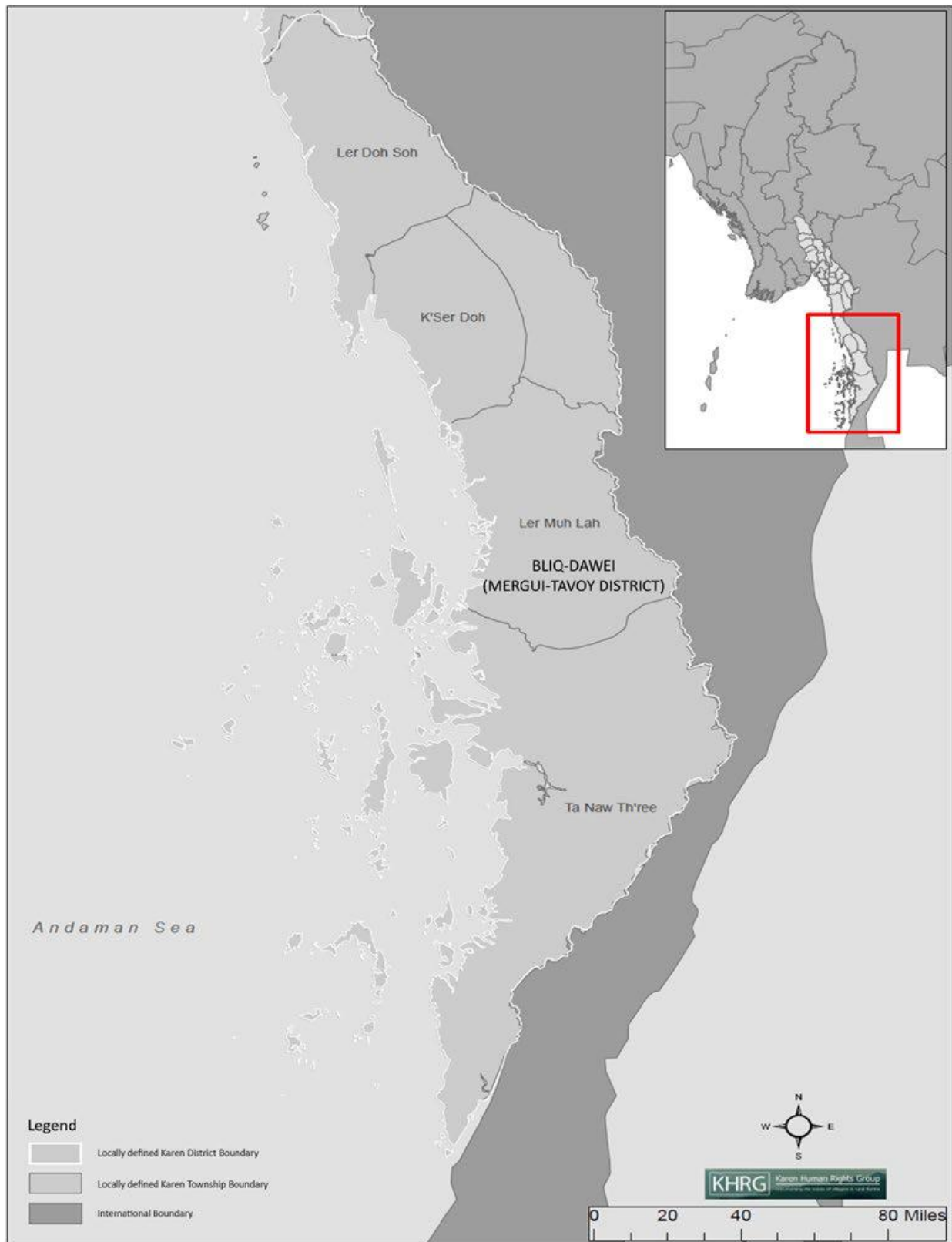
Key terms

'Authority' is primarily used throughout this report to refer to the Government of the Union of Myanmar (GoM), Karen National Union (KNU) and other armed actors that hold influence over local communities, such as the Democratic Karen Benevolent/ Buddhist Army (DKBA), Border Guard Forces (BGFs) and the Karen Peace Council (KPC). It is not used to describe village and village tract leaders or committees.

'Direct contact' is a term introduced in section 2.4 for samples of the survey population found to either pay tax to, receive services from or see soldiers very often or often from each authority. Respondents who met any one of the above criteria for the GoM, KNU, DKBA, BGF or KPC, were determined to have 'direct contact'. This was primarily used for the smaller armed actors, so that meaningful analysis could be carried out about those groups from just the small samples.

The terms **'GoM'**, **'KNU'**, **'DKBA'** and **'KPC'** were all used to refer collectively to any department or body from each of those authorities. 'GoM' could, thus, include the Tatmadaw (Myanmar language word for 'Armed Forces' used in this report as the formal name for the national armed forces), the Myanmar Police Force (MPF) or any other part of the state apparatus. KNU could include its armed wings, the Karen National Liberation Army (KNLA) and Karen National Defence Organisation (KNDO), or any other department or service.

Acronyms and abbreviations

BGFs	Border Guard Forces
CBO	Community-based organisation
DKBA	Democratic Karen Benevolent/Buddhist Army
EAO	Ethnic armed organisation
GAD	General Administration Department
IED	Improvised explosive device
KHRG	Karen Human Rights Group
KNDO	Karen National Defence Organisation
KNLA	Karen National Liberation Army
KNPF	Karen National Police Force
KNU	Karen National Union
KPC	Karen Peace Council
KPSN	Karen Peace Support Network
KWO	Karen Women Organisation
GBV	Gender-based violence
GoM	Government of the Union of Myanmar
MIMU	Myanmar Information Management Unit
MPF	Myanmar Police Force
NCA	Nationwide Ceasefire Agreement
VTA	Village tract administrator

A man on a raft near Hpa An city.
© Theo Hollander

Executive summary

COVERING 2,020 RESPONDENTS IN 72 VILLAGES, this knowledge, attitudes and practices survey provides unprecedented insights into the experiences of ordinary people amidst Myanmar's most historic armed conflict – that between the Government of the Union of Myanmar (GoM) and the Karen National Union (KNU). Logistical and security constraints notwithstanding, the survey provides information that is as representative as possible of the conflict-affected area's population, including randomly selected individuals from randomly selected village tracts (see Map 1 on p vi). It constitutes a unique evidence base to support more conflict-sensitive humanitarian and developmental assistance, and support efforts to address the root causes of conflict and insecurity. Recommendations are provided to the GoM, KNU and the international aid community.

Armed conflict between the GoM and KNU has been ongoing since 1949 through numerous periods of full or partial military rule, but has been reduced since ceasefires in 2012. The KNU is among the largest of over a dozen ethnic armed organisations demanding a federal, democratic system of government. In 2015, the GoM and Tatmadaw formally agreed to establish a "union based on the principles of democracy and federalism in accordance with the outcomes of political dialogue", when they signed the Nationwide Ceasefire Agreement (NCA), along with the KNU and seven other ethnic armed organisations. However, the existing framework has not led to meaningful political dialogue, as concrete steps towards federalism continue to be blocked by the Tatmadaw, which insists that the peace process 'strictly abide by the existing laws … in accord with the 2008 Constitution.'[1]

Summary of findings

The findings of this survey demonstrate that people in the Karen ceasefire areas continue to face severe insecurity, in addition to the memories of a long legacy of extraordinarily severe and regular violence, abuse and exploitation (Figure a). Though respondents were reluctant to name specific armed actors for acts of violence and abuse, corroboration with existing KPSN, UN and other research indicates that most of the forms of violence documented are heavily associated with widespread practices carried out by the Tatmadaw and its proxy forces systematically and under unified command. As noted by the UN Human Rights Council in 2018, 'For three decades, successive special rapporteurs on the situation of human rights in Myanmar concluded

[1] The Tatmadaw's six-point policy is available in *The Nation*, 23 September. 2014, http://www.nationmultimedia.com/asean&beyon/Tatmadaw-outlines-6-point-policy-for-peace-talk-30243970.html; Sai Wansai discusses criticisms of the six-point policy from the perspective of EAOs. Sai Wansai (2016), 'Aftermath of 21st Century Panglong: Positive Symbolism Throws the Door of Earnest Negotiations Wide Open', *Shan Herald Agency for News (SHAN)*, 4 September, https://www.burmalink.org/aftermath-21st-century-panglong-positive-symbolismthrows-door-earnest-negotiations-wide-open/

that patterns of human rights violations were widespread and systematic, linked to state and military policy'.[2]

Figure a. Prevalence of experiences of abuse and violence
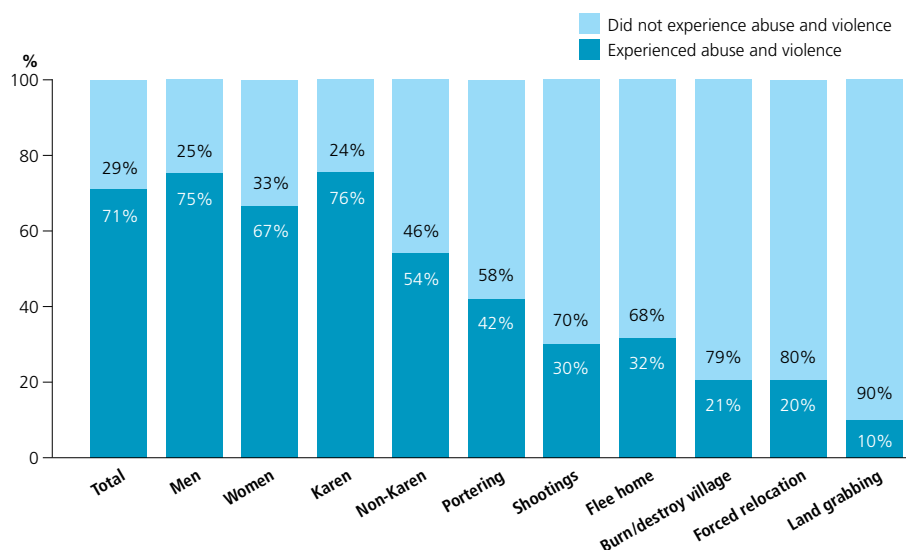
The 2012 ceasefires, and the rotation of Tatmadaw troops to conflict zones in other parts of the country, greatly reduced the levels of violence and abuse experienced by Karen communities, while leading to increases elsewhere. However, deep insecurity persists as the ceasefire agreements have failed to greatly reduce the overall levels of militarisation, delineate territories or properly implement a code of conduct for military actors. Since early 2018, Mutraw (Hpapun) District has become the target of coordinated, multi-battalion Tatmadaw operations which have led to the forced displacement of over 2,500 people.

Eighty per cent of households stated experiences of violence or abuse by the authorities, such as shootings and burning of villages, each having affected more than 30 per cent of the surveyed population. Forced labour and portering (the carrying of equipment and weaponry for military operations) were the most widely experienced forms of violence and abuse prior to the 2012 ceasefire, affecting a majority of the surveyed households, often more than once or very regularly.

Figure b. Surveyed households and villages that have experienced land grabs since 2012
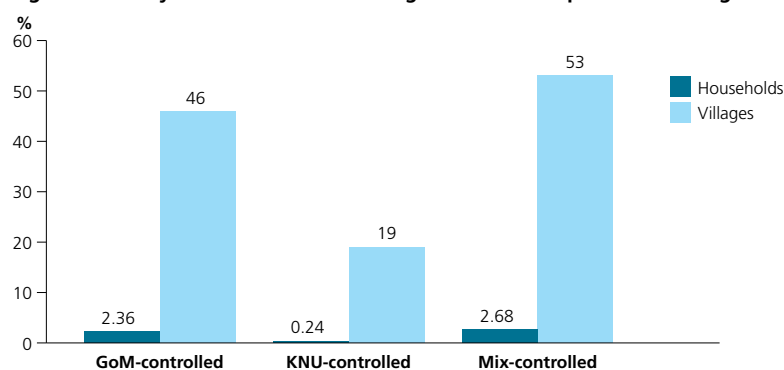
Since 2012, the most common form of abuse has been land grabs, with 1 in 47 surveyed households having had land taken from them by authorities in this period (Figure b.). According to the results of our survey, all but 42 of 43 land grab cases were in GoM-

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2 UN Human Rights Council (2018), p 5. See also p 17, which notes that 'The consistent tactical formula employed by the Tatmadaw exhibits a degree of coordination only possible when all troops are acting under the effective control of a single unified command.'

3 Land in Our Hands Network (2015), 'Destroying People's Lives: The Impact of Land Grabbing on communities in Myanmar', December, https://www.tni.org/files/article-downloads/lioh_research_report_eng_0.pdf

controlled or mix-controlled areas, where the GoM and mainstream business actors have gained increased access since 2012. A 2015 study by the Land In Our Hands (LIOH) network identified the Tatmadaw as the leading entity responsible for land confiscations.[3]

Considering these realities, it is little surprise that only 14 per cent of respondents said they were confident or very confident that the peace process would lead to sustainable peace. Additionally, 45 per cent of respondents – including 68 per cent of those in KNU-controlled areas – were worried or very worried that fighting would break out in the next five years, as has happened intermittently despite the ceasefire. These results reveal a general lack of confidence in the current peace process and indicate the need for a much greater commitment to meaningful political progress.

Figure c. How confident are you that the peace process will lead to sustainable peace?

Prefer not to answer 1%
Very confident 2%
Confident 12%
Neutral 37%
Not confident at all 23%
Don't know 25%
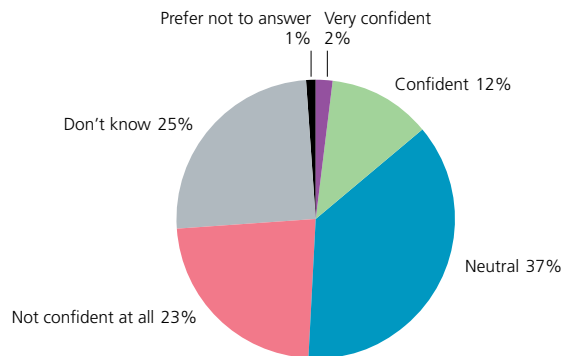
The KNU – which has maintained parallel like government structures for social services, land management and justice among other key functions since independence in 1949 – enjoys notable legitimacy among large swathes of the population, predominantly among Karen people. Many respondents explicitly liked the KNU the most, would prefer it to govern their area, and saw it as the most suitable provider of security, safety and justice, when compared with the GoM and other armed actors (Figure d). Widespread support for the KNU among Karen people in the ceasefire areas seemingly indicates support for the principles of localised governance and self-determination. This support for the KNU among Karen people appears to be due to ethnic and linguistic ties, the embeddedness of KNU institutions in local communities, the KNU's historical position as the primary political organisation representing Karen society, and because of ties to Karen ancestral lands.

Figure d. Which of these authorities…

Legend: GoM, KNU, I don't know, None

1. …do you consider to be your government? — 33, 38, 20, 8
2. …do you want to govern your area? — 20, 45, 23, 9
3. …do you like the most? — 20, 40, 21, 15
4. …would you prefer to deal with justice problems? — 23, 39, 26, 9
5. …has political views you support the most? — 20, 30, 35, 12
6. …keeps the community most safe and secure? — 19, 34, 28, 14
7. …provides the most social services, development and welfare? — 27, 21, 27, 15
8. …has the highest governance capacity? — 24, 20, 43, 11
9. …do you pay taxes to? — 37, 64, 14
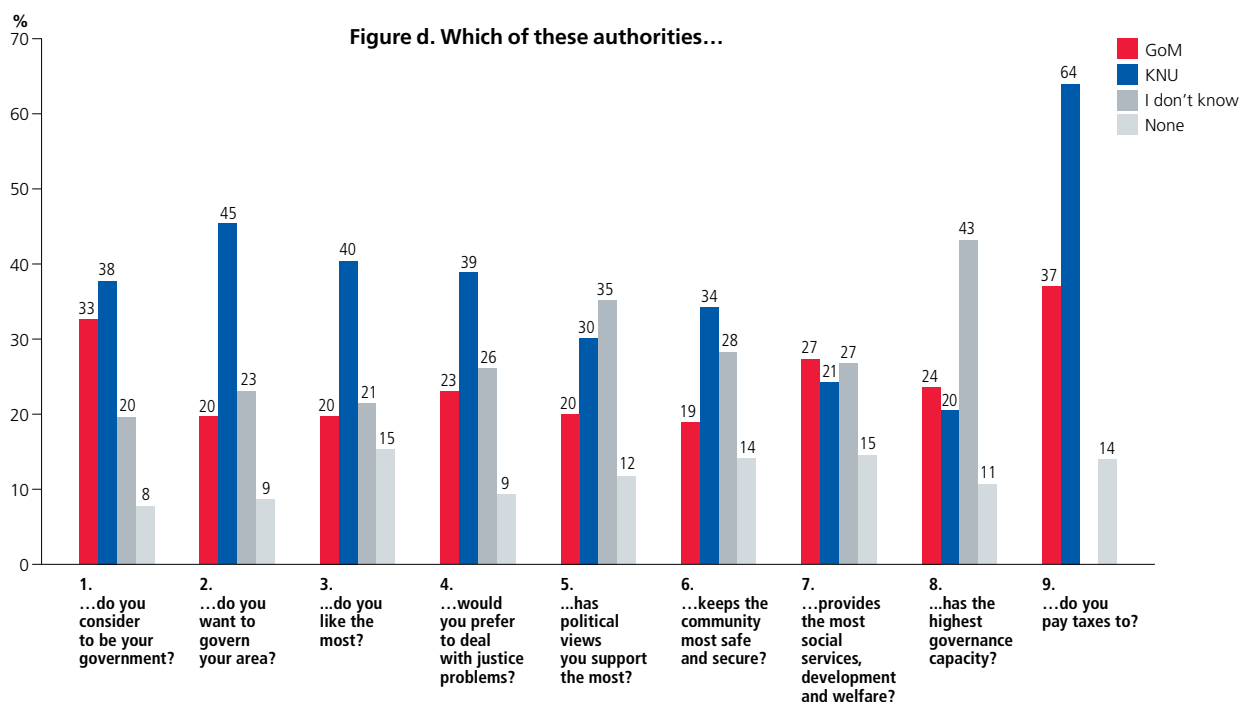
Views over the Thanlwin (Salween) river, near Hpa An.
© Rebecca W

Importantly, these preferences existed despite GoM social services and development reaching roughly the same numbers of Karen respondents as social services and development from the KNU. This clearly demonstrates that investments in public services and development do not automatically translate into legitimacy being conferred by the population. Such investments are central to the stated 'peace' strategies of successive GoM administrations but are inextricably linked to the strategic extension of centralised control over both territory and people.

Sixty-one per cent of the respondents were found to be living in villages under the 'mixed control' of the GoM, KNU and sometimes other armed actors, based on a measure combining data on each actor's service delivery, taxation and presence of soldiers. Twenty per cent were under near total KNU control, and 19 per cent were under near total GoM control (Figure e.). In mix-controlled areas, although the GoM provided health and education services to more respondents than the KNU, 41 per cent of respondents wanted the KNU govern the area while only 16 per cent favoured the GoM. In these mix-controlled areas respondents also favoured the KNU in terms of justice provision and for their political views. When asked which of the higher authorities they would prefer to deal with justice issues, the highest proportion of respondents (39 per cent) said the KNU, 23 per cent said the GoM and 9.4 per cent said "none".

Figure e. Respondents under each type of territory (%)
(Based on a measure combining data on service delivery, taxation and exposure to soliders)

GoM-controlled 19%

KNU-controlled 20%

Mix-controlled 61%
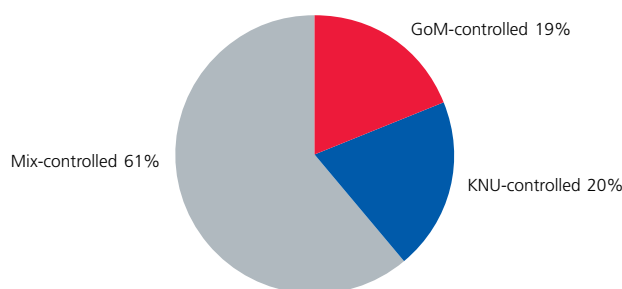
Overall, respondents were reluctant to name specific authorities causing problems or committing acts of violence or abuse. Twenty-one per cent named the GoM for forced labour in their community, which was the highest proportion naming any specific authority for any problem. Meanwhile, one of every ten respondents named the KNU for unfair recruitment practices. The GoM was also named more than any other authority for aggressive or inappropriate conduct and extortion, among other abuses.

As well as being under-represented in village elections and less likely to be in formal work, women in the survey area have experienced extremely high levels of abuse at the hands of authorities, including portering, forced labour, being present during shootings, and multiple forms of forced displacement (though many of these were also experienced by higher numbers of men).

Large numbers of respondents expressed that justice cases, including serious cases, were regularly not reported to any authority in their community (Figure f.). When cases are reported, respondents indicated that people nearly always go to the village leader first. Seven per cent of respondents had reported a case to an authority before, among whom 82 per cent reported it first to their village leader. The KNU system appears to provide clearer referral processes and a greater set of options for people to report their cases compared with the GoM system. Yet, both systems have huge issues to address if they are to provide adequate access to justice. High costs, lack of personal connections, long distances to authorities and the process being time-consuming were the main barriers to justice identified, most commonly associated with GoM.

Figure f. Perceptions and preferences on justice issues
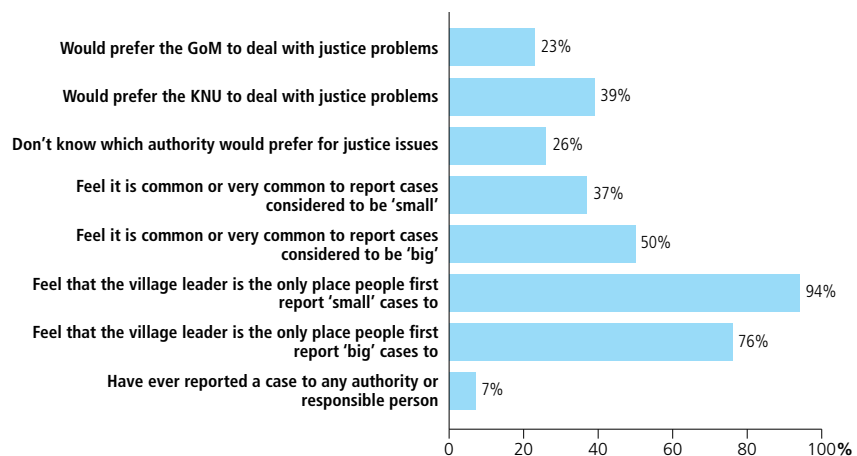
Conclusions and recommendations

The findings of this survey demonstrate that people in the Karen ceasefire areas continue to face severe insecurity, in the context of protracted armed conflict, routine violence, abuse and exploitation. The survey further demonstrates that the KNU enjoys notable legitimacy among large swathes of the population in Karen ceasefire areas, predominantly among Karen people, which seemingly indicates support for the principles of localised governance and self-determination. This is significant because a belief in such desires are the main reason that Karen political leaders have long demanded a federal system of government and developed policies based on local practices, such as the KNU land policy. These findings also demonstrate that investments in public services and development do not automatically translate into legitimacy being conferred by the population, as is often claimed by the government and is a common international peacebuilding strategy.

The legacy of violence and abuse effecting the region's civilian population cannot be overstated, in particular the impacts of widespread and systematic practices of the Tatmadaw. Concerningly, only 14 per cent of respondents were confident or very confident that the peace process would lead to sustainable peace and notable majority worried fighting would break out again within five years.

The report provides specific recommendations for the GoM, KNU and international aid community respectively. To summarise, firstly, a number of urgent steps are needed to ensure the basic safety of civilians. These include the immediate demilitarisation of ceasefire areas, a reduction of tensions and the enforcement of strict regulations and accountability measures for all security forces to respect human rights. Humanitarian support is needed for refugees and internally displaced persons as well as improved protection support. Steps by all authorities, especially the government and splinter groups, are needed to end land grabs and to establish laws and implementation mechanisms for restitution of all confiscated lands. Without the demarcation of cease-fire territories that limit troop movements and allow more effective monitoring and a basis for determining violations, intermittent armed conflict will continue and a return to widespread violence will remain a constant risk.

Consolidating the peace will then depend on the development of an inclusive, democratic framework which allows all negotiations, political dialogue and resolutions to be established outside of the 2008 Constitution.[4] Alongside this process, security sector reform is needed to create more inclusive, representative and accountable armed forces and justice institutions that can guarantee the safety of all communities in Myanmar. Interim arrangements for the period prior to a political settlement that ensure the recognition of EAO and community governance and social service systems will make ceasefires more stable, improve the well-being of conflict-affected communities, and provide space for improved governance and inclusive human development.

All authorities need to take steps to enforce a moratorium on major development projects, to end land grabs, and to regulate business practices more responsibly and transparently. Transformational government reforms are needed to make the economy more inclusive, equitable and decentralised in order to end decades-old grievances linked to extraction of wealth and resources from ethnic areas to companies and individuals owned by or linked to the Tatmadaw and GoM.

Official recognition of the KNU's laws, policies and governance will be crucial to building the genuine trust and political dialogue needed to negotiate the establishment of a future federal and democratic union. In the meantime, the use of development, service delivery and humanitarian support to expand the GoM's territorial control or gain influence over populations will drive conflict further. The KNU can take significant steps to improve its governance and social service delivery too, and to

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4 KPSN (2018), 'Burma's Dead-End Peace Negotiation process: a case study of the land sector', July, https://progressivevoicemyanmar.org/wp-content/uploads/2018/07/Eng-Burmas-Dead-End-Peace-Negotiation-Process-KPSN-report-web.pdf

cooperate with community based and civil society organisations, benefitting from their capacity and knowledge on women's rights and empowerment, responsible development practices, environmental conservation, human rights promotion, and support to displaced persons and migrants, among other issues.

All authorities also have a long way to go to ensure women are safe, secure, have access to full opportunities and enjoy equal participation in governance. This requires greater inclusion of women at all administrative levels and greater women's participation in local elections and decision-making. Beyond that, it relies on transformation of core policies and institutions to tackle gender norms that perpetuate the insecurities and forms of marginalisation faced by women.

Finally, sustainable peace will depend on leaders and the whole country coming to terms with the sheer scale of suffering experienced by conflict-affected people, by providing formal acknowledgement to those who have suffered and survived, ensuring justice and accountability for past crimes and systematically addressing the remaining causes of insecurity.

None of the issues highlighted in this report will be easily solved and all require unprecedented political will and resolve from leaders on all sides of the conflict, to make compromises and commit wholeheartedly to ending the protracted cycle of conflict, violence, and insecurity.

Oil palm fields in Dawei, Tanintharyi region.
© Karen Peace Support Network

1

Introduction and key findings

1.1 **Introduction**

THIS SURVEY was carried out by Saferworld and the Karen Peace Support Network (KPSN) to examine the knowledge, attitudes and practices of populations affected by armed conflict between the Government of the Union of Myanmar (GoM) and the Karen National Union (KNU), with regards to governance, security and justice. Covering 2,020 respondents in 72 villages, the survey provides unprecedented insights into the realities in ceasefire areas from the perspectives of the local public and teaches us a great deal about the causes and impacts of the conflict. Logistical and security constraints notwithstanding, this report provides information that is as representative as possible of this population, by surveying randomly selected individuals from randomly selected village tracts. It constitutes a unique evidence base to support more conflict-sensitive humanitarian and developmental assistance, and support efforts to address the root causes of conflict and insecurity. Recommendations are provided to the GoM, KNU and international aid community in part 6, section 6.2.

Since 1949, armed conflict between the GoM and KNU has trapped much of south east Myanmar in a cycle of conflict and insecurity.[5] The KNU demands a federal system of government that would provide greater autonomy and self-determination, as well as representation at the national level, as do most of more than 20 EAOs operating across the country. Since 1962, successive GoM administrations dominated by the Myanmar Armed Forces (Tatmadaw) have enforced highly centralised governmental systems. The most recent is enshrined in the 2008 Constitution, which instates a heavily centralised system of government and provides significant power and autonomy to the Tatmadaw. In 2015, the GoM and Tatmadaw formally agreed to establish a 'union based on the principles of democracy and federalism in accordance with the outcomes of political dialogue', when they signed the Nationwide Ceasefire Agreement (NCA), along with the KNU and seven other ethnic armed organisations. However, the existing framework has not led to meaningful political dialogue, as concrete steps towards federalism continue to be blocked by the Tatmadaw, which insists that the peace process 'strictly abide by the existing laws … in accord with the 2008 Constitution.'[6]

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5   For more on the conflict and its impacts, see Karen Human Rights Group (2017); Karen Human Rights Group (2014); Jolliffe (2016); South (2011); and Smith (1999).

6   *The Nation* (2014), 'Tatmadaw outlines 6-point policy for peace talk', 23 September, http://www.nationmultimedia.com/asean&beyon/Tatmadaw-outlines-6-point-policy-for-peace-talk-30243970.html; Sai Wansai discusses criticisms of the six-point policy from the perspective of EAOs. Sai Wansai (2016), 'Aftermath of 21st Century Panglong: Positive Symbolism Throws the Door of Earnest Negotiations Wide Open', *Shan Herald Agency for News (SHAN)*, 4 September, https://www.burmalink.org/aftermath-21st-century-panglong-positive-symbolismthrows-door-earnest-negotiations-wide-open/

A young man carries his belongings across a river in Mutraw District.
© Saferworld

Since the 1940s, the KNU has operated a parallel governance system, including line departments for social services, resource management, formal taxation and justice delivery, among other functions.[7] The GoM has slowly eroded KNU territory over the decades, through Tatmadaw military offensives that regularly targeted civilians, programmes to expand state administration and development, and by encouraging factions to splinter from the KNU and form government-backed forces. Two of these splinter factions – the Democratic Karen Benevolent Army (DKBA) and the Karen Peace Council (KPC) – are now politically aligned with the KNU and signed the NCA in 2015. Other splinter factions have been transformed into 13 'Border Guard Forces' (BGFs), paramilitary units under the loose command of the Tatmadaw (see section 2.4). All of these actors' claims to territory overlap considerably and formalised territorial boundaries have yet to be demarcated.[8]

The data was collected between November 2017 and January 2018 by a team of six team leaders (four men and two women) and 50 enumerators (26 men and 24 women) chosen by organisations within the KPSN based on education and experience, and provided eight days' training (see below). The research design phase was led by Saferworld staff and technical consultants, with extensive guidance and planning input from an advisory team comprised of KPSN members, during three workshops of one or two days each. Six enumerator team leaders (four men, two women) were selected by the KPSN advisory team based on research experience and the geographical spread of their networks and they were heavily involved in the final stages of the research design. The advisory team was then regularly consulted, and provided detailed input into the final report during two two-day workshops, one three day workshop and weeks of critical reviews and online communication.

Research methodology

Notwithstanding the significant constraints presented by the area of study – arising from the security situation, the lack of complete maps or administrative data, the high levels of outward and internal migration, and the extreme variation in terrain and geography – a methodology was carefully developed to provide data that is as representative as possible of the populations that have been most affected by the Karen conflict since the 1970s, when the KNU left the Ayeryawady Delta and Bago Yoma regions and consolidated operations in the south east.

7 The KNU governance system is examined in detail in Jolliffe (2016).
8 For background on the formation of these splinter groups, see box 2.2 in section 2.4.

The survey used a cross-section study design and a 'simple random sampling' procedure.[9] The total geographic area of interest (shown in Map 1) was determined by the advisory team as the area most affected by the KNU-GoM conflict since the 1970s. This had to be done manually as both the GoM and KNU administrative boundaries for the region include areas far outside the region most affected by conflict. The selected area of interest contained 794 GoM-defined village tracts and 172 urban wards; covered all of Kayin State, as well as portions of Mon State, Tanintharyi Region and eastern Bago Region; and had a total estimated population of 3,020,682 (based on 2014 data).[10]

A stratified sampling method based on population was not viable due to the lack of consistent household data across the region, a result of numerous KNU-influenced areas being partially or fully excluded from the last Myanmar census (in 2014).[11] A three-step simple random sampling process was therefore used to select: random village tracts or wards within the survey area; villages within village tracts; and households within the selected settlements. The first step involved selecting random points on a map of the area of interest and then choosing the village tracts or urban wards in which those points fell. As urban wards take up much less space on the map, they were less likely to be selected than village tracts, and ultimately only village tracts were chosen. This was anticipated and was deemed appropriate, as urban areas have been much less affected by direct armed violence since the late 1950s.

The requisite number of respondents was determined to be 2,000, providing a margin of error of 2.18 per cent. The total sample size was raised to 2,080 to offset possible questionnaire losses, incomplete and invalid questionnaires, refusals, and non-responses during the actual data collection. It was decided that aiming for 40 respondents from 52 villages or wards would be the most effective way to reach this number, while ensuring a geographic spread that was manageable for the enumerator teams. The final number of villages rose to 72, due to difficulties encountered in reaching the 40-household target in some villages, as discussed below.

A three-step process of 'simple random sampling' was then used to select random village tracts or wards within the survey area, then villages within village tracts, and finally households.

1. A grid system was used to randomly select village tracts or wards,[12] giving every location within the area of interest an equal chance of being selected. An initial 70 village tracts were selected to then be reduced based on security and logistical considerations. An Adobe Acrobat grid was overlaid atop the map of the area of interest showing GoM-defined village tracts, dividing it into non-overlapping squares, which were each given a number.[13] Random numbers were generated from the website, Random.org, to select 70 specific squares, and a red dot was then placed in the centre of those squares. The village tracts upon which those squares fell were then selected.

2. Village lists for the selected village tracts were built by combining available datasets from the Myanmar Information Management Unit (MIMU) and the Karen Human Rights Group (KHRG) (as neither set covers all areas). Then one village was selected from each village tract using a 'simple random sampling' procedure. Each village list was sorted in alphabetical order (whether using Karen or Burmese language) and numbered in that order. Two random numbers were generated for every village tract, to select a first-choice village and a second-choice village. As the village tracts are all

9 For more on 'simple random sampling', see the Wikipedia entry on the topic: https://en.wikipedia.org/wiki/Simple_random_sample.

10 This estimate was based on GoM census data and was collated with assistance from the Myanmar Information Management Unit.

11 Additionally, although using a population-based sampling method would have allowed for clearer representation of the overall population, it would have been weighted heavily towards highly populated urban centres, which have experienced very little direct armed violence and which are predominantly controlled by the GoM rather than by the KNU or a combination of both.

12 Oregon State University (2009), 'Field methods in vegetation science. Locating quadrats using the grid system' (http://oregonstate.edu/instruct/bot440/wilsomar/Content/SRS.htm)

13 Going from left to right, the grid was sequentially numbered from No. 1 at the upper left-hand corner down to No. 820 at the lower right-hand corner of the map. There were 20 columns and 41 rows in the resulting map.

different sizes, two numbers were generated for each size: two numbers for every village tract containing two villages, two numbers for every village tract containing three villages and so on. This list of 70 selected villages and backup villages was then presented to the enumerator teams for them to develop a plan to reach 52 of them, based on their accessibility, distance and security concerns for the survey teams. Teams were then instructed and further assisted once in the field, to add or replace villages if 40 households were not available in the chosen village, or in the case of security or other severe concerns. Due to such difficulties arising, the total number of villages eventually reached 72, with fewer than households interviewed in some.

3. The third and final stage of sampling was done by enumerators at each village by using the 'spin the pen' technique. From a random starting point, a pencil was spun or thrown in the air. The first house closest to the direction of the fallen pen was selected. From thereon, every fourth house was selected. In cases where the respondent was not at home, the respondent refused to participate, or the house was not found, locked or destroyed, the house immediately next to it was selected for interview.

Eligible respondents for interview were household adults aged 20 and above, who were available and willing to be interviewed. Selected households were always given the option to select which member would take the survey, and normally did so based on presumed knowledge of the subject matter. All respondents agreed to participate orally, and were advised that they could stop the interview or ask questions at any time. Enumerators were instructed to ensure gender balance and aim for a balance in age, too, as discussed below. Both daytime and night-time interviews were carried out because data collection was done during harvest time, the period of the year when farmers are working long hours during the daytime.

Composition and training of enumeration teams

The data was collected by 50 enumerators, divided into six teams with one team leader each, between 23 November and 5 January 2018. The team leaders and enumerators were provided by member organisations of the KPSN.[14] Overall, 26 of the enumerators were men and 24 were women. Of the team leaders, four were men and two were women.

The enumerators received eight days of data collection and research ethics training, which took place between 15 and 22 November 2017 in Mae Sot, Thailand. The training included sessions on the purpose of the knowledge, attitudes and practices survey, the methods and purposes of quantitative research, research ethics, the 'spin the pen' sampling technique, and gender and age balance in respondent selection, as well as indepth training on the questionnaire itself. It also included practice sessions and a two-day field test in nearby areas.

The research ethics training covered a range of principles and techniques. The enumerators were instructed that respondents must only participate on a voluntary basis, were not obliged to answer questions, could stop the interview at any time, and that they had the option to participate in private or with trusted persons. Enumerators were also provided with training and practice in observing body language to identify when people were uncomfortable and ensuring at such times that respondents were still happy to continue, in answering difficult questions from respondents, and ensuring that respondents were given opportunities and freedom to ask questions before, during and after the interview.

The field tests took place across various locations in the survey area to avoid having too many enumerators at the same place at the same time, and to reduce the constraints it

14 The following organisations provided the enumerators: Karen Affairs Committee (KAC), Hser Mu Htaw (HMH), Karen State Education Assistance Group (KSEAG), Karen Office for Relief and Development (KORD), Karen Women Organisation (KWO), Karen Environment and Social Action Network (KESAN), Karen Agriculture Department (KAD), Karen Student Network Group (KSNG) and Karen Youth Organization (KYO).

**A man who fell victim to a
landmine and struggles
with mental illness walks
through Ei Tu Hta displaced
persons camp.**
© Saferworld

would place on the residents of the selected villages. The field tests happened over
two days, with three teams on day one and the remaining three teams on day two.
Each of the teams worked in different locations. After the field test, an evaluation was
conducted, which included an examination of all the questionnaires and refocusing
the training on the areas where there were the most mistakes or difficulties.

Separate training sessions were given to team leaders to ensure that they were able lead
the team, conduct regular quality controls and spot checks, and manage the logistics
and administration of the data collection. This included scenario exercises to prepare
team leaders on how to respond to potential problems. In addition, team leaders
received training on village profiling. For each of the villages, the researchers created
a village profile which provided background on the governance arrangements and
histories of the village.

Limitations and clarifications

Due to the constraints presented by the difficult environment, a number of clarifications
and limitations should be noted.

The nature of a knowledge, attitudes and practices survey

By definition, a knowledge, attitudes and practices survey is intended to profile the
subjective experiences and perceptions of the population of interest. It is not intended
to provide fully corroborated factual data, objective truths or legal evidence. Questions
may be interpreted differently from individual to individual, across genders, across
cultures and ethnic nationalities, or across different communities. The objective is
to gauge the world views of these individuals and how they relate to their stated
experiences, activities and responses to their environment. This study builds on over
three decades of research produced by KPSN member organisations documenting
the experiences of people impacted by one of the world's most protracted conflicts.
At times, the data provided here raises as many questions as it does answers and opens
up important avenues for further research and necessary areas of inquiry.

Age imbalance

Although a good gender balance was achieved, the sample was relatively elderly, with
36 per cent being aged 61 or over and only one per cent falling into the 20–29 group
(see section 1.2 for details). Selected households were always given the option to select
which member would take the survey. However, enumerators were instructed to make

A young girl carries rations in Ei Tu Hta displaced persons camp.
© Saferworld

gender balance an absolute priority, and to aim for a variety of ages where possible. When they fell behind on a particular gender, enumerators would encourage households to provide the gender they needed; some also did this for age, where possible. A gender balance was thus achieved, but enumerators reported that they had found it extremely difficult to achieve an age balance, for a number of reasons.

Firstly, most villages had relatively few young residents and enumerators were often told that young people were away working in Thailand or in cities, or in some cases were serving as soldiers. Furthermore, many households said they preferred an older member to answer the questions, as they were seen as more knowledgeable and better qualified for the task. Finally, the survey was carried out during harvest season and so, while many households asked the enumerators to come back at a specific time and planned for one family member to wait at home to participate, they often opted to keep the youngest and most physically able members working on their farms.

This means that while the survey provides a strong account of the knowledge, attitudes and practices of households overall, and particularly of leading members, it fails to capture differences in experience or perceptions among younger members of society.

Gender-based violence

The report does not include findings or analysis specifically on gender-based violence (GBV), despite this being a prevalent concern and issue in the area of study – as documented by numerous reports by KPSN members, among others (see section 3.2, box 3.3). The research team and advisory team decided that the scale of the study and the limitations on the methodology would not allow for the care and attention necessary to collect such data sensitively and responsibly, due to the heightened risks of social desirability bias, fear of reprisal, stigma and potential re-traumatisation associated with such forms of abuse. When respondents were asked to volunteer information on specific justice cases that had been dealt with by the authorities (see section 4.2), they were able to raise cases involving GBV, but these cases do not indicate prevalence of acts of GBV overall. More research is needed using a specifically tailored methodology to examine this crucial issue in more detail.

Non-responses and responses of "I don't know"

Multiple questions in the questionnaire garnered high numbers of non-responses and responses of "I don't know", especially when respondents were asked to point out negative attributes of specific armed actors and authorities. However, when not asked to name the specific perpetrators, the majority of respondents indicated that they had

experienced often-severe forms of violence at the hands of authorities. Corroboration of this data with existing KPSN and external research indicates that the most common perpetrator of these forms of violence is the Tatmadaw.

The inconsistency and under-reporting is likely due to a number of factors. Many respondents were probably reluctant to say bad things about authorities due to concerns for their personal security and that of their community, which indicates that people remain fearful even during the ceasefire period. It is also indicative of the culture of fear, common reluctance to criticise authorities and the widespread feeling that speaking out will lead to additional stress. KPSN members and member organisations have regularly seen cases where civilians were violently punished for speaking out against authorities.[15]

There was also a gender difference in relation to this trend on some questions. Across the 34 questions on governance preferences, covering both positive and negative attributes of authorities, the proportion of women saying, "I don't know" was higher than the proportion of men for every question, with an average difference of just over five per cent. This was particularly high for certain questions and among certain sub-groups of women (e.g. Karen women, or women in mix-controlled areas), as discussed in the relevant sections throughout the report. However, when it came to reporting experiences of violence and abuse without naming specific authorities, men and women were equally likely to say, "I don't know", at only around four per cent.

Villages with few respondents

Difficulties encountered in finding 40 households to interview in every village meant that enumerator teams often had to combine multiple villages to make up the number. This led to some disparity in the sample sizes among villages. There were 18 villages with between 40 and 42 respondents, 19 villages with between 35 and 39 respondents, 12 villages with between 20 and 35 respondents, 13 villages with between ten and 19 respondents, and ten villages with less than ten respondents. This does not affect the overall randomisation of the sample, as 40 households were still surveyed per randomly selected village, and the closest available backup villages were selected in order to provide similar overall characteristics. However, it must be taken into account when analysing some of the comparisons made between villages.

Structure of the report

This report is structured in six parts, each of which contains multiple sections. The remainder of part 1 includes an overview of the surveyed population and a summary of the key findings of the report.

Part 2 looks at questions of governance and legitimacy, including perceptions of the various authorities and armed actors, and the governance functions they perform. Section 2.6 provides a detailed analysis of different kinds of territory, deconstructing the concepts of GoM-controlled, KNU-controlled and mix-controlled areas.

Part 3 explores the security environment, in particular the ongoing insecurity faced by local populations, detailing their exposure to military actors, widespread experiences of abuse by authorities and related perceptions of different authorities.

Part 4 looks at attitudes towards and practices related to access to justice, while part 5 analyses communities' levels of confidence in the peace process and factors associated with fears of renewed fighting.

Finally, part 6 provides over-arching conclusions on what the findings teach us and imply for those working on related issues, followed by specific recommendations to the GoM, the KNU and the international aid community.

....

15 For example, see Karen Human Rights Group (2015), p 153 for documentation of the killing of a 62-year-old woman by a Tatmadaw BGF, due to her speaking out about the unit's involvement in illegal narcotics trade.

1.2 **Participants in this survey**

There were 2,020 respondents to this survey across 72 villages. Of these, 1,013 (50.15 per cent) of respondents were female and 1,007 (49.85 per cent) were male, a balance that was largely maintained across ethnicities, geography and village by village. Seventy-eight per cent of the respondents identified as Karen and among the remaining 22 per cent (441 respondents), the largest group identified as Bamar, followed by Dawei, Shan then Pa-O. The sample was relatively elderly, with 36 per cent being 61 or over and only one per cent falling into the 20–29 age group (Figure 1.2), the reasons for which are discussed in the limitations and clarifications sub-section above.

Figure 1.1 Ethnic breakdown of non-Karen respondents
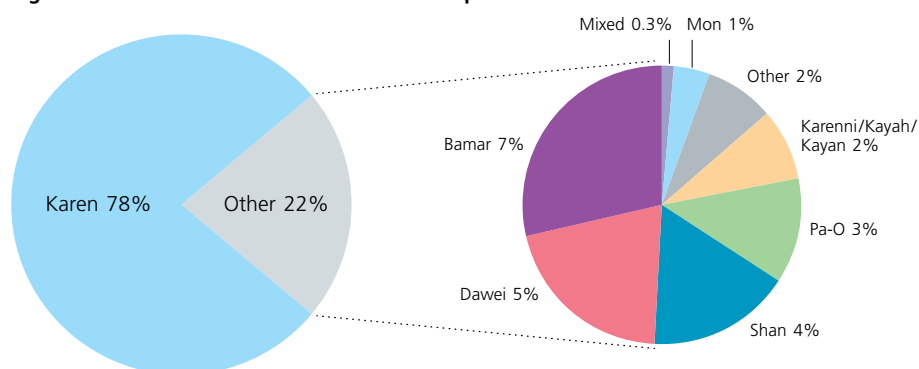
Figure 1.2 Survey population by gender and age
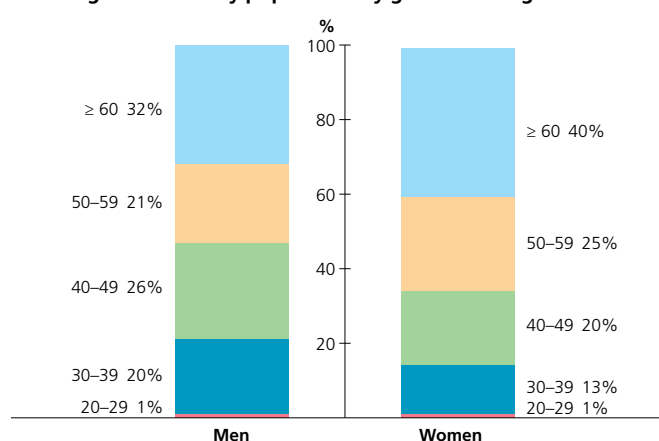
The KNU and the GoM each have their own administrative and mapping systems that divide the survey region into incompatible administrative areas. The KNU has seven administrative districts, containing 26 townships, which cover much of the GoM-defined Kayin State, Mon State, Tanintharyi Region and eastern Bago Region. Tables 1.1 and 1.2 show how the respondents and the surveyed villages were spread out across these administrative areas.

Table 1.1 Respondents and villages by GoM-defined states, regions and townships

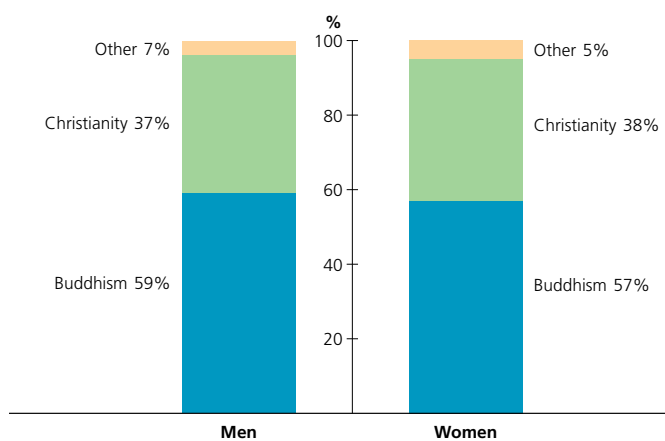| State/ region	Respondents	Villages	Township	Villages	Respondents
Bago Region	149 (7%)	5	Htantabin	2	78 (4%)
			Kyauk Kyi	1	37 (2%)
			Taungoo	2	34 (2%)
Kayin State	1,328 (66%)	49	Hlaingbwe	5	157 (8%)
			Hpa-An	2	70 (8%)
			Hpapun	16	283 (14%)
			Kawkareik	4	164 (8%)
			Kyainseikgyi	7	276 (14%)
			Myawaddy	3	117 (6%)
			Thandaunggyi	12	261 (13%)
Mon State	153 (8%)	8	Bilin	2	80 (4%)
			Kyaikmaraw	4	40 (2%)
			Thaton	2	33 (2%)
Tanintharyi Region	390 (19%)	10	Thayetchaung	1	40 (2%)
			Yebyu	4	156 (8%)
			Myitta	2	76 (4%)
			Dawei	3	118 (6%)

Table 1.2 Respondents and villages by KNU-defined districts

District	Villages	Respondents	Township	Villages	Respondents
Doo Tha Htoo (Thaton)	4	113 (5.6%)	Bilin	1	40
			Tha Htoo	3	73
Dooplaya (Dooplaya)	12	473 (23.4%)	Kawk T'Ree	4	157
			Kruh Tu	1	40
			Noh T'Kaw	1	40
			Waw Raw	6	236
Hpa-an	11	362 (17.9%)	Doo Yaw	1	40
			Hti Lon	3	80
			Lu Pleh	2	79
			T'Nay has	3	124
			Ta Kreh	2	39
Kler Lwe Htoo (Nyaunglebin)	5	76 (3.8%)	Ler Doh	4	37
			Moo	1	39
Bliq-Dawei (Myeik Dawei)	10	390 (19.3%)	Htee Mon Pga	2	76
			K'Ser Doh	1	40
			Ler Doh Soe	7	274
Mutraw (Hpapun)	15	272 (13.5%)	Bu Tho	5	93
			Dwe Lo	2	54
			Lu Thaw	8	125
Taw Oo (Taungoo)	15	334 (16.5%)	Daw Hpa Hko	12	261
			Htaw Ta Htoo	3	73

Figure 1.3 Respondents by religion and gender

Men:
- Other 7%
- Christianity 37%
- Buddhism 59%

Women:
- Other 5%
- Christianity 38%
- Buddhism 57%

Figure 1.4 Respondents by gender and occupation

Men:
- Other 7%
- Labourer/Carpenter/Mechanic 7%
- Unemployed 6%
- Gardener 14%
- Business/Trader/Vendor 10%
- Farmer 57%

Women:
- Other 8%
- Labourer/Carpenter/Mechanic 4%
- Unemployed 13%
- Gardener 13%
- Business/Trader/Vendor 17%
- Farmer 43%
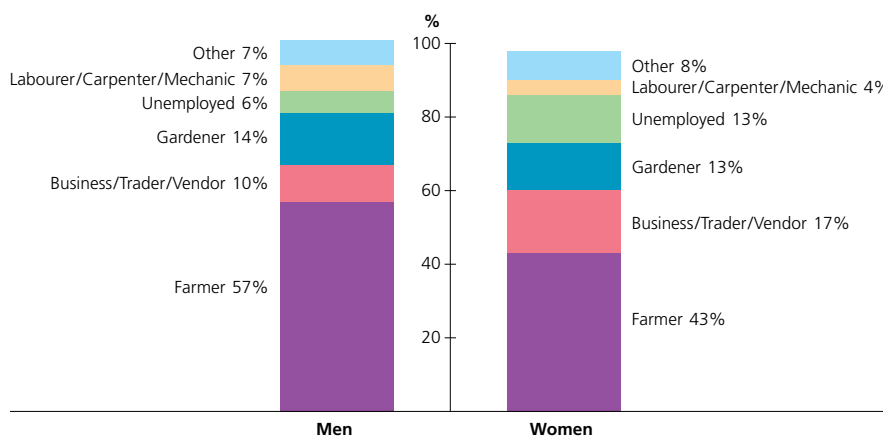
Figure 1.5 Respondents by gender and education level

Men:
- No schooling 27%
- Monastic education 6%
- University 1%
- High school 8%
- Middle school 20%
- Primary school 37%

Women:
- No schooling 25%
- Monastic education 1%
- University 2%
- High school 12%
- Middle school 20%
- Primary school 41%
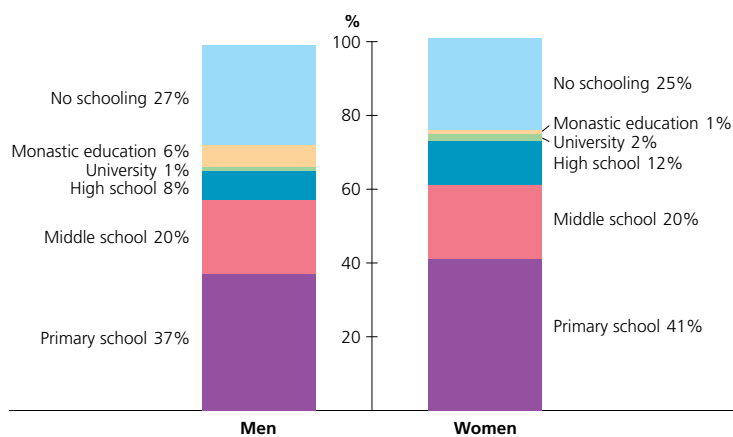
Figure 1.6 Languages spoken "well" by males/females

Men:
- 5 languages 1%
- 4 languages 4%
- 3 languages 25%
- 2 languages 41%
- 1 language 30%

Women:
- 5 languages 0%
- 4 languages 2%
- 3 languages 20%
- 2 languages 41%
- 1 language 36%
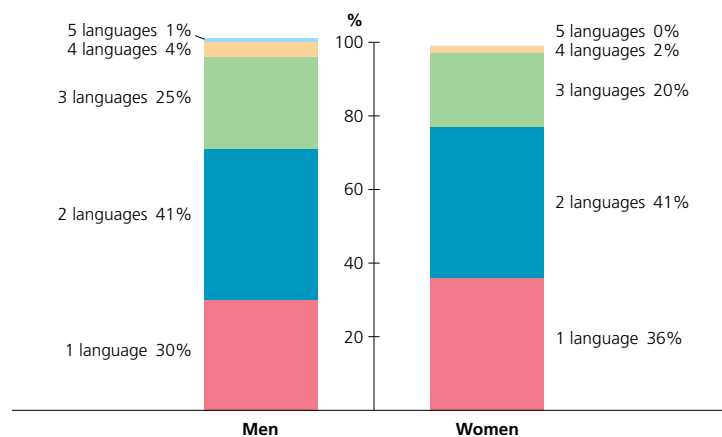
Fifty-nine per cent of men and 57 per cent of women were Buddhist, 37 per cent of women and 38 per cent of men were Christian, and four per cent and five per cent were of other religions, most of whom were animists, in addition to Muslims and Leke[16] (Figure 1.3). The largest proportions of both men and women were farmers, covering 57 per cent of men and 43 per cent of women. Seventeen per cent of women were businesspersons, traders or vendors compared with ten per cent of men – with women traditionally taking greater responsibility when a family starts a village shop or other retail enterprise.[17] Women were more than twice as likely to be 'unemployed' than men were (Figure 1.4). The unemployed category includes people engaged solely in unpaid work in the home, such as those responsible for child and adult care, preparation of meals and housework, tasks for which women and girls typically take greater responsibility – as per traditional gender norms.[18]

Women respondents were slightly more educated than men: 41 per cent of women and 37 per cent of men had completed primary school as their highest level of schooling, while 27 per cent of men and 25 per cent of women had no schooling (Figure 1.5). Only two per cent of men and one per cent of women had completed university. However, men felt that they could speak more languages well than women did: 70 per cent of men and 64 per cent of women said they could speak two or more languages well (Figure 1.6). Seventy per cent of all respondents could speak Myanmar language, 64 per cent could speak Sgaw Karen and 23 per cent could speak Pwo Karen. There were 12 other "well' spoken languages among respondents, as shown in Figure 1.7.

Figure 1.7 Respondents who could speak each language "well" (% of total)
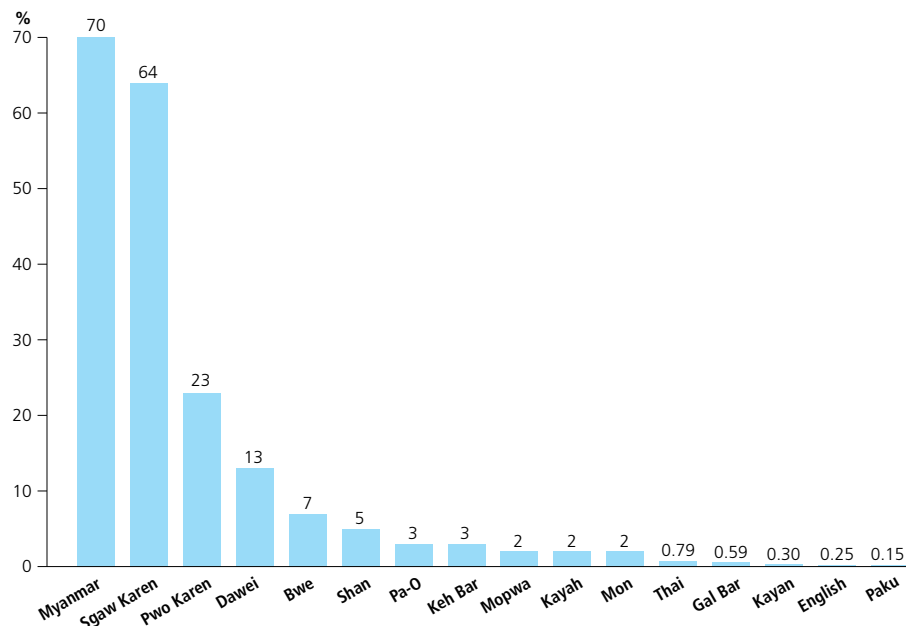
A reasonable balance of coverage was achieved across GoM-controlled, KNU-controlled and mix-controlled territories. Numerous measures were used to determine these types of territory, which are described in section 2.6. Twenty-four of the 72 villages had only KNU-affiliated village leaders; 19 had only GoM-affiliated village heads; 17 had two village leaders, one for the GoM and one for the KNU; nine had village leaders predominantly affiliated with the GoM, but also reporting to the KNU; and three of the villages had leaders primarily affiliated with the KNU, but also reporting to the GoM. Using a 'measure of control', described in section 2.6 – based on certain services,

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16 Leke is a religious sect established in the 1800s in eastern Myanmar combining elements of Buddhism and Millenarianism, whose followers are waiting for the next coming of Lord Ahrimayttaya.

17 As noted in Karen Women Organisation (KWO) (2010), p 9, in the past women "were mainly expected to remain at home, looking after children and performing household and farming tasks". However, as indicated by the relatively small number of women falling into this category (129) compared to men (57), KHRG (2006), p 15, describes how both house and field work are traditionally shared between both genders to some extent.

18 KWO (2010), p 9; KHRG (2006), p 17.

**A village on the Than Lwin
(Salween) river between
Hpa An and Mawlamyine.**
© Jacques Beaulieu

specific taxes and indicators of military presence – it was found that 21 of the villages were under KNU control, 13 of the villages were under GoM control and 38 were under mixed control. By this wider measure, 20 per cent of respondents were under KNU control, 19 per cent were under GoM control and 61 per cent were under mixed control (Figure 1.8).

Figure 1.8 Respondents under each type of territory
(Based on a measure combining data on service delivery taxation and exposure to soldiers).
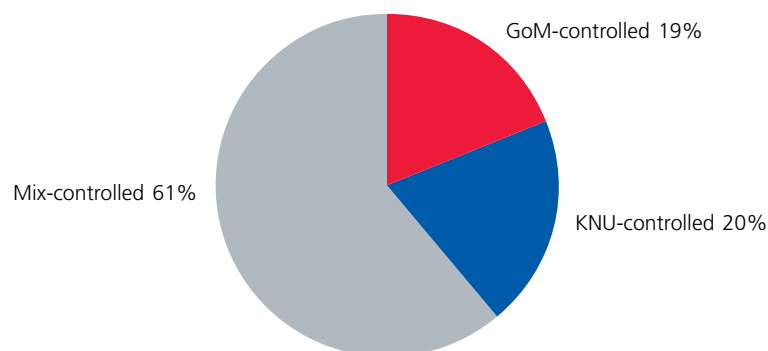
By this measure, 29 per cent of the villages were under KNU control, 18 per cent of the villages were under GoM control and 53 per cent of the villages were under mixed control.

1.3 **Key findings: security, justice, governance and politics**

1. Governance in the survey area is complex and with no official territorial demarcation, the majority of areas are under the 'mixed control' of the GoM, KNU and, in some cases, other armed actors. Seventy-seven per cent and 76 per cent of respondents received services from, paid tax to or regularly saw soldiers from the KNU and GoM respectively. Asked who they consider to be their government, 38 per cent said the KNU, 33 per cent said the GoM, 20 per cent said "I don't know", eight per cent said "none" and one per cent stated smaller armed actors, such as the DKBA, BGFs or KPC.

Figure 1.9 Respondents under each type of territory
(Based on a measure combining data on service delivery taxation and exposure to soldiers).

GoM-controlled 19%

KNU-controlled 20%

Mix-controlled 61%
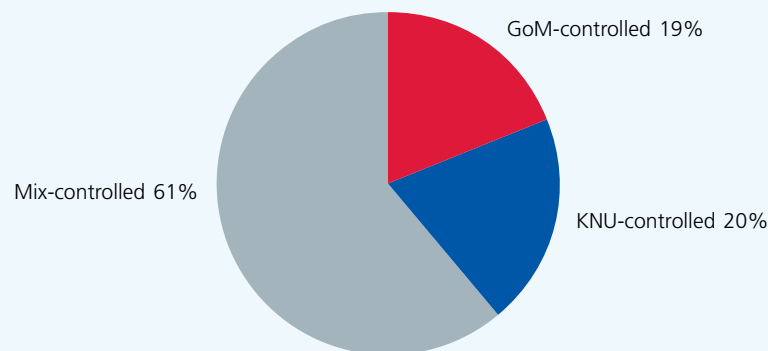
2. The large majority of the surveyed population (75 per cent of men, 67 per cent of women) had experienced some form of violence or abuse at the hands of armed actors or authorities. Respondents were reluctant to name perpetrators but corroboration with existing research indicates that the majority of these acts were committed by the Tatmadaw and its proxy forces, as the forms of violence are heavily associated with the state military's systematic and widespread practices. Other armed actors including the KNU have also committed acts of violence and abuse, but not in a systematic fashion or on a widespread scale. Every village had experienced violence and abuse and the majority of the 20 issues examined had been experienced in the majority of villages. Portering (the carrying of military equipment for military operations) and forced labour were the most prevalent issues experienced, and various forms of forced displacement were also extremely high. An astounding 30 per cent of respondents reported being present during shootings. Karen people were more likely than non-Karen people to have experienced these issues, but prevalence was high among both groups.

Figure 1.10 Prevalence of experiences of abuse and violence

Did not experience abuse and violence
Experienced abuse and violence
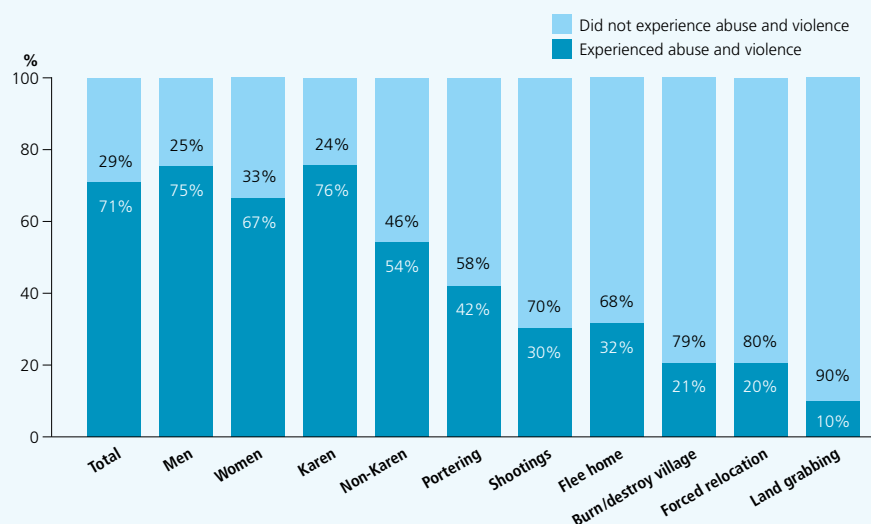
3. The KNU was found to enjoy notable legitimacy and support in the eyes of large portions of the surveyed population, especially among Karen people, seemingly indicating support for the principles of localised governance and self-determination. The majority of respondents preferred the KNU, despite the GoM reaching similar numbers of Karen respondents with development and services, demonstrating further that investments in development do not automatically translate into legitimacy and popular support. Respondents were also slightly more likely to say they got a fair return on taxes paid to the KNU than to the GoM. However, the GoM is preferred by a notable proportion of respondents particularly non-Karen. There were also significant portions who said "none" or "I don't know" to these questions. Women commonly said "I don't know" more than men.

Figure 1.11 Which of these authorities…
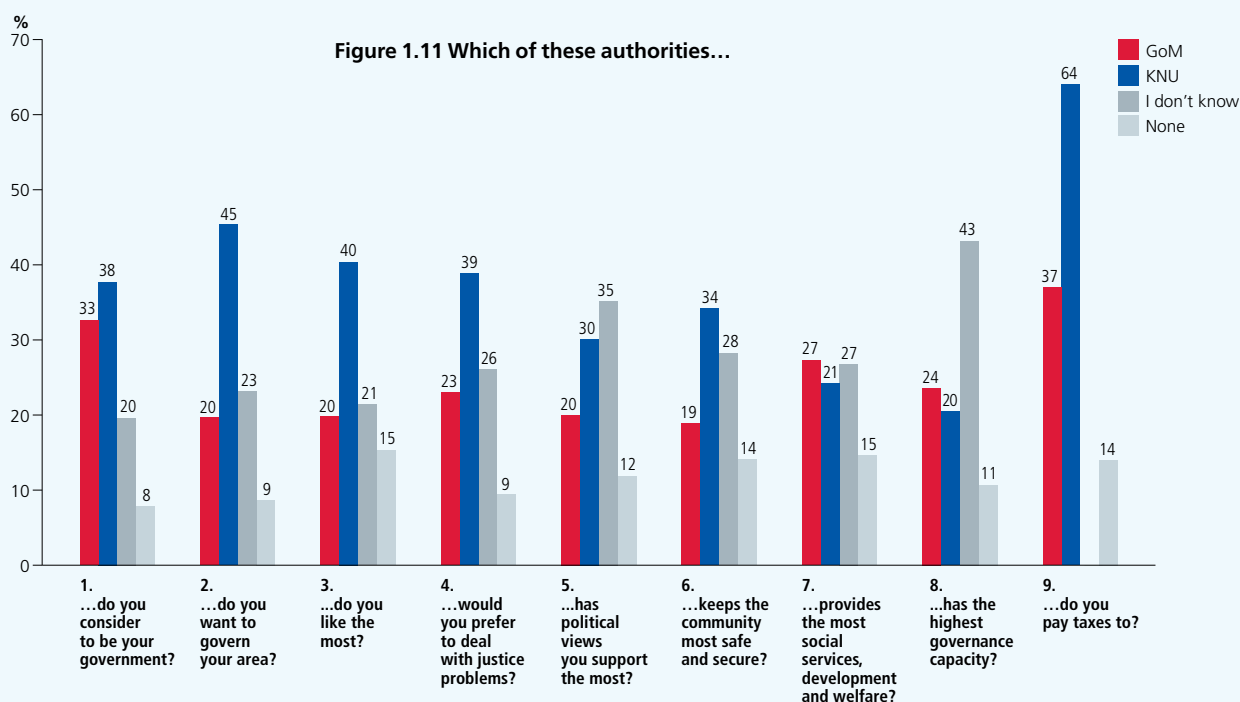
4. Public opinions of both the KNU and the GoM had improved greatly since the 2012 ceasefire, demonstrating that there is widespread support for efforts to end conflict. However, only 14 per cent had any confidence that the current peace process will lead to sustainable peace. The majority of respondents were worried or very worried that fighting would break out again within the next five years. This trend was most pronounced among respondents in KNU-controlled areas and among those whose main interactions with authorities were with their military branches.

Figure 1.12 How has your opinion in these authorities changed since the 2012 ceasefire?
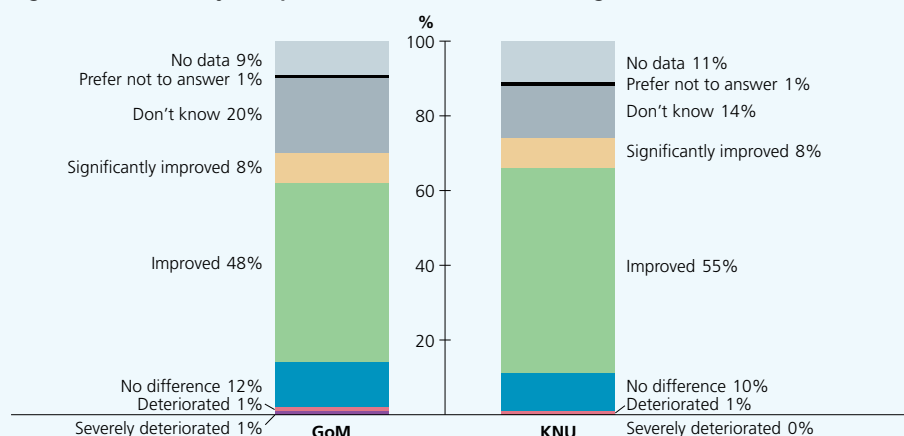
Figure 1.13 How confident are you that the peace process will lead to a sustainable peace?

Prefer not to answer 1%
Very confident 2%
Confident 12%
Don't know 25%
Neutral 37%
Not confident at all 23%
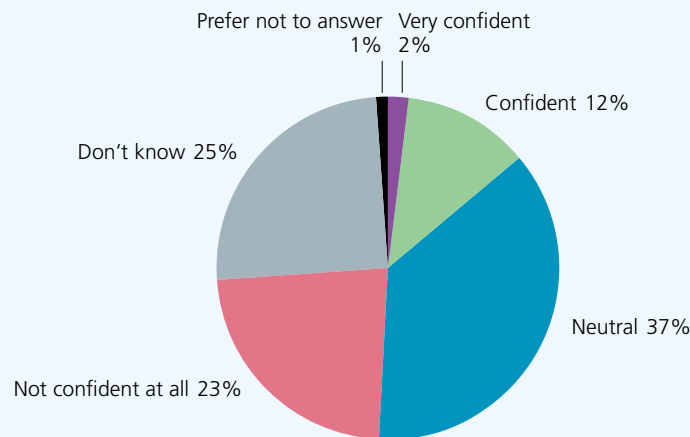
5. Women in the survey were less likely to be in formal work or to have voted for their village leader than the men. Women's participation in elections was lower in villages with a KNU village leader than those with a GoM village leader. A large majority of women had experienced violence or abuse by authorities, including a wide range of issues from forced labour through to shootings. Karen women were more likely than any other group to have had to flee their home for safety. While men and women displayed the same overall perceptions of the GoM and KNU, women were consistently more likely to say "I don't know" than men, suggesting that women have less confidence or relevant knowledge to express their political opinions than men, often due to exclusion from community decision-making and a lack of political recognition. Importantly, these differences were most notable in the fields of security and justice and in GoM-controlled and mix-controlled areas. This was particularly pronounced on questions related to justice and security. The proportion of women in mix-controlled areas who said "I don't know" was higher than those who said GoM or KNU put together, demonstrating severe lack of protection from authorities in these areas. Nonetheless, the majority of women repeatedly gave direct and clear answers.

Figure 1.14 Key findings from women surveyed

%

	Women	Men
In formal work	86	94
Experienced violence or abuse	67	75
Voted for their village leader	41	48
Feel GoM keeps the community most safe and secure	19	19
Feel KNU keeps the community most safe and secure	30	38
Don't know which authority keeps the community most safe secure	33	24
Would prefer the GoM to handle justice issues	22	24
Would prefer the KNU to handle justice issues	35	43
Don't know which authority they would prefer to deal with justice issues	32	21

6. Armed actors that splintered from the KNU – including the NCA signatories, the DKBA and KPC, as well as the Tatmadaw's Border Guard Forces – were found to be far less widespread in their engagement with the survey population than either the GoM or the KNU. While small portions of respondents in specific areas had either negative of positive perceptions of them, the large majority seemingly had little or no contact with them. See section 2.4 for more background on the splinter groups.

Figure 1.15 Proportion of respondents that receive services from, pay tax to or see soldiers often or very often of each authority
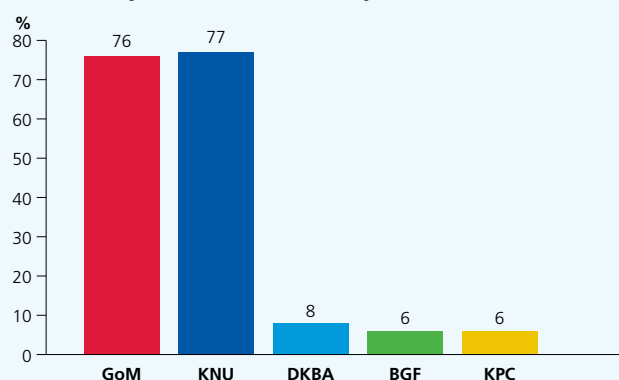

7. Experiences of violence and abuse were much more prevalent overall in mix-controlled and KNU-controlled areas, as these have been the most affected by armed conflict in recent decades. Looking at the period before the 2012 ceasefire, 72 per cent of respondents in mix-controlled areas had been used as porters by authorities, while 53 per cent had experienced forced labour. KNU-controlled areas experienced the highest rates of issues associated with Tatmadaw counter-insurgency techniques, such as the burning or destroying of villages (43 per cent) and forced relocation (28 per cent).

Figure 1.16 Prevalence of violence and abuse, pre-2012, by type of territory
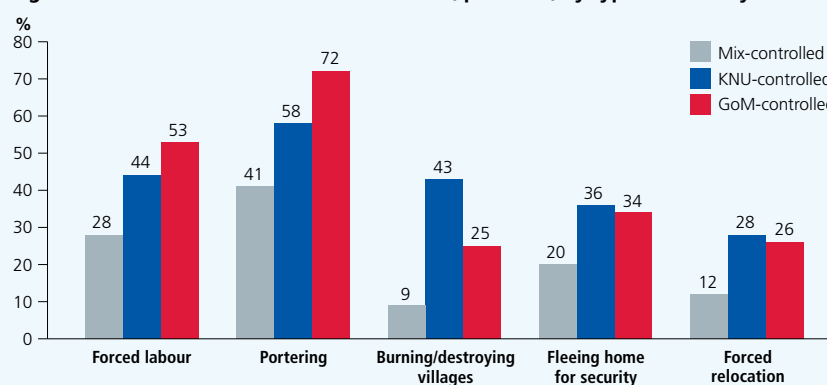
8. The 2012 ceasefire has enabled extremely high rates of land grabs, particularly in areas where the GoM and mainstream Myanmar companies have gained greatest access. Since 2012, land grabs were experienced by one in 37 households in mix-controlled areas (2.68 per cent) and one in 42 households in GoM-controlled areas (2.36 per cent). In just six years, that is an extremely high number of families to have suffered such crippling impacts on their livelihoods and identities. Conversely, only one in 401 surveyed households in KNU-controlled areas had experienced a land grab in that period (amounting to one documented case).

Figure 1.17 Surveyed households and villages that have experienced land grabs since 2012
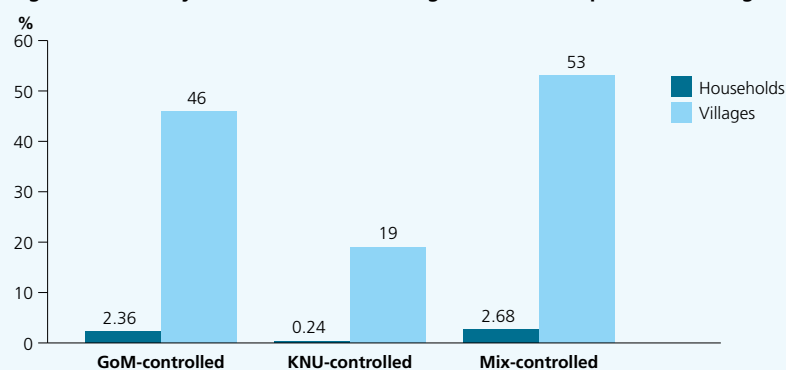
9. Respondents were notably more likely to prefer the KNU to deal with justice issues than the GoM, including those in mix-controlled areas. Only 37 per cent felt it was common to report cases considered to be 'small' and only 50 per cent felt so even for 'big' cases. When people do report cases, they almost always go to the village leader first, especially for small cases. Alternative options for reporting cases appeared most available in KNU areas. High costs, lack of personal connections, long distances to authorities and the process being time consuming were identified as the main barriers to justice, most commonly associated with GoM. More than a quarter of respondents said they do not know which authority they would prefer to deal with justice issues, the majority of which were women, suggesting gaps in access to justice.

Figure 1.18 Perceptions and preferences on justice issues

Would prefer the GoM to deal with justice problems	23%
Would prefer the KNU to deal with justice problems	39%
Don't know which authority would prefer for justice issues	26%
Feel it is common or very common to report cases considered to be 'small'	37%
Feel it is common or very common to report cases considered to be 'big'	50%
Feel that the village leader is the only place people first report 'small' cases to	94%
Feel that the village leader is the only place people first report 'big' cases to	76%
Have ever reported a case to any authority or responsible person	7%

10. In mix-controlled areas, the KNU was found to be notably more popular than the GoM. However, respondents were particularly likely to not know which authorities they preferred or relied upon, compared with those in both KNU and GoM controlled areas. While 33 per cent considered GoM to be their government, 41 per cent wanted the KNU to govern their area; 38 per cent said "I don't know" or "none". This trend was most prominent with regard to preference of political views and in the provision of justice and security. Women in mix-controlled areas were especially likely to say "I don't know" to these questions. In terms of keeping the community safe and secure, women said "I don't know" more than for the KNU and GoM combined. Additionally, 33 per cent of respondents had to pay tax to two or more authorities, which was a burden most common in mix-controlled areas.

Figure 1.19 Perceptions and preferences in mix-controlled areas (n=1,230)
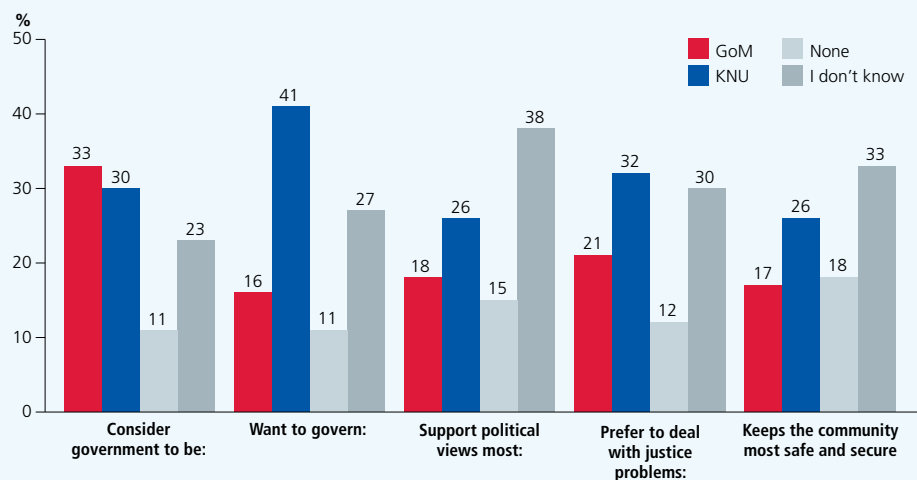
Aerial view of a Karen village.
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2

Governance and legitimacy

THE GoM-KNU CONFLICT HAS DEEPLY POLITICAL ROOTS, linked to territory, ethnic identity and governance arrangements at multiple levels. These are the issues that need to be addressed to build peace. Disagreements about if and how Karen lands should be defined and governed were the driving force behind the initiation of conflict between the KNU and GoM in 1949, with Karen leaders demanding an autonomous Karen state and strong representation in the Rangoon government. Since then, grievances have escalated due to decades of centralised military rule by predominantly Bamar governments, and the KNU political demands have become firmly focused on federalism and civilian democracy. Following on from the Karen National Association, a political party and social organisation founded in 1881, the KNU was originally established as a civilian organisation in 1947, and became armed in the following years as insecurity mounted.

Since the 1940s, the KNU has effectively become a parallel government in many areas, in both autonomous areas and in those where the GoM also has a presence.[19] This system has kept the idea of a Karen nation alive and provided a support base for the KNU resistance. While adopting key features from the British colonial system, KNU institutions have evolved in relation to traditional Karen customs and practices and are deeply embedded in local communities. Its services, laws and functions typically rely on significant time, resources and involvement from the local people they serve and are often delivered in collaboration with Karen community-based and civil society organisations.

At present, territories have not been formally demarcated in ceasefire areas and huge areas are subjected to the overlapping authority of the GoM, KNU and other smaller armed actors. Ongoing disputes between the GoM and KNU regularly revolve around non-military issues such as taxation, road construction, large-scale infrastructure, business regulation and language education, among others. While the NCA recognises that signatory EAOs (including the KNU, DKBA and KPC) have been responsible for governance and security in their areas, the peace process has thus far failed to establish mutually recognised 'interim arrangements' that would determine the rights and responsibilities of different authorities.

The KNU governance system includes bodies for service delivery, taxation, land and resource governance, justice, and regulation of commercial activity, among others.

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19 See Jolliffe (2016); South (2011); and Smith (1999).

Most of these functions are carried out by the KNU's 14 line departments, including four that just operate at the central level and nine that are also established at the district and township levels, but are coordinated closely by 'KNU chairpersons' at each administration level.[20] There is also an independent judiciary, with judges sitting at each level, committees for coordinating various cross-departmental activities and a number of independent but formally recognised community-based organisations (CBOs). Men have traditionally taken the majority of leadership positions in the KNU, though reforms introduced in 2012 ensure that there are at least two women in all leadership committees at each level and have notably increased the number of women in each department, owing largely to advocacy by the KWO.

The GoM's role in the region has transformed in recent years, following the establishment of its civilian–military hybrid system in 2011 and the stability provided by subsequent ceasefires. During the 63 years of open conflict, the Myanmar armed forces slowly increased its control over KNU territories, while civilian GoM bodies had very limited access and were poorly resourced. Military-led administrative councils were established at the township and village tract levels, and interaction with communities revolved around demands for forced labour and informal taxes, with only limited provision of services and minimal involvement of local people in development.

Since 2012, however, roads have been built, GoM village tract administrators (VTAs) have been instated, police stations have been established, and literally thousands of GoM school teachers have been dispatched, among other changes. While access to some services has improved, the way changes have been implemented by the GoM has contributed to conflict, often facilitating the extension of state control over new territories while duplicating, undermining or capturing existing systems valued by local people. This has created feelings that the ceasefires are serving the Bamanisation of Karen lands and that the GoM is disingenuous in its willingness to solve conflicts through political compromise. International aid has sometimes been employed by the GoM to facilitate its expansion. As ceasefires have formally barred troop reinforcements and negotiations to establish demarcated ceasefire territories have thus far failed, civilian governance functions have often become a means for controlling and influencing territory. Nonetheless, there have been some examples of cooperation and communication particularly in the health sector and in some community development initiatives.

Overview of governance authorities and functions

Across the survey area, governance is characterised by the parallel systems of the GoM and KNU. Smaller armed actors also play governance roles in some areas, but were found to be far less significant, even in areas where people interact with those groups. This study analysed four forms of governmental influence as a basis for understanding the breadth and depth of governance provided by each of the governance authorities. These were: 1) the affiliations of village leaders; 2) the presence of soldiers; 3) taxation; and 4) service delivery.[21]
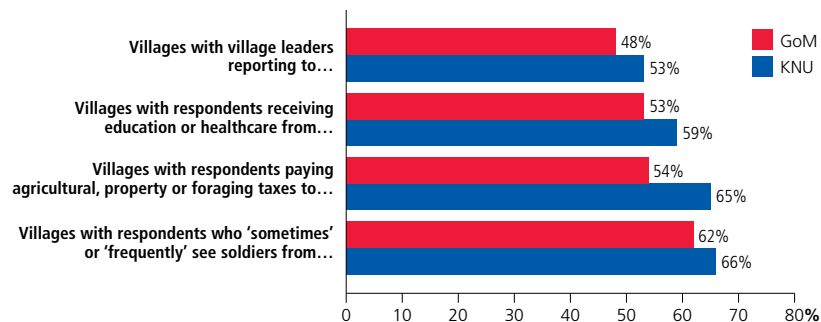
The KNU and the GoM overlap significantly in each of these four domains. While people often use terms like 'GoM-controlled', 'KNU-controlled' and 'mix-controlled' to describe types of territory, there are no universal definitions for these terms, let alone formally agreed upon demarcations for such areas. Section 2.6 brings some rigour to the analysis of different territories by introducing a measure to define each surveyed village into one of these three types of territory. However, this is left until the end of part 2, as the measure depends on first understanding the overall scope and spread of each actor's governance functions.

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20 These are the departments of agriculture, alliance affairs, breeding and fisheries, defence, education, finance and revenue (sometimes called the treasury), foreign affairs, forestry, interior and religious affairs, justice, mining, organising and information, health and welfare, and transportation and communication.
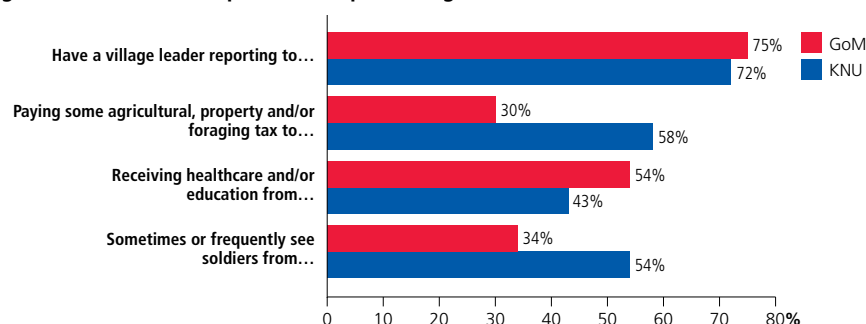
21 A more detailed breakdown of how village leader affiliations operate is provided in section 2.1.

To provide a sense of the geographical reach of the GoM and KNU in each domain, Figures 2.1 and 2.2 show the number of surveyed villages and respondents experiencing the four forms of governmental influence. While the KNU was prevalent in a higher number of villages across all forms of influence (indicating a wider geographical spread), the levels of influence among actual respondents showed greater variation. Later sections discuss each of these domains in more detail.

Figure 2.1 Number of vilages experiencing each form of influence

Villages with village leaders reporting to…	GoM	48%
	KNU	53%
Villages with respondents receiving education or healthcare from…	GoM	53%
	KNU	59%
Villages with respondents paying agricultural, property or foraging taxes to…	GoM	54%
	KNU	65%
Villages with respondents who 'sometimes' or 'frequently' see soldiers from…	GoM	62%
	KNU	66%

Figure 2.2 Number of respondents experiencing each form of influence

Have a village leader reporting to…	GoM	75%
	KNU	72%
Paying some agricultural, property and/or foraging tax to…	GoM	30%
	KNU	58%
Receiving healthcare and/or education from…	GoM	54%
	KNU	43%
Sometimes or frequently see soldiers from…	GoM	34%
	KNU	54%

2.1 **Village-level governance**

Key findings

- Village administration varied greatly, with villages sometimes only having a village leader affiliated with GoM or KNU, sometimes having one village leader for both, and sometimes having one (or more) for each.
- All village leaders in all surveyed villages were men.
- Almost all respondents knew their village leader and the large majority found them approachable, caring and capable.
- All but one of the surveyed villages had some kind of election for the current village leader, but these varied greatly in terms of inclusivity.
- Elections of GoM-affiliated village heads were better attended and more gender inclusive than those for KNU-affiliated village heads, likely thanks to reforms introduced to GoM local elections at the end of 2017.

The village is arguably the most important administrative unit in rural Myanmar, in terms of people's everyday experiences with governance. Village leaders act as the primary focal point for most forms of interaction between residents and the higher authorities of both KNU and the GoM, due to a centuries-old political culture that makes central officials at each administrative level responsible for coordinating the majority of governance functions.[22] Under both the GoM and KNU administration systems, village leaders report to village tract-level leaders, who in turn report to the township level, and so on.

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22 The GoM, EAOs and their antecedents, such as the colonial administration and historical kingdoms, have all used 'graded territorial administration', meaning that central governance figures at each administrative level act as the centre point of all governance functions and report to their counterpart at the next level up. See more on how the GoM's graded territorial administration systems developed in Kyi Pyar Chit Saw and Arnold (2014) and on the EAO's administrative systems in Jolliffe (2015).

The Myanmar flag flies outside a newly established government office in a region predominantly controlled by the KNU and DKBA.
© Kim Jolliffe

"Among the 72 villages surveyed, 19 had only GoM-affiliated village leaders, 24 had only KNU-affiliated village leaders, 17 had one of each, nine had village leaders primarily under the GoM system but also reporting to the KNU, and three had village leaders primarily under the KNU system but also reporting to the GoM."

Despite their *de facto* importance, village leaders are not officially or fully recognised or constituted in law under the GoM system. However, and especially since 2017, they have been gaining a clearer role as either '100-household heads' or 'village area leaders'. In practice, they tend to be recognised locally and relied upon by the VTAs, for a range of functions beyond anything that is clearly stipulated in law or formal procedure. VTAs are officially elected, trained and provided with a small honorarium by the General Administration Department (GAD) of the military-led Ministry of Home Affairs, but are not civil servants.[23] VTAs report to GAD township administrators, who, like all senior GAD officials, are appointed without public involvement.[24] The election procedures for VTAs have become more systematic since 2017, when procedures were introduced for electing 100-household heads. Elections are carried out on a one-household/one-vote basis, but they are not always inclusive of all households, and the GAD has powers available to remove them for failing to carry out their duties.[25]

The KNU public administration system is more robust and formal at the village level. The organisation is essentially a hybrid between a political party and a local government, which is reflected in its structure. Village leaders are officially constituted as party 'chairpersons', but function primarily as local administrators, recognised as the central governance authority and responsible for coordinating all governance functions. They lead seven-member village committees officially known as 'KNU Foundational Bodies', which must include at least two women. Each committee member has a specific role, such as village security or revenue management. These committees are elected by the local population, usually on a one-household/one-vote basis, but in practice election processes are not fully regulated or uniform.[26] In some places, village and village tract leaders are simply selected by KNU officials at the township level. Village leaders and other committee members then take part in elections for village tract-level KNU Foundational Bodies, which take part in congresses that elect the leaderships at the township, district and central levels.

Village governance in the survey area is complicated by the overlapping territories of the GoM, KNU and other armed authorities. Among the 72 villages surveyed, 19 had

23 Some village leaders hold the official position of 100-household head, whose official function (reintroduced in 2017 in rural areas, having been removed since 2012) is to represent their constituent households in village tract elections. However, they are generally relied upon for a wider number of tasks. For more on the procedures of local GoM elections in Myanmar, see Kempel and Aung Tun (2016); note that this report was written before the change to the 2012 law that reintroduced the elected role of 100-household heads.

24 The GAD is under the Ministry of Home Affairs, one of three ministries whose ministers are effectively appointed by the commander-in-chief of the armed forces.

25 Now that the official election of 100-household heads has been reintroduced, most village leaders are likely elected as part of VTA elections. In these, each household gets one vote to elect their local 10-household head, who then is able to place a vote on behalf of all households for the 100-household head, who in turn votes for the VTA. This system was introduced in 2012, changed again in 2016 and is yet to be systematically implemented.

26 Common procedures include mass meetings with a nominal verbal agreement, hand raising or anonymous ballot systems.
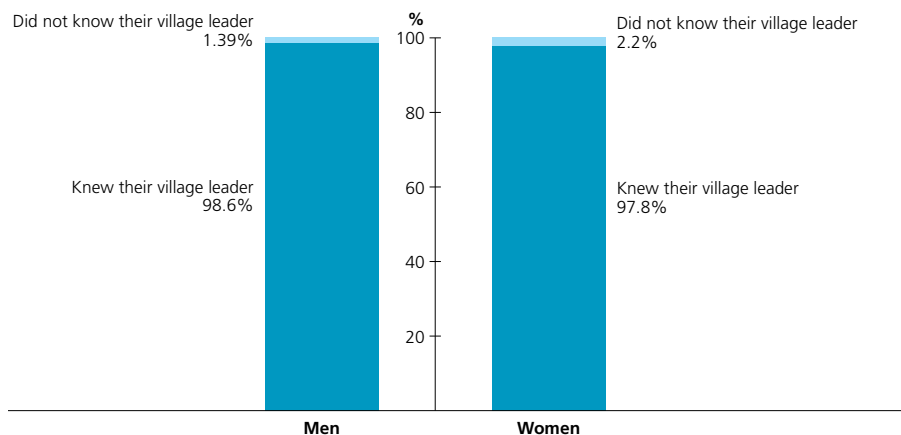
only GoM-affiliated village leaders, 24 had only KNU-affiliated village leaders, 17 had one of each, nine had village leaders primarily under the GoM system but also reporting to the KNU, and three had village leaders primarily under the KNU system but also reporting to the GoM. As discussed in section 2.6, there are further dimensions to mixed governance, as authorities exercise influence in numerous other ways beyond just the village leadership.

All village leaders in all the surveyed villages were men, although villagers with KNU-affiliated leaders are required to have at least two women on the seven-member committee. Existing research by KPSN member organisations indicates that, although women were traditionally marginalised from such positions, they have been more regularly elected by their communities during the last 30 or so years of the conflict period. This research identified numerous reasons for this, the first being due to "the fact that men were away from the villages to a greater extent than women", meaning more women served as household representatives in elections and so were more likely to elect other women.[27] It was also often because communities hoped women "would be treated more leniently by the [Tatmadaw] than men" due to their cultural standing, and because men were often afraid.[28] However, women regularly faced violence while in such positions, so often only held the posts for a short time. Although the trend appeared to create "a greater acceptance of women as leaders", men have retaken the roles in most communities since the 2012 ceasefire, leaving women concerned that they are retreating "from positions of authority back to more traditional roles".[29] Indeed, these women put themselves at greater risk for their communities and often experienced abuse, but have now had to take a step back and have been disempowered.

Encouragingly, the vast majority (98.2 per cent) of respondents stated that they knew their village leaders. Among those who didn't know a village leader, 14 were male and 22 were female (Figure 2.3).

> "All village leaders in all the surveyed villages were men, although villagers with KNU-affiliated leaders are required to have at least two women on the seven-member committee."

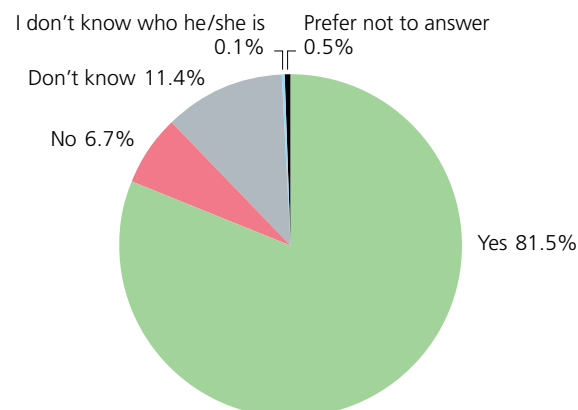**Figure 2.3 Men and women who knew their village leader**

The large majority of respondents felt their village leaders to be approachable, caring and capable: 81.5 per cent said they felt they could approach their village leader with a problem (just 6.7 per cent said they could not) (Figure 2.4). In response to the statement, "the village leader really cares about the community", 30 per cent strongly agreed and 55 per cent agreed (only 2.5 per cent disagreed or strongly disagreed) (Figure 2.6). In response to the statement, "the village leader has the necessary capacities to serve the community", 20 per cent strongly agreed and 55 per cent agreed (only three per cent disagreed) (Figure 2.5).
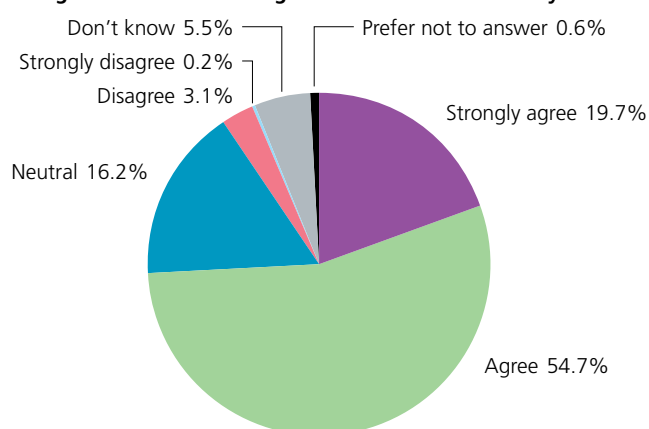
27 KHRG (2016), p 24. See also, pp 25–26.
28 KWO (2010), pp 10–11, 13. In particular, male village leaders were more commonly "being accused of having links with the Karen resistance, and being tortured and killed", p 11.
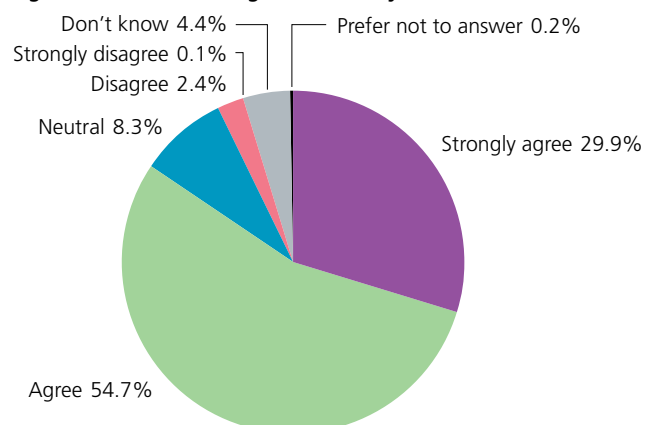29 KHRG (2016), p 24.

Figure 2.4 Do you feel you can approach your village leader when you are, for example, faced with a problem?

I don't know who he/she is 0.1%
Prefer not to answer 0.5%
Don't know 11.4%
No 6.7%
Yes 81.5%

Figure 2.5 Does the village leader have the necessary skills to serve the community?

Don't know 5.5%
Prefer not to answer 0.6%
Strongly disagree 0.2%
Disagree 3.1%
Strongly agree 19.7%
Neutral 16.2%
Agree 54.7%

Figure 2.6 Does the village leader really care about the community

Don't know 4.4%
Prefer not to answer 0.2%
Strongly disagree 0.1%
Disagree 2.4%
Neutral 8.3%
Strongly agree 29.9%
Agree 54.7%

Figure 2.7 People who said "no" when asked if they could approach their village leader (by gender)

Women 47%
Men 53%
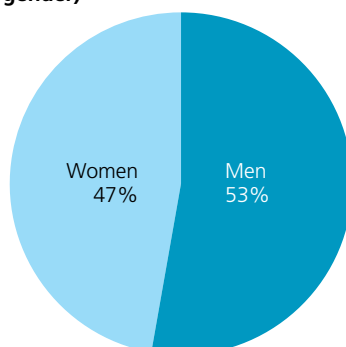
Among the 133 respondents (6.7 per cent of total) who said they could not approach their village leader, 53 per cent were male and 47 per cent were female. Closer analysis of the answers to all three questions found that while more than half of all surveyed villages contained small marginalised or dissatisfied contingents, very few villages showed signs of poorly performing village leaders overall. For example, when asked if they felt they could approach their village leader, there were 26 villages in which nobody said "no", 28 where less than ten per cent said "no", 14 in which between ten and 20 per cent said "no", and four where more than 25 per cent said "no". The latter included one village where 55 per cent said "no", likely demonstrating significant problems with that particular leader or environment.

Figure 2.8 Did you vote for your primary village leader?
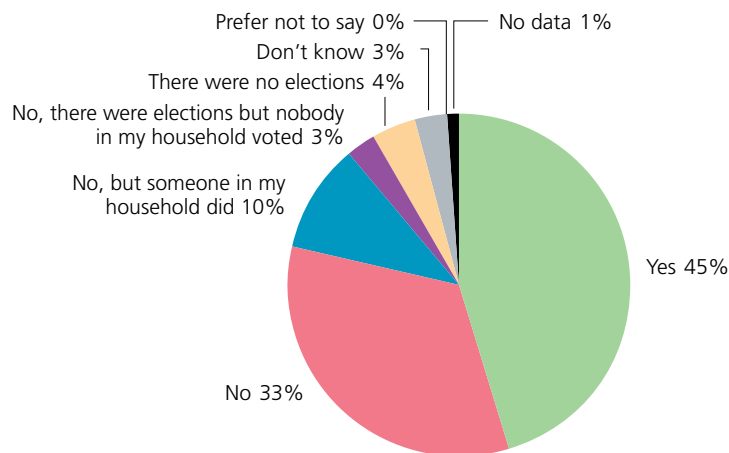
Forty-five per cent of all respondents said they had voted for their primary village leader,[30] while 11 per cent said someone in their household had voted but not them. As village leader elections are typically carried out on a one-household/one-vote basis, these figures reflect the fact that a senior member of each household typically answered the survey and so are not representative of every adult individual in these communities.

**Figure 2.9 Who voted for their primary village leader (by gender)?**
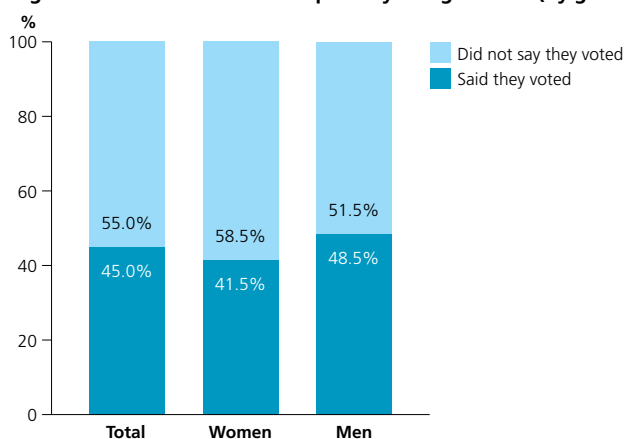
Analysis of the answers across villages found that all but one of the surveyed villages had some kind of election, but these varied greatly in terms of inclusivity. On the whole, however, village elections appeared relatively well-attended. In 24 of the villages, somewhere between 41 and 60 per cent of the surveyed households had voted for their village leader. In 21 villages, between 61 and 80 per cent had voted. In only 18 villages, less than 41 per cent of surveyed households had voted. There were three villages in

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30 There were nine respondents who had voted for a secondary village leader but not the primary leader; these are not analysed here.

which none of the surveyed households had voted for their primary village leader, despite elections appearing to have taken place.[31]

Figure 2.10 Number of villages in which x% of surveyed households voted
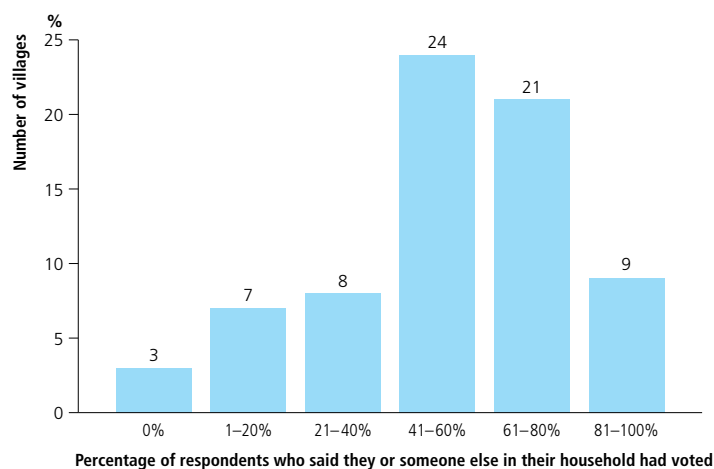
Percentage of respondents who said they or someone else in their household had voted

> "Elections were better attended and more gender inclusive in villages with just a GoM-affiliated leader, which may reflect the reintroduction of formal 100-houshold head elections in late 2017, soon before the data was collected."
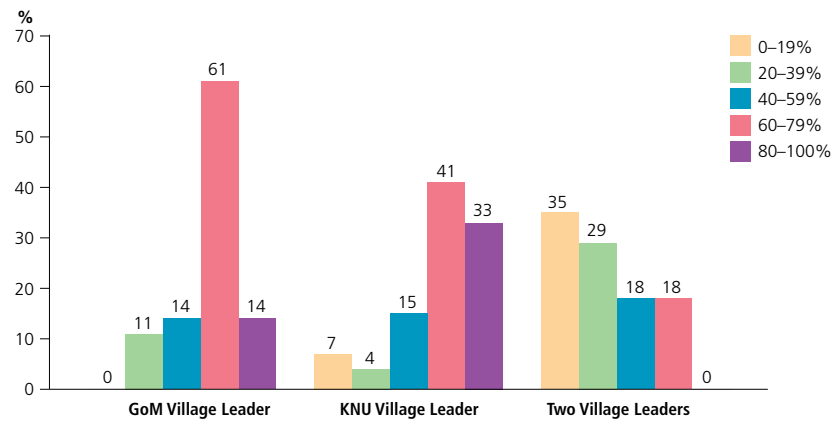
Elections were better attended and more gender inclusive in villages with just a GoM-affiliated leader, which may reflect the reintroduction of formal 100-houshold head elections in late 2017, soon before the data was collected (Figure 2.11). Gender disparity was highest in villages with a KNU-affiliated village leader only (see box 2.1). Having two separate village leaders at the village level appears to be associated with less inclusive elections (Figures 2.11 and 2.12), which may be a result of neither the GoM nor KNU having full control of the village and thus able to instate systematic practices. Figure 2.12 shows the percentage of surveyed villages of each leadership type where 0–19 per cent of surveyed households had voted, where 20–39 per cent had voted and so on. It appears that villages with only one village leader had far better turnouts than those with a village leader for each system. Seventy-five per cent of villages with just a GoM village leader and 74 per cent of villages with just a KNU village leader had more than a 60 per cent turnout among respondents, compared to only 18 per cent of mixed administration villages. Thirty-five per cent of the mixed administration villages had a lower than 20 per cent turnout (among surveyed households), while 29 per cent had a 20–39 per cent turnout.

Figure 2.11 Respondents who personally voted for their village leader

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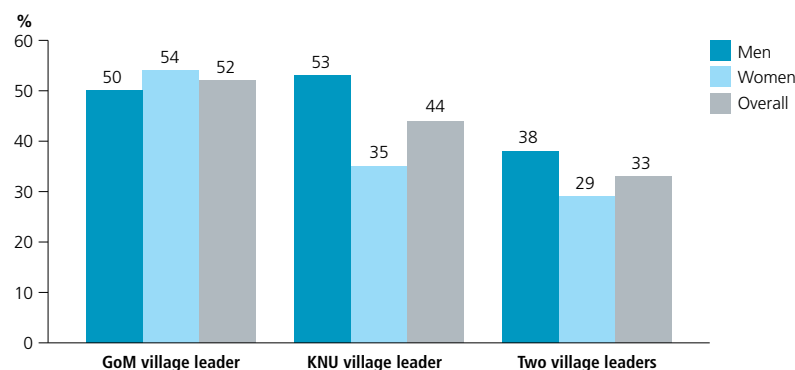
31 In two of the villages, multiple respondents said that elections had taken place but no one in their household had voted. In the other, elections had been conducted for the secondary village leader and all (of only three) surveyed households had taken part.

Figure 2.12 Villages in which x% of surveyed households voted

Legend:
- 0–19%
- 20–39%
- 40–59%
- 60–79%
- 80–100%

GoM Village Leader: 0, 11, 14, 61, 14
KNU Village Leader: 7, 4, 15, 41, 33
Two Village Leaders: 35, 29, 18, 18, 0

The Karen flag hangs outside a home in a KNU-controlled village.
© Saferworld

BOX 2.1 Gender and village elections

Forty-nine per cent of men said they voted and 41.9 per cent of women said they voted. A closer look at the spread of voters across villages, however, shows a notable variety in levels of gender equality between villages. In 49 of the surveyed villages, the proportion of men who had voted was higher than the proportion of women. There were seven villages in which the proportions among genders were the same (including five where no one voted) and 16 in which the proportion of women who voted was higher than the proportion of men. Among the 49 villages in which a higher proportion of men had voted, in 16, the proportion of men was more than 20 per cent higher. Of the 16 villages where women were more likely to vote than men, there was more than a 20 per cent difference in only three.

The gender balance was strongest in GoM-controlled areas, where women were slightly more likely than men to have voted (Figure 2.11). It was weakest in villages with only a KNU village head, where 53 per cent of men had voted for their village leader compared to 35 per cent of women.

Despite the clear gender disparities displayed here, the advisory team suggested the reality could be even less equal than these figures suggest. Indeed, as voting takes place on a household-by-household basis, gender equality largely depends on how decisions are made at the household level, rather than who carries out the act of voting. More specific research is needed to fully examine the ways in which women are taking part in these elections and how much control they have over their households' voting decisions. It is also notable that among the 211 respondents who said someone in their household voted on their behalf, 133 (63 per cent) were female and 78 (37 per cent) were male.

A nurse checks in patients at a clinic in Ei Tu Hta displaced persons camp despite depleting funds (October 2017).
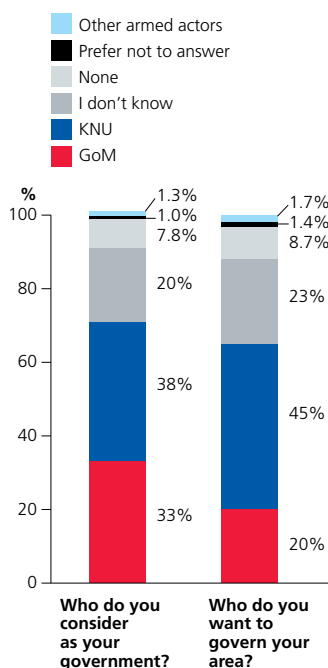© Saferworld

2.2 Perceptions and preferences regarding governance

Key findings

◻ Respondents were more than twice as likely to want the KNU to govern their area than the GoM, indicating a preference for localised governance and suggesting support for the principle of self-determination.

◻ The KNU was liked the most, preferred for handling justice issues, considered to keep communities most safe and secure, and had political views supported the most, among notably higher proportions of respondents than the GoM. The GoM was slightly more widely recognised for providing the most social services and development and having higher governance capacity.

◻ Women were slightly more likely to say "I don't know" than men to all 34 questions about their governance preferences, suggesting less civic participation and a greater reluctance to speak about their political opinions.

◻ Respondents were reluctant to name specific authorities for problems caused in their communities, but small groups complained about GoM for extortion and KNU for high taxation.

Figure 2.13 Governance perceptions and preferences

Legend:
- Other armed actors
- Prefer not to answer
- None
- I don't know
- KNU
- GoM

Who do you consider as your government?
- 1.3%
- 1.0%
- 7.8%
- 20%
- 38%
- 33%

Who do you want to govern your area?
- 1.7%
- 1.4%
- 8.7%
- 23%
- 45%
- 20%

The KNU was found to be more popular than the GoM as a governance provider, while other armed actors barely registered in the data. Respondents were first asked single-choice questions regarding their opinions of the governance and armed actors in their area (henceforth referred to as 'authorities'). Thirty-eight per cent said they considered the KNU to be their government while 33 per cent said it was the GoM (Figure 2.13). When respondents were asked which authority they wanted to govern their areas, however, 45 per cent said the KNU and only 20 per cent said the GoM. Importantly, around 20 per cent said "I don't know" and almost ten per cent said "none" to both questions. Among those who considered the GoM to be their government, 17.2 per cent said they actually wanted the KNU to govern their area. By comparison, only 1.5 per cent of respondents who considered the KNU to be their government wanted the GoM to govern their area.

The small number of responses concerning the DKBA, BGFs and KPC are covered in section 2.4.

The findings show a widespread preference for the KNU in most domains, particularly on the straightforward question of which they liked the most and in the handling of justice cases, as well as on whose political views they support the most (Figure 2.14). These findings demonstrate there is a widespread preference for local governance and indicate support for the principles of Karen self-determination and federalism. The apparent reasons for these preferences are discussed in section 2.3

Figure 2.14 "Which of these authorities…"
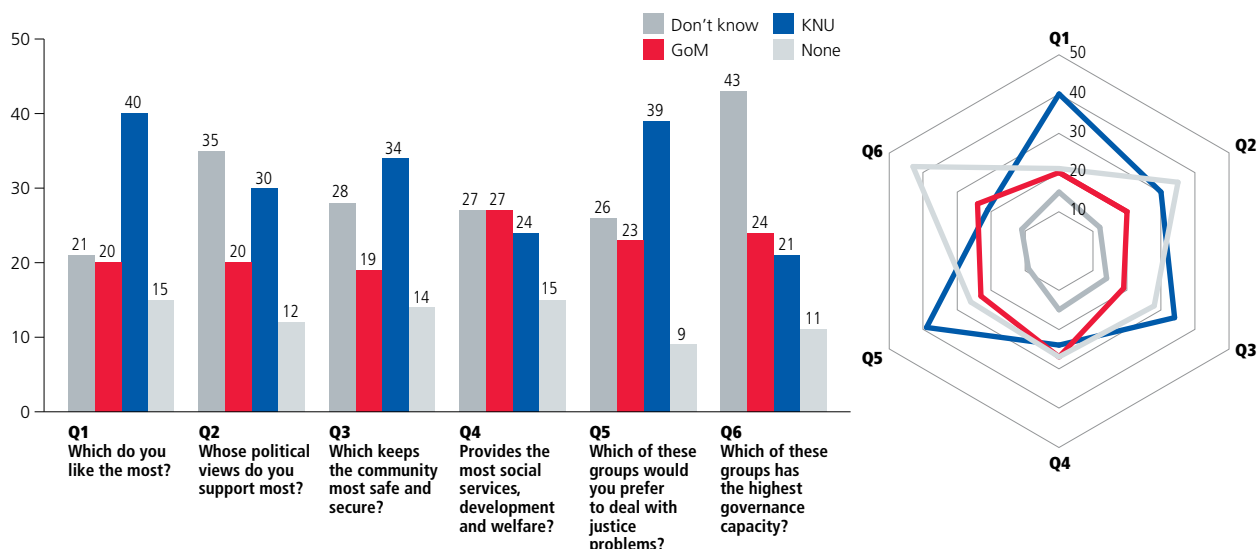
Legend: Don't know | KNU | GoM | None

"**The findings show a widespread preference for the KNU in most domains, particularly on the straightforward question of which they liked the most and in the handling of justice cases, as well as on whose political views they support the most.**"

Meanwhile, the GoM was slightly more widely considered to have the highest governance capacity and to provide the most social services, development and welfare. This was due to the GoM's higher provision of services to non-Karen respondents; as section 2.3 shows, Karen respondents were more likely to say KNU for these questions too. Wider service and development provision reflects the GoM's far greater financial and human resources, resulting from its sovereign status. The extent of services provided by the KNU was remarkable for an armed resistance organisation that is still not fully recognised by the state, has limited territorial control and that has been long preoccupied with conflict and organisational survival.[32]

At the same time, significant portions of respondents said "none" or "I don't know", suggesting notable gaps in knowledge of, and access to, good governance. Overall, there appeared to be a particularly low response rate to the questions on political views and governance capacity.

While men and women displayed the same overall perceptions of the GoM and KNU, women were consistently more likely to say "I don't know" than men,[33] and this was particularly pronounced when stating explicit preferences. Figure 2.15 shows the average responses across seven selected questions on governance preferences.[34] Women were on average more likely to say "I don't know" (33 per cent) than to say either the KNU (30 per cent) or the GoM (20 per cent), suggesting that women have less confidence or relevant knowledge to express their political opinions than men, often due to exclusion from community decision-making and a lack of political recognition. This is linked to traditional gender norms that mean women have been 'mainly expected to remain at home, looking after children and performing household and farming tasks'.[35] Importantly, these differences were most notable in the fields of security and justice and in GoM-controlled and mix-controlled areas, as discussed in later sections.[36] Nonetheless, the majority of women repeatedly gave direct and clear answers.

32 Social service specialists in the KPSN advisory team also noted that the GoM's focus on hard infrastructure meant its service delivery might be more visible to local communities even where the KNU and related civil society are providing services.

33 Women said "I don't know" more than men to all 34 questions on governance preferences, covering both positive and negative attributes of the authorities. On average, across these questions, the proportion of women saying "I don't know" was 29 per cent, while the proportion of men saying "I don't know" was 25 per cent.

34 In these questions, respondents were asked which single authority "… do you like the most?", "… would you prefer to deal with justice problems?", "… has political views you support most?", "… keeps the community most safe and secure?", "… provides the most social services, development and welfare?", " … has the highest governance capacity?", and "… do you want to govern your area?".

35 KWO (2010), p 9.

36 When asked which authority they would prefer to deal with justice problems, 32 per cent of women said "none" compared to 21 per cent of men. On the question of which authority keeps the community most safe and secure, 33 per cent of women said "I don't know" compared to 24 per cent of men.

Figure 2.15 Average responses across seven questions on governance
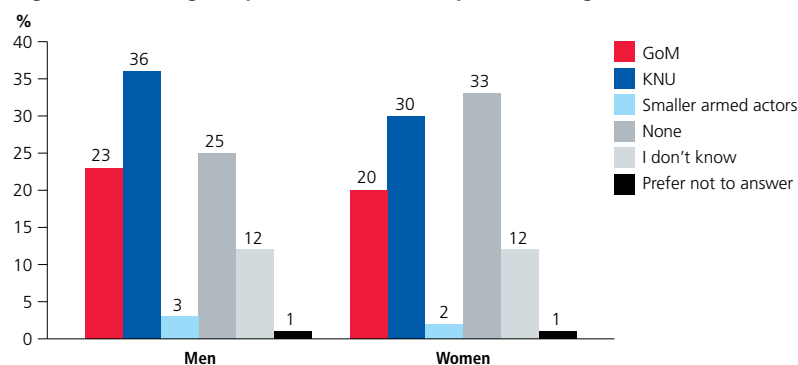
The wider spread of GoM services and development came across even more strongly when respondents were asked to list which groups, if any, they received specific benefits from and could give multiple answers (Figure 2.16). Fifty-eight per cent of respondents said the GoM provided their community with education and 53 per cent said it provided healthcare. These figures are likely much higher than they would have been just a few years ago, as the GoM has expanded its presence and service delivery in these areas rapidly since the ceasefire, sometimes creating tensions with the KNU and communities.[37] The KNU also demonstrated relatively high delivery of those services, reaching more than 40 per cent of respondents with both. Many communities received these services from both authorities. Due to recent expansion of GoM education, the KNU was more widely appreciated than the GoM for trying to build peace with other groups, and for protecting ethnic, linguistic and religious identities.

Figure 2.16 Does your community receive any of the following benefits from authorities?
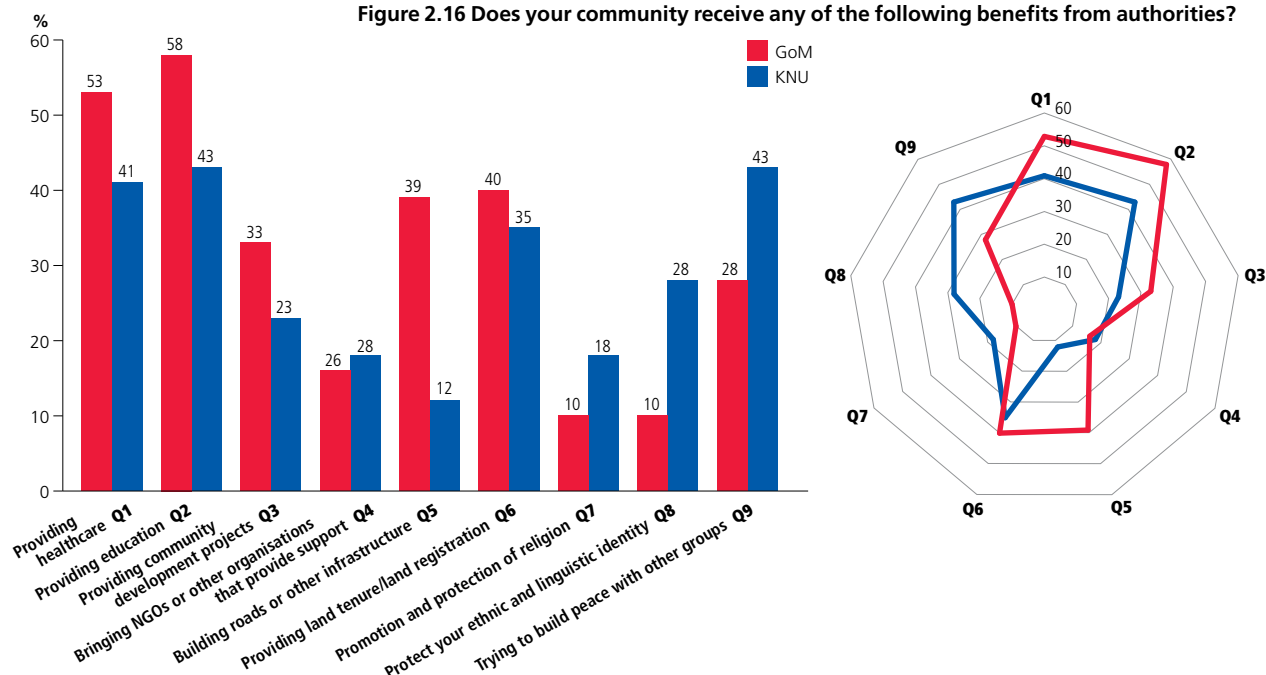
With only eight per cent of respondents saying "none" for healthcare and six per cent saying "none" for education, service coverage was relatively strong overall, particularly for a region that has experienced more than 70 years of armed conflict. Increased co-ordination and cooperation between service providers has the potential to significantly benefit local populations.

....

37 See Jolliffe and Speers-Mears (2016); and Davis and Jolliffe (2016).

Figure 2.17 Do authorities cause any of the following problems in your area?
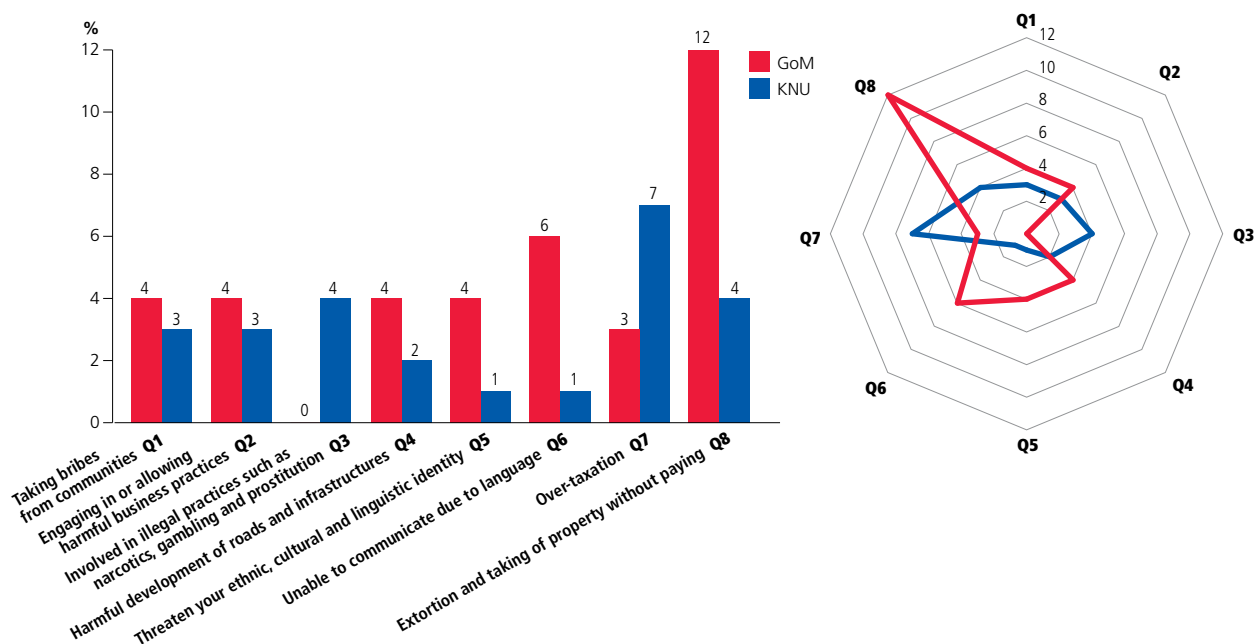

Figure 2.17 shows responses to questions about perceptions of problems caused by the governance authorities. Overall, respondents were far less forthcoming with negative opinions of governance actors, so the figures may be less representative (see clarifications in Section 1.1). Importantly, however, the two most prevalent issues related to extractive practices, with 12 per cent of respondents pointing to extortion by the GoM and seven per cent highlighting excessive taxation by the KNU. Six per cent felt there were language issues when communicating with the GoM. Later sections will deal with violent abuse by authorities and taxation regimes in more detail. Illegal practices such as narcotics, gambling, and prostitution were only mentioned by very few respondents, with four per cent naming the KNU for this issue, likely indicating the actions of a small number of officials in such activities, in violation of KNU official policy. More research is needed to explore the issue of illegal narcotics, as other research has indicated the issue is rising in the ceasefire area (see more in section 2.4).

People wait inside a clinic.
© Saferworld

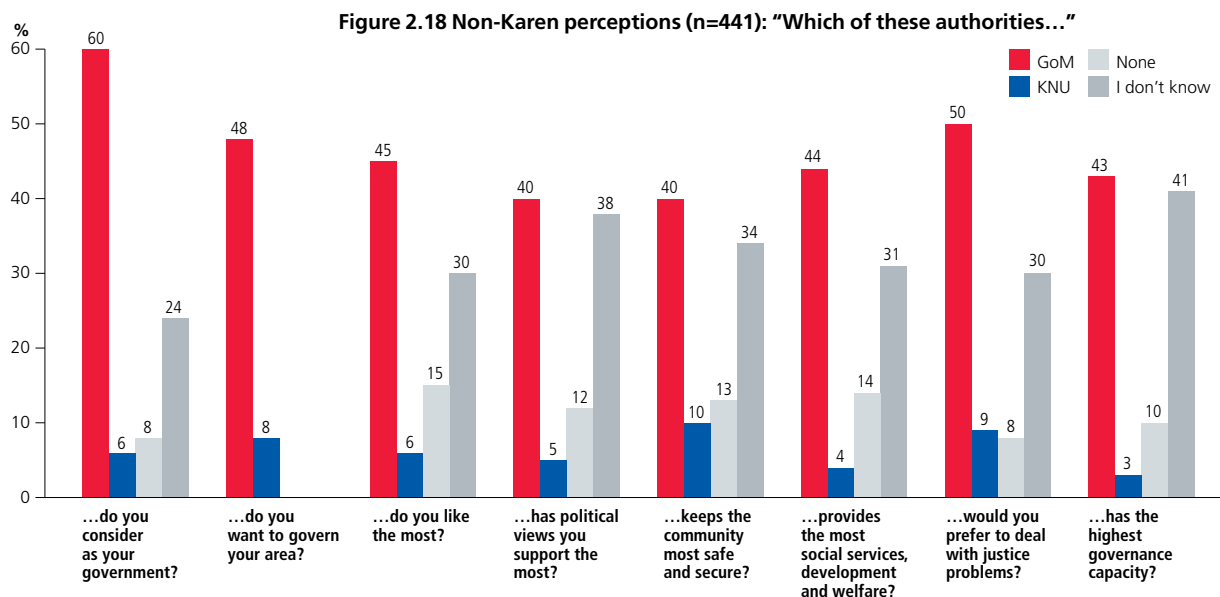**Students learning Sgaw Karen and Myanmar languages.**
© Saferworld

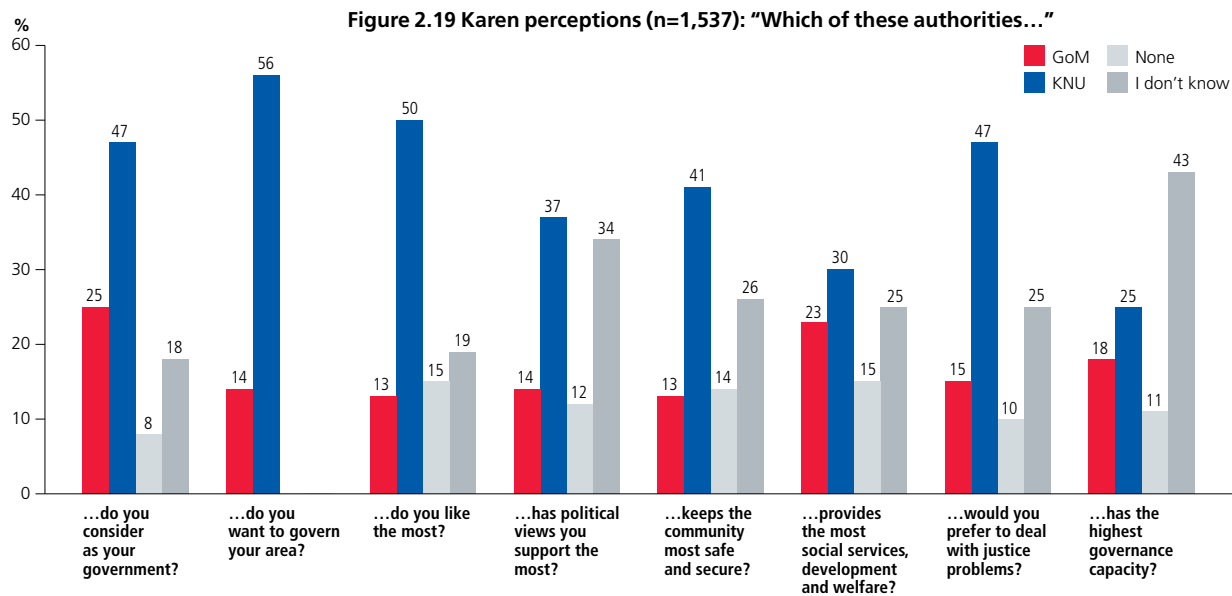## 2.3 Identity, governance and implications for peace

Key findings

☐ Karen respondents were far more likely to support the KNU than they were the GoM; non-Karen respondents were most likely to favour the GoM.

☐ Widespread support for the KNU among Karen people in the ceasefire areas seemingly indicates support for the principles of localised governance and self-determination and is based on ethnic affiliation, historical position of the KNU and attachments to Karen ancestral lands.

☐ The majority of respondents preferred the KNU, despite the GoM reaching similar numbers of Karen respondents with development and services, demonstrating further that investments in development do not automatically translate into legitimacy and popular support.

The starkest trends in perceptions of governance authorities came when comparing Karen and non-Karen respondents: 48 per cent of non-Karen wanted the GoM to govern their area, while only six per cent wanted the KNU to (Figure 2.18). Similarly, 56 per cent of Karen wanted the KNU to govern their area, and 14 per cent wanted to the GoM to (Figure 2.19).

Similar trends were found across all questions and Karen respondents were more likely to say the KNU even in response to the two questions where the GoM was more popular overall – on services and community development and on governance capacity.

Figure 2.18 Non-Karen perceptions (n=441): "Which of these authorities…"

Legend:
- GoM (red)
- KNU (blue)
- None (light grey)
- I don't know (grey)

	…do you consider as your government?	…do you want to govern your area?	…do you like the most?	…has political views you support the most?	…keeps the community most safe and secure?	…provides the most social services, development and welfare?	…would you prefer to deal with justice problems?	…has the highest governance capacity?
GoM	60	48	45	40	40	44	50	43
KNU	6	8	6	5	10	4	9	3
None	8		15	12	13	14	8	10
I don't know	24		30	38	34	31	30	41

**Figure 2.19 Karen perceptions (n=1,537): "Which of these authorities…"**

Notably, however, ten per cent of non-Karen respondents felt the KNU kept them most safe and secure, while nine per cent preferred it to deal with justice problems. Thirteen per cent of Karen respondents said they liked the GoM the most and 15 per cent said they would prefer the GoM to deal with justice problems. Non-Karen respondents were often more likely to say "none" than say the KNU to these questions, as were Karen respondents regarding the GoM.

Political and armed movements based on ethnicity in Myanmar are as old as the country itself, but there was previously little information available to confirm that ordinary people supported such movements. According to analysis from KPSN members, Karen support for the KNU is based on a number of factors. Firstly, ethnic and linguistic ties and deep embeddedness of KNU institutions in local communities means that people have much greater recognition of the KNU as a leadership and *de facto* government than the GoM. This is also related to the KNU's historical position as the primary political organisation representing Karen society. Furthermore, as an indigenous people with strong connections to the land and natural environment, Karen people in long-held territories tend to favour local leadership and often see encroachment or invasions by the Myanmar state as a threat to this relationship.

This is significant because a belief in such desires are the main reason that Karen political leaders have long demanded a federal system of government and developed policies based on local practices, such as the KNU land policy. Apparent support for these positions among Karen people in the ceasefire areas, therefore, lends legitimacy to the KNU at the peace negotiation table.

> "Investments in development and social service delivery do not reliably translate into political support or clearly affect governance preferences, as even where Karen people do recognise benefits from the GoM, they often maintain political support for the KNU and see it as a more reliable provider of justice and security."

Importantly, these preferences exist despite GoM social services and development reaching roughly the same numbers of Karen people as those from the KNU (Figure 2.20). Clearly, investments in development and social service delivery do not reliably translate into political support or clearly affect governance preferences, as even where Karen people do recognise benefits from the GoM, they often maintain political support for the KNU and see it as a more reliable provider of justice and security. Since the 1990s, the GoM has touted road construction as a central element of its 'border development' programmes aimed at building peace by winning the support of the 'national races'. While 34 per cent of the surveyed population recognised this as a benefit provided by the GoM, it appeared to sway few people on their political or governance preferences. Additionally, KPSN and external research has found that road construction in Karen ceasefire areas has led to land confiscation, facilitated militarisation and created new conflicts between armed splinter groups.

Figure 2.20 Benefits received by Karen respondents (n=1,579)
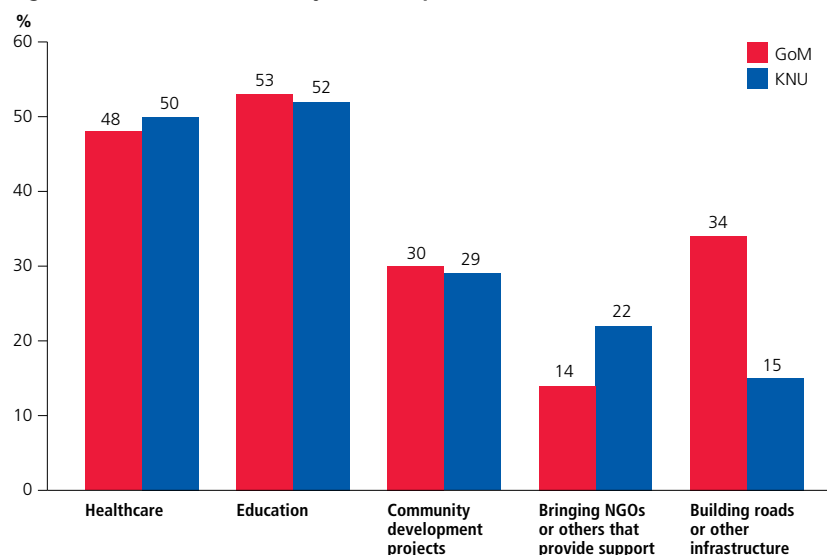
> *These findings demonstrate that peacebuilding strategies based on strengthening the state to provide social and economic 'peace dividends' will not work.*

Collectively, these findings demonstrate that peacebuilding strategies based on strengthening the state to provide social and economic 'peace dividends' will not work and can even exacerbate conflict unless they are based firmly on the inclusion and promotion of existing systems and address the political drivers of conflict. It is crucial that KNU and Karen community institutions are included in the development of a genuine federal union as a means to build sustainable peace.

The ethnic differences in preferences were consistent across genders, with the large majority of Karen men and women preferring the KNU, and non-Karen men and women preferring the GoM. However, women in both groups were more likely to say "I don't know" than their male counterparts to all questions. As a result, across seven questions on governance preferences,[38] non-Karen men were more likely to state preferences for the GoM (on average 51 per cent) than were non-Karen women (on average 41 per cent) and Karen men were more likely to state preferences for the KNU (on average 43 per cent) than were Karen women (on average 36 per cent). Overall, non-Karen women were more likely to say "I don't know" than Karen women to every question (11 per cent and seven per cent respectively, on average). Figure 2.21 illustrates these dynamics, showing responses to the question "who do you want to govern your area?".

Figure 2.21 Who do you want to govern your area? (by ethnicity and gender)
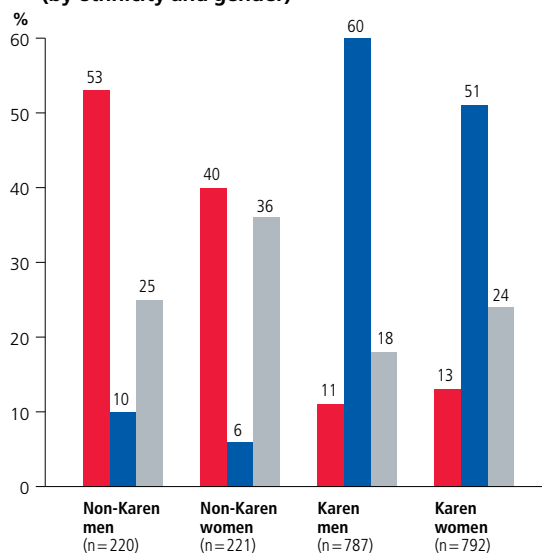
Figure 2.22 Do you receive protection of your ethnic and linguistic identity from any authorities in your area?
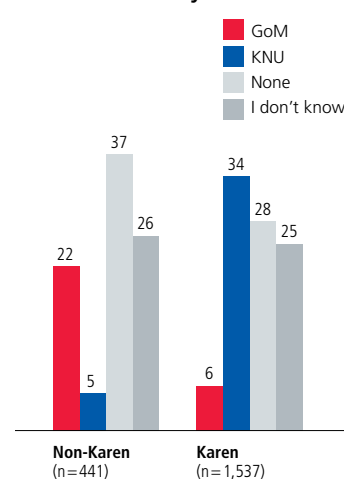
38   See footnote 34 for a list of the seven questions.

Thirty-four per cent of Karen respondents said the KNU provided the benefit of protecting their linguistic and cultural identity, while only six per cent said the same of GoM. Notably, however, large numbers of Karen said "none" or "I don't know". Meanwhile, 22 per cent of non-Karen people said the GoM protected their ethnic and linguistic identity, the largest portion of which were Pa-O (technically, a Karen-related group), while only five per cent of non-Karen said that the KNU protected their ethnic and linguistic identity. As section 2.6 explores, the large majority of non-Karen respondents were in GoM-controlled areas, including almost all the Pa-O respondents.

KNLA soldier travelling by boat.
© Kim Jolliffe

2.4 Armed actors that splintered from the KNU

Key findings

- Very small portions of respondents were found to have 'direct contact' with the DKBA, BGFs or KPC, defined as them paying tax to, receiving services from, or regularly seeing soldiers from that authority.

- Even among these small samples, few respondents demonstrated governance preferences for these authorities and were reluctant to criticise them despite existing research of regular abuse and exploitation.

- Small portions of respondents associated these groups with problems, including illegal activity, extortion, excessive taxation and aggressive behaviour.

- Respondents in two villages in Hlaingbwe Township felt that the BGFs kept them most safe and secure, while others near the headquarters of the DKBA Klo Htoo Baw faction recognised numerous benefits, such as education and healthcare.

Other armed and governance actors were mentioned far less frequently than the KNU or GoM, meaning that very little useful data about them was retreived. The only three other authorities that came up in the surveys to any significant degree were the Border Guard Forces (BGFs), the Democratic Karen Benevolent/Buddhist Army (DKBA) and the KPC,[39] which are all splinter factions from the KNU and are described in box 2.2. The DKBA category included both the main 'Khlo Htoo Baw' faction, as well as the newer 'Buddhist' faction together, due to difficulties in clearly distinguishing the two (see box 2.2). The 13 BGF battalions active in the regions were also analysed collectively, due to the significant overlap in their territorial presence. Indications of the factions being discussed are noted in the analysis below, where possible.

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39 Respondents also had the option of listing the New Mon State Party, the Thandaung Peace Groups or "other groups", but these categories were only selected in very few cases and so did not provide enough data to meaningfully analyse.

Border Guard Force soldiers. The Karen BGFs are splinter groups of the KNU that have aligned themselves to the Tatmadaw and now full under Tatmadaw command structures, while retaining relative levels of autonomy.
© Karen Peace Support Network

BOX 2.2 Background of armed factions that splintered from the KNU

The KNU suffered a major splintering in 1994 when a faction of Buddhist commanders broke away and formed the Democratic Karen Buddhist Army (DKBA). The DKBA aligned with the Tatmadaw and fought against the KNU until 2010. That year, the DKBA splintered again as the majority of units transformed into 12 Border Guard Forces (BGF), under more direct Tatmadaw command. Other factions realigned with the KNU and rebranded as the Democratic Karen Benevolent Army (DKBA). This 'benevolent' faction split again in 2015 and another faction was formed, once again called the Democratic Karen Buddhist Army. Other units splintered from the KNU at various times in the late-1990s and 2000s, including the Karen Peace Council, which was formed in 2007, and is now allied once more with the KNU – despite remaining separate. Another faction, the Karen Peace Force, formed a 13th BGF battalion. The Thandaung Peace Groups, which hardly registered in the data, were formed by two former KNU commanders in 1998 and 1999 and are now officially constituted as a People's Militia Force, with units also under Tatmadaw command but with slightly less Tatmadaw oversight than the BGFs.

> "Smaller groups, such as the DKBA, KPC and BFGs, came through in the data far less than the KNU or GoM... This is partly because they do not have significant civilian administration bodies and play far less significant roles in local governance."

Overall, these groups came through in the data far less than the KNU or GoM. It is also because they are much smaller and their presence is much less widespread. A model was developed to identify populations that had some form of 'direct contact' with the groups, defined as either seeing soldiers from the group sometimes or frequently, paying some form of tax to the group or receiving services from the group. On this basis, 156 respondents were found to have contact with the DKBA, 129 respondents with the BGF, and 125 respondents with the KPC. This is partly because they do not have significant civilian administration bodies and play far less significant roles in local governance. More research utilising a methodology that targets people affected directly by these groups is needed to fully understand people's relationship with them, though some observations are possible based on the limited data retrieved and existing KPSN research.

Even among these small samples, very few respondents stated positive or negative opinions about them. The Karen Human Rights Group and other KPSN members have often found that people are reluctant to speak openly about these groups because they are essentially armed militia rather than governance actors and because they have often used violence and intimidation against local people, particularly as the BGFs and previously the DKBA have conducted military operations against Karen civilians alongside the Tatmadaw. The KHRG has documented at least one case of a civilian being killed by BGF soldiers for speaking out against their involvement in the illegal narcotics trade.[40]

40 KHRG (2015), p 153.

Figure 2.23 Proportion of respondents that receive services from, pay tax to or see soldiers often or very often of each authority
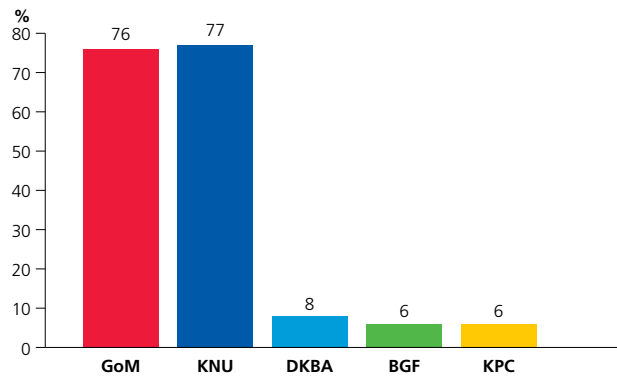
Among the few interesting findings, Buddhists made up 82 per cent and 72 per cent of the respondents found to have direct contact with the BGFs and DKBA, respectively, while those having direct contact with KPC included 51 per cent Christians and 45 per cent Buddhists.[41] The majority of respondents in two villages GoM-defined Hlaingbwe Township (or the KNU-defined Lu Pleh and Ta Kreh Townships), felt the BGFs kept them most safe and secure, while complaining of the DKBA – seemingly the so-called "Buddhist" faction – for excessive taxation. This area experienced significant fighting between the two actors in 2016.

Among those who had direct contact with the DKBA, 17 per cent said they receive the benefits of healthcare and road construction from the group and nine per cent mentioned education. Almost all of these respondents lived near the headquarters area of the Khlo Htoo Baw faction of the DKBA, where the organisation administers an impressive high school, numerous primary schools and clinics, all in cooperation with the relevant departments of the KNU and, in some cases, the GoM.[42] The DKBA was criticised for extortion by 13 per cent of the sample who had direct contact with it, for excessive taxation by 15 per cent, and for harmful business activities by 11 per cent, most of whom were also in this area.

The BGF was mentioned by between six and eight per cent of the relevant sample for extortion, harmful business practices, and illegal activities. Importantly, the BGF battalions causing these problems appeared to be distinct from those mentioned in a positive light, above. The majority of the respondents listing problems caused by BGFs were in the GoM-defined Myawaddy and Kawkareik Townships.

While the survey focuses on taxation of ordinary residents, GoM and EAOs also retrieve significant revenue from taxing the extraction of natural resources. This photo shows a small gold mining operation on Thanintharyi river in Dawei township.
© Karen Peace Support Network

41 Christians made up 20 per cent and nine per cent of the respondents that had direct contact with the DKBA and BGFs respectively. Animists made up seven per cent of those with contact to DKBA, five per cent of those with contact to the BGFs, and four per cent of those with contact with the KPC. The remainder (2.3 per cent for BGFs and 0.6 per cent for the DKBA) were Leke.

42 This area is in southern Myawaddy Township according to the GoM system and eastern Kaw T'Ree Township in the KNU system.

Members of the Thandaunggyi Township Forest Department of the GoM collect cardamom taxes from Karen cardamom farmers in October 2015.
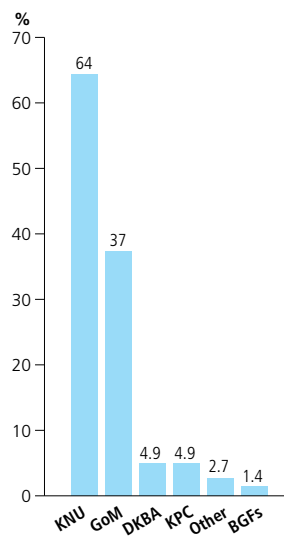© Karen Human Rights Group

2.5 Taxation

Key findings

- Respondents were far more likely to pay taxes to the KNU than they were to the GoM, indicating that KNU tax collection was more widespread than GoM taxation in rural parts of the survey area, but not necessarily of a higher value.

- The most common form of taxes paid to the both GoM and KNU was agricultural tax, followed by property tax, which could include all personal effects.

- Fourteen per cent of respondents felt that, overall, their taxes were a major burden on their household and 30 per cent of respondents were paying tax to more than one authority.

- The majority of GoM and KNU taxpayers felt they got a fair or somewhat fair return on their taxes, which is likely due to protection of property and land rather than due to service provision. The KNU performed marginally better than the GoM, reflecting the relatively widespread popular support for the organisation discussed in previous sections.

- Respondents were more likely to say the KNU charged the most tax or caused problems with excessive taxation than any other authority, but more commonly named others, including the GoM, for extortion.
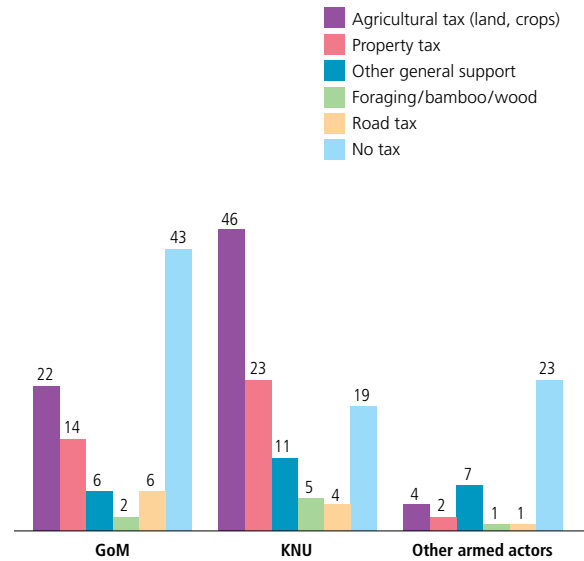
Seventy-eight per cent of respondents reported paying some kind of tax to at least one authority. Among the respondents, 64 per cent paid tax to the KNU and 37 per cent paid tax to the GoM (Figure 2.24). This indicates that the KNU's tax collection was more widespread in the surveyed areas than the GoM's, but does not indicate the amount of tax being collected. Indeed, there were 23 villages where the KNU taxed more than 50 per cent of the respondents living there and where no other authority taxed more than ten per cent. Both authorities have formal systems with standardised tax tables for the collection of such agricultural and property taxes, which are generally collected according to a regular schedule and depend on the authority having a relatively stable relationship with the village

The KNU's ability to collect formalised taxes from ordinary residents across a wide-spread area further confirm how embedded the KNU's administration system is in the conflict-affected region. Overall, the GoM likely collects much greater tax revenue in south east Myanmar than the KNU as it controls the major urban areas, trade corridors and border crossings. The number of respondents paying tax to other groups was visibly much smaller, although it is important to note that far smaller numbers of respondents had any contact with them at all.

Figure 2.24 Respondents that pay tax to each group (n=2,020)

**Figure 2.25 Types of taxes paid to each authority**

Legend:
- Agricultural tax (land, crops)
- Property tax
- Other general support
- Foraging/bamboo/wood
- Road tax
- No tax

> "Seventy-eight per cent of respondents reported paying some kind of tax to at least one authority... Thirty per cent of respondents reported paying at least one form of tax to two authorities, two per cent reported paying to three authorities, and one per cent to four or more authorities."

Ninety-nine respondents said they paid at least one form of tax to the DKBA and the same figure paid tax to the KPC. Only 28 paid tax to the BGFs, which is likely due to the GoM's long-held policy to encourage armed actors under its patronage to engage in business rather than take funds directly from the population.[43]

The most common form of taxes paid to the both GoM and KNU was agricultural tax, followed by property tax (Figure 2.25). Property tax includes personal effects, such as vehicles, livestock and weapons, as well as homes or other buildings. A remarkable 43 per cent of respondents did not pay any tax to the GoM, many of whom live in areas where it has not consolidated firm control, as shown in section 2.6).

The term 'other general support' was developed by the advisory team to refer to nondescript taxes that authorities sometimes collect for the general financing of their operations. This was the most common form of tax collected by armed actors other than the KNU (from seven per cent of respondents) and was the third most common type collected by both the KNU (11 per cent) and GoM (six per cent). Taxes for foraging are sometimes charged by authorities when people collect natural resources from the forest or in other public spaces, either for selling or personal use; many non-landowners sustain themselves through such activities.

Figure 2.26 How many authorities do respondents pay tax to?

Pie chart labels:
- No data 8%
- None 14%
- One 46%
- Two 30%
- Three 2%
- Four+ 1%
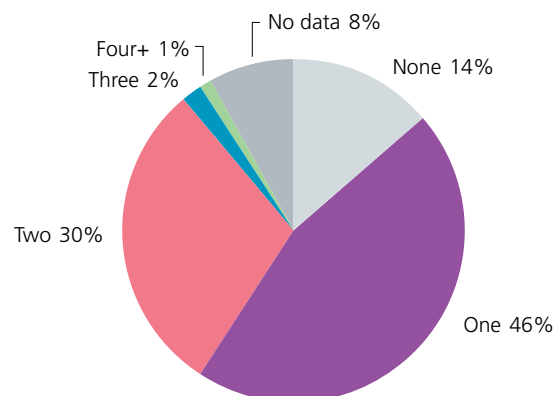
43 Paramilitary actors, militia and ceasefire groups are all regularly encouraged to do this by the GoM. It is presented solely as a means to reduce the burden on local populations, but also has the effect of rupturing ties between armed actors and local communities.
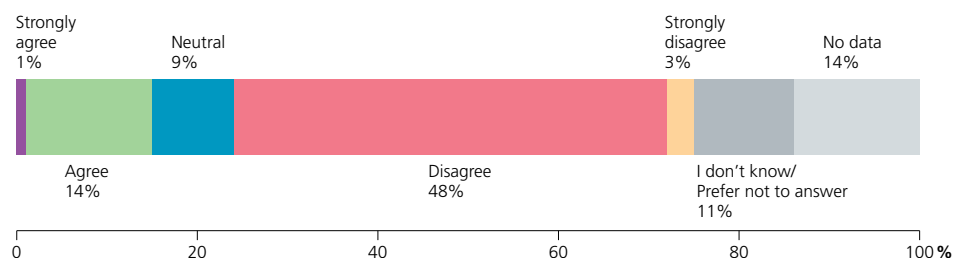
Thirty per cent of respondents reported paying at least one form of tax to two authorities, two per cent reported paying to three authorities, and one per cent to four or more authorities (Figure 2.26). In some cases, people have to pay multiple taxes on the same lands or properties. The formal KNU and GoM systems often exist in parallel, while the DKBA sometimes mimics the KNU and demands the same amount be paid to them. These double taxpayers also include people who pay road tax to one or more authorities, in addition to more regular taxes.

While taxes form a central part of any governance system, if they are not collected responsibly or are managed improperly, they can cause great hardship for those paying and can become a major grievance among citizens. Among all respondents, less than one per cent said they strongly agreed with the statement "I feel that taxes are a major burden on my household" and 14 per cent agreed (Figure 2.27). More than half disagreed or strongly disagreed. This situation could be much worse, given the number of actors collecting tax.[44] However, 15 per cent of the population is still significant and this indicates more could be done to reduce the burden.

Figure 2.27 The taxes I pay are a major burden to my household (n=2,020)

Strongly agree 1%	Neutral 9%		Strongly disagree 3%	No data 14%

Agree 14%	Disagree 48%	I don't know/ Prefer not to answer 11%

0   20   40   60   80   100 %

KNU taxpayers were most likely to say they got a fair return or somewhat fair return on their taxes (46 per cent), followed by GoM (44 per cent). Nonetheless, among those that pay taxes to each authority, around a third or more of respondents said they did not get a fair return on them (Figure 2.28). This is not uncommon. Polls from the USA over the past ten years show that, each year, between 30 and 50 per cent of taxpayers say that the amount they pay is not fair.[45] BGF taxpayers, although a very small sample, were least likely to say "no" to this question (32 per cent), followed by the KNU (33 per cent).


A teacher instructs children in a school supported by the community and the KNU.
© Saferworld

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44 There was no clear statistical relationship between the number of authorities respondents were paying tax to and their perceptions of the burden on their household, though existing research has found this to be a significant problem for some communities.
45 Gallup (2018), Taxes (http://news.gallup.com/poll/1714/taxes.aspx).

**Figure 2.28 Do you get a fair return on your taxes from each authority?
(Among respondents who pay some form of tax to that authority)**
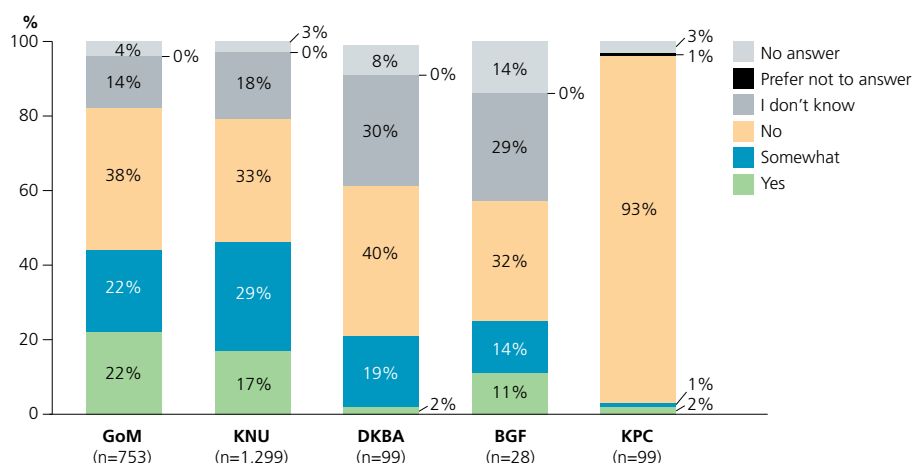

This high preference for the KNU, despite more widespread health and education being received from GoM,[46] shows that a 'fair return' cannot be simply reduced to the provision of these social services, and likely relates more to people's political and security perceptions.

The slightly more widespread perceptions of fairness of the KNU taxes compared with those of the GoM, therefore, likely relate to the overall popularity of the KNU identified in previous sections, their support for its political views and its provision of security, justice and protection of identity.

KPSN analysis suggests that people in the ceasefires likely relate fairness of return on taxes to the provision of security of property, business assets or land that comes from local armed actors recognising and documenting them and providing official receipt. In particular, the KNU provides explicit land ownership, which is often seen as an important benefit of registering one's land with the KNU. In many cases, people are unlikely aware of their right to services or other public goods in return for taxes. Existing research has also shown how Karen people in some areas were willing to pay taxes to be under the protection of authorities to avoid abuses by other armed actors.[47]

Figure 2.29 Perspectives on extractive practices among respondents with 'direct contact' with each authority

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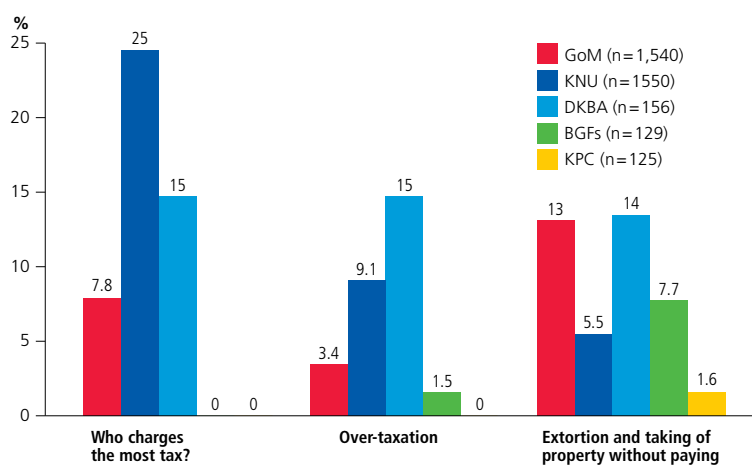
46 While respondents were nearly twice as likely to pay agriculture, property or foraging taxes to the KNU than to the GoM, they were 25 per cent more likely to receive healthcare or education from the GoM. At least 15 per cent of the surveyed population were paying tax to the KNU, but seemingly not receiving healthcare or education in return. There were 45 villages in which more people said they paid tax to the KNU than they said their community received healthcare or education from that authority; 29 of these 45 showed the inverse for the GoM: with more people saying the community received services than those who said they paid tax.

47 South (2012), p 199. See also, South (2011).

Figure 2.29 displays answers to three separate questions related to extractive practices by authorities among only the respondents who had direct contact with that authority (see section 2.4 for a definition of 'direct contact'). Although responses to these questions were low overall, they give an indication of trends in practices by each authority. The KNU was the authority most likely to be named for charging the most tax by people who had direct contact with it. Both the GoM and BGFs, meanwhile, were less associated with charging high taxes among their relevant samples, but were much more likely to be seen to perpetrate extortion (13 per cent and eight per cent, respectively). The DKBA was seen to be the highest charger of tax by 15 per cent of the sample who had direct contact with it, and was the most likely authority to be viewed by its sample to perpetrate extortion and excessive taxation.

Myawaddy town, across the banks of the Moei river. Several armed groups hold territory in Myawaddy, creating a highly fragmented governance context.
©Axel Drainville

2.6
Understanding territory

Key findings

- Sixty-one per cent of the surveyed villages were found to be under mixed control, based on a measure combining data on service delivery, taxation and exposure to soldiers.

- The majority of respondents under the control of the GoM wanted to be governed by the KNU, while respondents in mixed-controlled were more than twice as likely to want to be governed by the KNU than by the GoM.

- Village leadership alone is not an adequate indicator of which authority is in control, as authorities may exercise control even where they do not formally oversee the village leadership.

- Ninety-nine per cent of respondents in KNU-controlled areas and 83 per cent of respondents in mix-controlled areas were Karen, further demonstrating the link between ethnicity and governance experiences.

- Mix-controlled villages varied greatly, each displaying diverse patterns of village leadership, taxation, military presence and services.

- Respondents from KNU-controlled territories were almost universally pro-KNU. The GoM was also the most popular governance actor in the areas it controlled, but by much smaller margins.

- KNU service delivery and taxation coverage appear more widespread/far reaching in KNU areas than the GoM's services/taxation GoM areas.

- In mix-controlled areas, the KNU was notably more popular than GoM, despite the GoM providing more widespread services, charging fewer people tax and its soldiers being seen less frequently.

- While KNU and particularly GoM were found to provide services to many in mix-controlled areas, nine per cent said their communities were not being provided with education services and eight per cent not with healthcare.

- In both GoM-controlled and mix-controlled areas, just under ten per cent of respondents said their community received no healthcare or education from any authority.

Territorial boundaries are rarely explicitly drawn in Myanmar's conflict areas, making it difficult for outsiders to determine which armed actors control what and where. This section brings some rigour to the understanding of the different kinds of territories that do exist, and provides basic categories used throughout the rest of the report.

In times of conflict, the rough terrain means that fixed positions are hard to defend and that armed authorities can easily drift in and out of each other's sphere of influence. Since the ceasefires, negotiators have failed to reconcile on-the-ground realities with the higher-level interest in dialogue and so talks on territorial demarcation have made little progress. As such, local residents are often paying tax to, receiving services from and interacting with soldiers from different authorities to varying degrees. These levels of influence may also fluctuate over time.

Territorial control has been relatively fluid for hundreds of years. More than 40 of the surveyed villages were established before or during the colonial era, during which most of today's south east Myanmar was administered as the Tennasserim Division.[48] The division included numerous areas that were 'excluded' or 'partially excluded' from centralised administration, giving significant autonomy to local Karen leaders.[49] Within the formal colonial system, too, Karen men were given preferential access to administrative and military positions of influence compared with other groups. By 1949, when the conflict began, many Karen leaders in the old Tennasserim Division were aligned with the KNU, and most of it quickly came under the group's control. The area that had been most autonomous under colonial rule, the former Salween Hills District, became (and has since remained) the KNU's major stronghold.[50]

The last 70 years has seen a steady erosion of KNU territory through Tatmadaw counter-insurgency and the expansion of the state. From the late-1950s until the early-1980s, almost the entire border was controlled by the KNU, as were vast areas much deeper into the region, though many settlements (including 14 of the surveyed villages) were slowly taken by the GoM during this period. From 1984 onwards, sustained military offensives by the Tatmadaw allowed the GoM to secure control of much of central and southern Kayin State and much of Mon and Tanintharyi. The splintering of the DKBA in the mid-1990s, and then the transformation of many of its units into BGFs in 2010, helped consolidate GoM control and kept the KNU out of many Karen communities (see box 2.2).

Meanwhile, Tatmadaw bases were established even in the KNU's most autonomous territories, as hundreds of thousands of Karen people were displaced (see part 3). Numerous surveyed villages were either taken over or burned to the ground by the Tatmadaw during this period.[51] Since the ceasefires, the GoM has expanded its presence further, primarily through economic development and extension of the military-led General Administration Department, alongside continued militarisation.

Observers have often categorised Myanmar's armed conflict areas into three types of territory: 'GoM-controlled', 'EAO-controlled' and 'mix-controlled'. Many people, including some affected communities themselves, also use the morbid Tatmadaw doctrinal terms, which label them 'white', 'brown' or 'black', respectively (see more in part 3). There are, however, no universally recognised categories and the reality is far messier than any of these terms suggest.

Closer examination finds that each authority exercises multiple forms of influence, to varying degrees from area to area. See the introduction to part 2 for the overall spread of GoM and KNU influence. Most obviously, they establish administrative authority over village leaders, as discussed in section 2.1. However, this paints only part of the picture, as authorities regularly provide services, collect taxes and maintain a military

48 'Tennasserim Division' was also the name given to today's Tanintharyi Region during the Ne Win era. During British rule, the division was much larger.

49 See Jolliffe (2016), p 9, for more detail on these arrangements.

50 The Salween Hills District covered much of today's Mutraw (Hpapun), Taw Oo (Taungoo) and Kler Lwe Htoo (Nyaunglebin) Districts, as well as parts of the Hpa-an and Doo Tha Htoo (Thaton) Districts.

51 For more on this history, see Jolliffe (2016); South (2011); and Smith (1999).

presence in or around settlements, even where they are not fully in control. The KNU was found to collect taxes and provide services in multiple villages with only a GoM village head.[52] Additionally, numerous villages with only KNU village heads have Tatmadaw bases nearby or receive services from GoM.

A measure was therefore developed to categorise the surveyed villages as KNU-controlled, GoM-controlled or mix-controlled, based on a range of factors. These categories were used for analysing broad differences across territories, but it should be understood that there is a wide spectrum of different governance arrangements, so this is not a perfect typology. The categories are not statements on which authority should control any given territory, nor do they relate to categories used by any of the authorities themselves. Their primary purpose is to provide a general picture of the complexity of governance arrangements across the region in general

The measure was worked out by examining the data on every village and determining which authorities met at least one of the following criteria:

- At least 20 per cent of respondents said they paid agricultural, property or foraging tax to the authority.
- At least 40 per cent of the respondents said the community received education or healthcare from the authority.
- At least 80 per cent of the respondents said they saw soldiers from the authority very often or often.
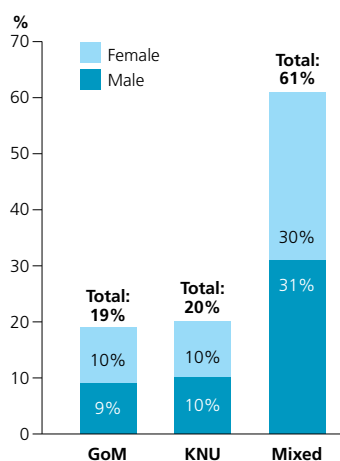
Surveyed villages were then categorised as GoM-controlled, if only the GoM met the above conditions; as KNU-controlled, if only the KNU met the above conditions; and mix-controlled, if one or more actors met the conditions.

These thresholds were chosen based on careful consideration of what would constitute a significant presence in each domain. The ability of an authority to collect these three taxes indicates a relatively regular and sedentary presence. As there were few settlements where the majority of people were paying them to any one actor, 20 per cent was sufficient to indicate that the authority had notable influence in the village. For healthcare and education, even where they are provided, not all residents would use them; at the same time, parts of a given population may travel to other areas for these services. Forty per cent was thus considered indicative of relatively well-established service delivery. As is discussed in section 3.1, the large majority of respondents saw soldiers from various sides very often or often. Therefore, 80 per cent was considered the threshold necessarily to clearly demonstrate that an authority had enough of a fixed military presence in the area to establish authority that way.

By this measure, 13 of the surveyed villages and 19 per cent of respondents were determined to be in GoM-controlled areas, 21 villages and 20 per cent of respondents were in KNU-controlled areas, and 38 villages and 61 per cent of respondents were in mix-controlled areas. Box 2.3 provides a snapshot description of seven examples of mixed villages as an indication of the widely varying characteristics they can display. There were no villages where smaller armed actors were the only actor to meet the above conditions. In two villages where the DKBA did meet the conditions, the KNU did so also, meaning they were classified as mix-controlled.

These findings demonstrate that village leadership alone is not a reliable indicator of which authority is in control: among the 38 mix-controlled villages, 17 had only a GoM-affiliated village leader and five had only a KNU-affiliated village leader. Similarly, in multiple villages one authority was found to have more influence than the other – even where the other had a village leader in place.

> "Thirteen of the surveyed villages and 19 per cent of respondents were determined to be in GoM-controlled areas, 21 villages and 20 per cent of respondents were in KNU-controlled areas, and 38 villages and 61 per cent of respondents were in mix-controlled areas."

**Figure 2.30 Respondents in each type of territory and by gender**

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52 People received services from the KNU in eight villages and were paying tax to the KNU in 13 villages.

The gender balance of the surveyed population was maintained across the three types of territory (Figure 2.30). Analysis of other demographics displayed some striking results: while these specific samples were not designed to be representative, the extent of some trends is telling. The ethnic breakdown of the populations was remarkable, with 99 per cent of the population in KNU-controlled villages and 84 per cent of the population in mix-controlled villages identifying as Karen (Figure 2.31).

**Figure 2.31 Ethnic composition of respondents (by type of territory)**
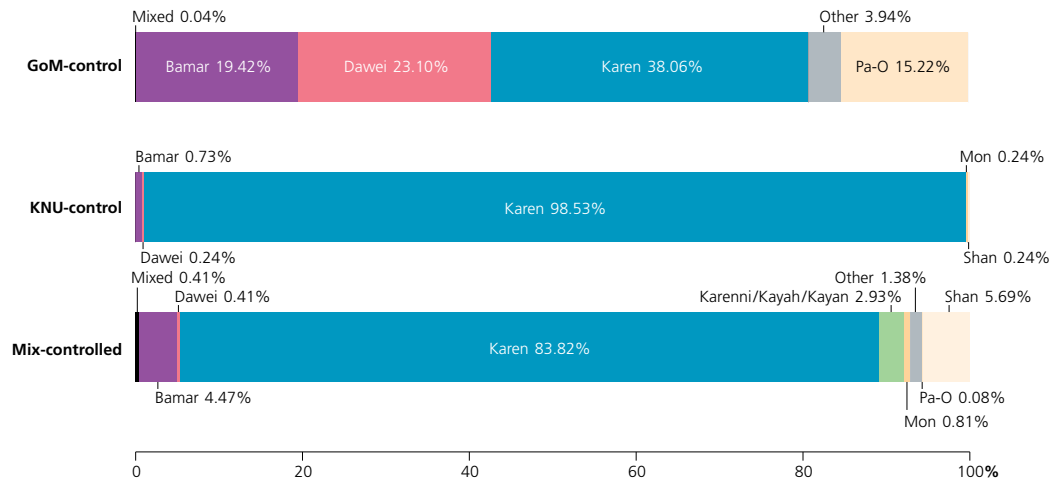
The majority of non-Karen respondents were in GoM-controlled villages: 19 per cent identified as Bamar, 23 per cent Dawei and 15 per cent Pa-O.

Only 26 per cent of respondents from KNU-controlled villages said they could speak Myanmar language well, compared to 90 per cent of respondents in GoM-controlled villages and 79 per cent under mixed control (Figure 2.32). Pwo Karen speakers were five times as prevalent in mix-controlled villages and more than twice as prevalent in GoM-controlled villages, when compared with KNU-controlled villages. This under-lines the extent to which Sgaw Karen has become the dominant language in KNU areas, despite the organisation's official policy to promote both languages.

Figure 2.32 Population who said they could speak selected languages "well"
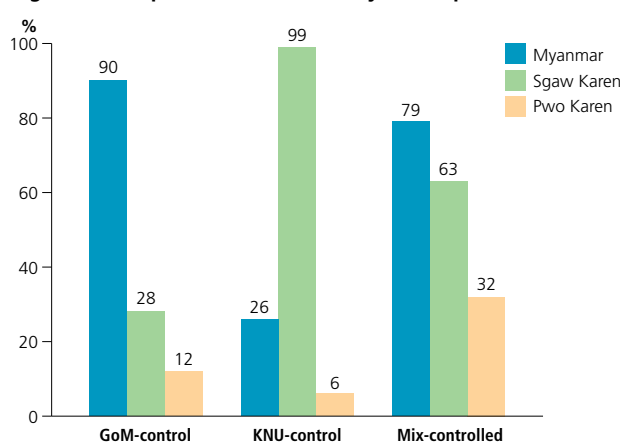
There were notable disparities in access to education between areas. In KNU-controlled areas, which tend to be more remote, 42 per cent of respondents (the highest proportion) had no schooling (Figure 2.33). However, the high portion of ageing respondents, deemed by enumerators to be a result of high numbers of younger people being migrant labourers, likely affected these findings, as education systems in the region have improved notably in recent decades.

Figure 2.33 Highest education level reached
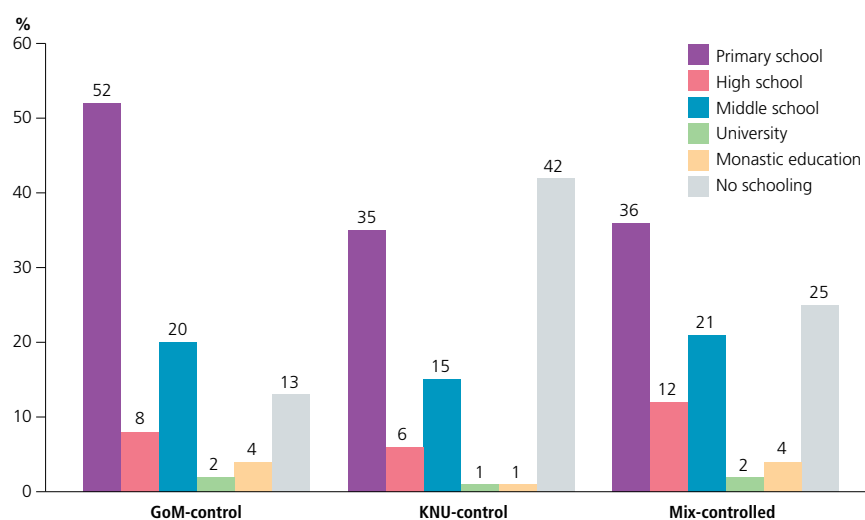
BOX 2.3 Examples of mixed villages

Village 1 is in GoM Hlaingbwe Township, and in KNU Hpa-an District. It has a population of 1,700, only a GoM village leader and has been under GoM control since around 1980, when the village leader says the "whole village was burned down by the Tatmadaw and a lot of people died". There is a Tatmadaw base three miles away and a BGF base 3.5 miles away. Thirty-eight per cent of respondents said they saw BGF soldiers frequently or sometimes. According to the village leader, "Mostly, the BGF takes responsibilities for security and coordination and GoM takes responsibilities for administration". However, the KNU also has a notable presence: 51 per cent of respondents in the village received health or education from the KNU (76 per cent from GoM). The local BGFs also support school buildings and other infrastructure. Sixty-seven per cent pay agricultural property or foraging tax to the KNU (77 per cent and ten per cent to the GoM and BGFs respectively). Thirty-three per cent saw KNLA/KNDO soldiers frequently or sometimes.

Village 2 is in GoM Thandaunggyi Township and KNU Taw Oo District. It has a population of 387, including Karen, Shan, Bamar, Wa and Chin households, who are predominantly Christian. It has one village leader each for the KNU and GoM governance systems. The area is heavily militarised, with a Tatmadaw base on the outskirts of the village that was built in 1980 on 50 acres of confiscated land. A notable majority of respondents said they saw soldiers frequently or sometimes from both the Tatmadaw (82 per cent) and the KNU (75 per cent). Ninety-six per cent and 50 per cent of respondents received health or education from the GoM and KNU, respectively. Thirty-nine per cent and 82 per cent paid agricultural, property or foraging taxes to the GoM and KNU, respectively.

Village 3 is in GoM Myawaddy Township and KNU Kawkareik Township. It was first conquered by the Tatmadaw in 1991, and has changed hands numerous times since, primarily under the influence of the Khlohtoobaw faction of the DKBA, which shifted alliance from the GoM to the KNU in 2011. Its residents are predominantly Buddhist and include around 60 per cent Sgaw Karen, 40 per cent Pwo Karen with a few Bamar residents. There is a DKBA base five minutes' walk away and a Tatmadaw camp three minutes away, but due to an understanding between the DKBA and KNU, the KNU is the sole administrative authority – despite its military camp base being one hour away. The village has a population of 1,020 and only a KNU village head. Sixty-seven per cent of respondents said they received healthcare or education from the KNU, 37.8 per cent from the DKBA (much of this jointly provided) and only 2.7 per cent from the GoM. Agricultural, property and foraging taxes were paid by 16 per cent of respondents to the GoM, by 70 per cent to the DKBA, by 76 per cent to the KNU and by 2.7 per cent to the BGFs (based many miles away). Thirty-two per cent, 100 per cent and 94 per cent of respondents saw soldiers of the Tatmadaw, KNLA/KNDO and DKBA, respectively, sometimes or frequently. This indicates the Tatmadaw soldiers tended to stay in the barracks.

Village 4 is in GoM Kyainseikgyi Township and the KNU Dooplaya District. Its population of 400–500 people is roughly half Mon and half Shan, with a few Bamar households. Until the 2012 ceasefires, neither the KNU nor the GoM had a stable presence in the village – during this period, portering and forced disappearances happened regularly. Today there are two village heads, one each for the KNU and GoM systems, who jointly attend all village meetings and so govern in collaboration. There are no military camps anywhere in the entire village tract, but Tatmadaw, KNU and New Mon State Party soldiers visit from time to time. Twenty-four per cent of the population said they received education or healthcare from the GoM and 19 per cent from the KNU. Fifty per cent paid agricultural, property or foraging taxes to the KNU and ten per cent to the GoM. This is an interesting case study as it shows the KNU providing services to a non-Karen population.

Village 5, in GoM Kawkareik Township and KNU Hpa-an District, is within three miles of Tatmadaw, KNU and KPC bases. It has one village leader each for the KNU and the GoM systems and its population of 675 are all Buddhist Karen. Fifty-six per cent of the respondents received healthcare or education from the GoM and 19.5 per cent from the KNU. Sixty-one per cent of the respondents said they paid agricultural, property or foraging taxes to the GoM, 71 per cent to the KNU, seven per cent to the DKBA, five per cent to a BGF and ten per cent to the KPC.

Village 6 is in GoM Kyaikmaraw Township (Mon State) and KNU Dooplaya District. Its population totals around 500: all are Karen and are a mixture of Buddhists, Christians and Leke. Tatmadaw, BGFs, KNU and DKBA soldiers all operate in the region. The village is spread out and so is administratively divided into two parts, with a village leader for each half: one reporting to the KNU and the other to the GoM. In practice, both village leaders work together on most local issues. The GoM has carried out community development projects, including for village roads, while KNU provides education support. Fifty per cent of the population said they received education or healthcare from the GoM and both authorities took the above types of tax from around 38 per cent of respondents.

Village 7 is in GoM Kyauk Kyi Township, Bago Region, and KNU Kler Lwe Htoo District. It was first founded over 100 years ago, but was burned down by the Tatmadaw in 1997, during an attack in which many of the villagers were reportedly killed. It was re-established in 2013 and now has a population of just 105 (in 22 housholds), who are all Karen animists and Christians. There is a KNU/KNLA/KNDO camp two hours' walk away and all governance is provided by the KNU: there is only a KNU village head. Fifty-three per cent of the respondents said they received education or healthcare from the KNU and 93 per cent paid tax to it. There is a Tatmadaw base three hours away, and 80 per cent of the population said they saw Tatmadaw soldiers frequently or sometimes.

"Governance dynamics vary greatly between the three different types of territory. Respondents from KNU-controlled territories were almost universally pro-KNU. The GoM was also by far the most popular governance actor in areas it controlled, but by much smaller margins. In mix-controlled areas, the KNU was found to be notably more popular than the GoM, despite the GoM providing more widespread services, charging fewer people tax and its soldiers being seen less frequently."

Governance dynamics vary greatly between the three different types of territory (Figures 2.34, 2.35 and 2.36). Respondents from KNU-controlled territories were almost universally pro-KNU, with 92 per cent and 91 per cent stating that they considered the KNU their government and wanted the KNU to govern their area, respectively. Almost all of the few remaining respondents said, "I don't know" to these questions. The large majority said they received healthcare (93 per cent) and education (94 per cent) from the organisation. This demonstrates extremely high coverage in KNU's areas, likely reflecting the highly adaptive healthcare system, which uses 'backpack' and community-embedded health workers, and its support for small primary schools – even in remote villages with small numbers of children. Sixty-six per cent said they supported the KNU's political views the most, while 25 per cent said, "I don't know".

The GoM was also by far the most popular governance actor in areas it controlled, but by much smaller margins – as many respondents said "I don't know" or "none" in response to questions. Healthcare and education were widely provided, though less than in KNU areas, with nine respondents saying no authority provided either of these services. More than half of the respondents did not pay any of the three taxes to the GoM, suggesting GoM tax collection in these rural areas is weak. Overall, respondents in these areas saw soldiers much less than in KNU-controlled or mix-controlled areas.

Figure 2.34 Governance in GoM-controlled areas
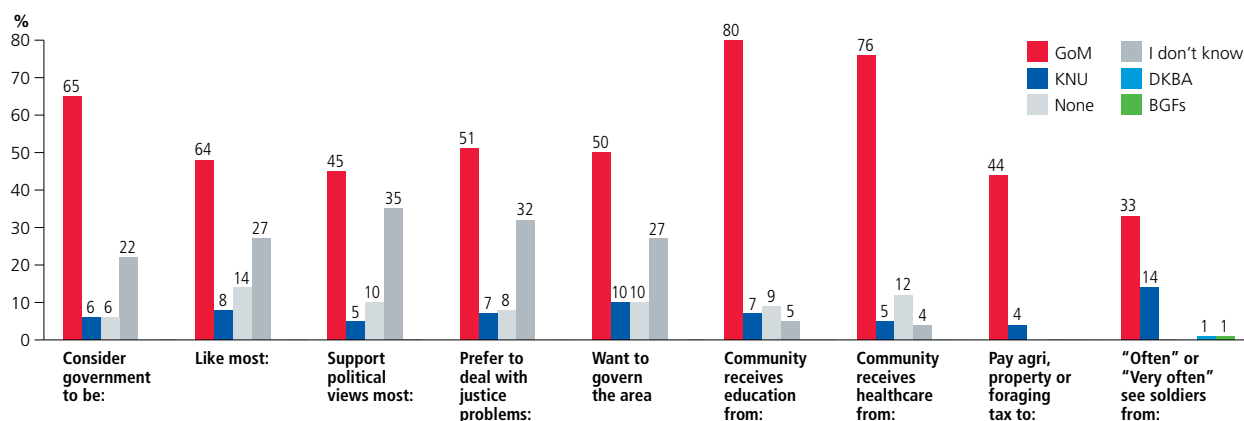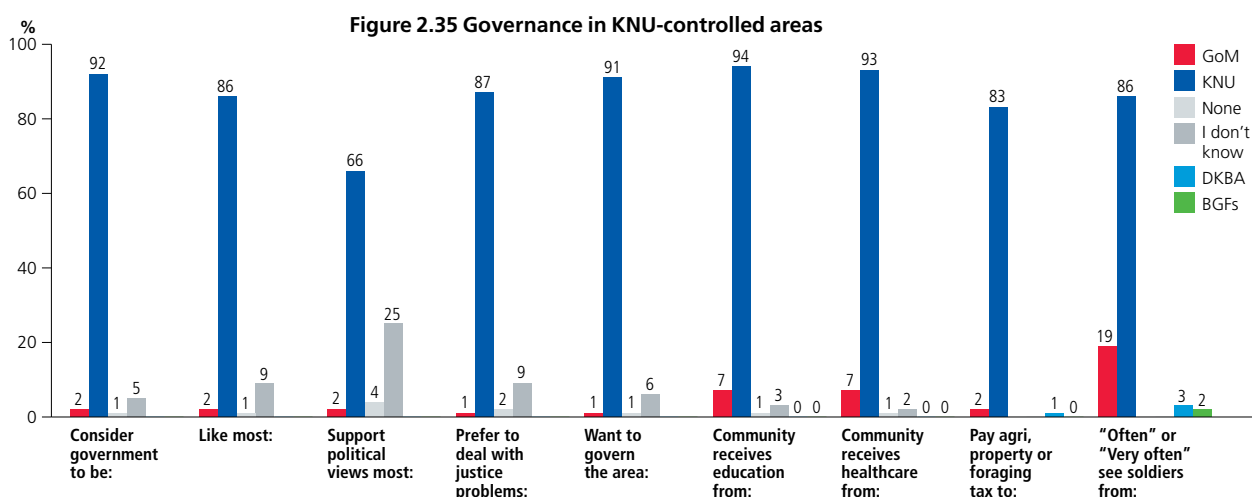
Figure 2.35 Governance in KNU-controlled areas

In mix-controlled areas, the KNU was found to be notably more popular than the GoM, despite the GoM providing more widespread services, charging fewer people tax and its soldiers being seen less frequently. Many of these areas were partially occupied by the Tatmadaw and proxy Karen splinter groups during the 1990s. These results further show that provision of services does not translate directly into political legitimacy or support for the GoM. Thirty-three per cent of respondents said they considered the GoM to be their government and 30 per cent said the KNU. However, the respondents were much more likely to say they wanted the KNU to govern their area (41 per cent) than they were to say the GoM (16 per cent). Similarly, 35 per cent said they liked the KNU most, while only 17 per cent said the same about the GoM and 20 per cent said "none". When it came to whose political views they supported the most, respondents in mixed-control areas were most likely to say "I don't know" (38 per cent), while 26 per cent said KNU and 18 per cent said GoM. Interestingly, on the question of dealing with justice issues, which depends not just on one's preference but also on the capacity of that actor to enforce decisions, 32 per cent said KNU, 21 per cent said GoM and 30 per cent said "I don't know". GoM services reached nearly double those of the KNU, and while this suggests quite strong coverage overall, nine per cent said their communities received no education services from authorities and eight per cent said they received no healthcare. While providing less widespread services, for reasons discussed in section 2.2, the KNU was most prevalent in its tax collection and presence of its military.

**Figure 2.36 Governance in mix-controlled areas**
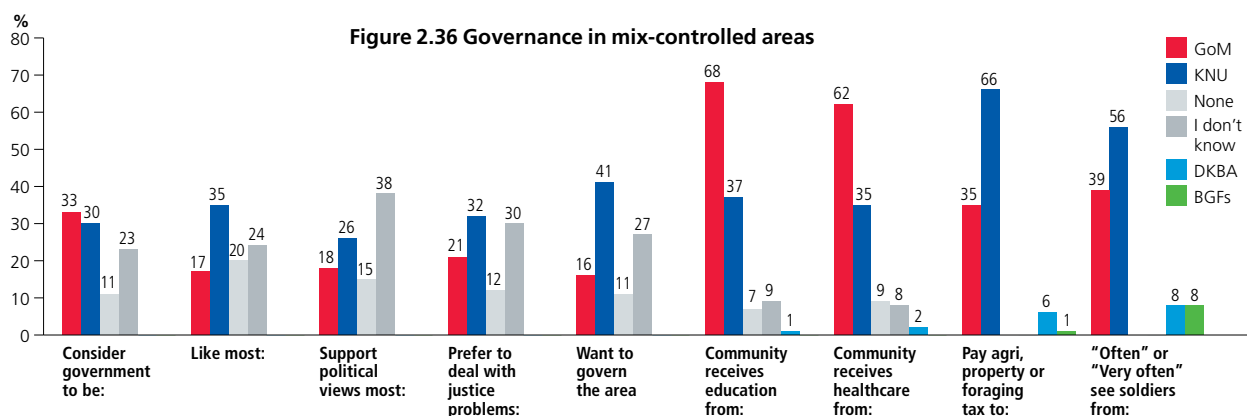
These broad trends were relatively consistent among both men and women across the three types of territory. Figure 2.37 shows the average responses among each sub-group to the seven main questions on governance preferences.[53] Women in all three areas

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53   In these questions, respondents were asked which single authority "… do you like the most?", "… would you prefer to deal with justice problems?", "… has political views do you support most?", "… keeps the community most safe and secure?", "… provides the most social services, development and welfare?", " … has the highest governance capacity?", and "… do you want to govern your area?".

were more likely to respond "I don't know" than their male counterparts, but these differences were most pronounced in mixed areas – where the proportion of men saying "I don't know" was 28 per cent on average and the proportion of women was 37 per cent on average. While women in mix-controlled areas were therefore less likely to say either GoM or KNU than their male counterparts, this difference was largest regarding the KNU. The differences were least pronounced in KNU-controlled areas, where the proportion of men saying "I don't know" was 15 per cent on average, compared to 18 per cent for women.

Figure 2.37 Average responses to seven questions on governance preferences
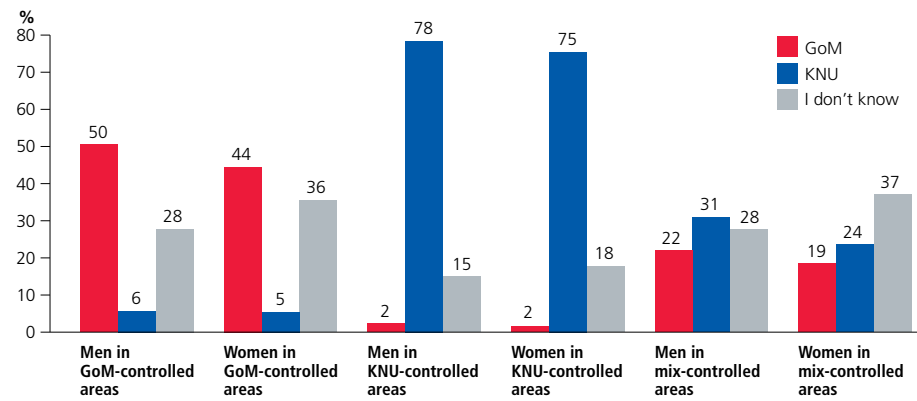
Karen women and children fleeing home with a few belongings during military operations.
© Prachatai, Burma Campaign UK.

3

Security forces and experiences of violence

FOR ORDINARY PEOPLE LIVING IN RURAL SOUTH EAST MYANMAR, seven decades of conflict has meant seven decades of insecurity, amid regular fighting, targeting of civilians and perpetual militarisation. Soldiers are an everyday feature in many people's lives and experiences of violence and abuse by the authorities that are supposed to keep people safe, particularly the Tatmadaw, are all too common.

Heavy militarisation and regular armed violence have been the norm in the survey area since World War II. Then, Karen communities faced brutal violence at the hands of the Japanese forces, while large numbers of men fought alongside the allies. In 1945, the original Tatmadaw was formed, with a Karen commander-in-chief and multiple Karen Rifles units. Though established as a civilian political organisation in 1947, the KNU soon began to exercise leadership over home guard units called Karen National Defence Organisations (KNDOs), which were being established by Karen communities across lower Myanmar in response to the rise of communist insurgencies and increased antagonism between Karen and Bamar nationalists.

> ## BOX 3.1 The Tatmadaw's four cuts strategy
>
> In the 1960s, the Tatmadaw developed the 'four cuts' strategy for clearing out areas controlled by EAOs and communist insurgents. In 2018, the UN Human Rights Council confirmed that the strategy is still in use today.[54] The term 'four cuts' has been interpreted in various ways, but the basic aim is to drive a wedge between armed organisations and their civilian support base. Areas held by armed organisations are designated as 'black' areas, GoM-held territories as 'white' areas and mix-controlled areas as 'brown' areas. Entire populations of black areas are then ordered to abandon their homes and land and move to white or brown areas, often to designated relocation sites. Those who remain, particularly of the same ethnic group as the target armed organisations, are then targeted as combatants in 'clearance operations', often involving the burning of civilian settlements, destruction of food and livelihoods, as well as violent acts of intimidation, including sexual violence. According to the UN Human Rights Council, these methods are 'unwarranted: military necessity would never justify killing indiscriminately, gang-raping women, assaulting children and burning entire villages. The tactics used by the Tatmadaw are consistently and grossly disproportionate to actual security threats in Myanmar.'[55]

When conflict began in 1949, Karen commanders were removed, General Ne Win took over, and large portions of the Karen Rifles soon defected to the KNU. From thereon, the Tatmadaw grew rapidly in size, taking mostly Bamar recruits, and developing an

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[54] United Nations Human Rights Council (2018), p 15.
[55] Ibid.

increasingly Bamar-Buddhist character. Much of the rural south east and large parts of today's Bago and Ayeryawady Regions came under firm control of the KNU, while the KNDOs and the defectors were moulded into a standing army called the Karen National Liberation Army. A unified KNDO was later revived as an auxiliary home guard force under centralised KNU command. During the 1950s, the GoM established strong control of the towns and key roads, but rural areas came under firm KNU control. Every able Karen family in these areas provided a male recruit, and the organisation became the centrally-recognised authority.

From the 1960s onwards, the Tatmadaw developed its 'four cuts' strategy, which targeted populations considered to be supporting insurgents, forcibly removing them from rebel territories into relocation sites. Those who would not move, including women and children, would be targeted as combatants in what became known as 'clearance operations' (see box 3.1). During the 1960s and 1970s, the majority of Tatmadaw campaigns against the KNU focused on its positions in Ayeryawady Delta and Bago Yoma regions and just the fringes of territories in the country's south east.

In 1984, the Tatmadaw began four cuts offensives on and near the Thailand–Myanmar border, removing the KNU from some of its most strategically important posts. It began establishing relocation sites on the outskirts of towns or along roads it controlled and, over the coming decades, moved hundreds of thousands of people out of KNU areas, placing them under strict movement restrictions. At the same time, tens of thousands of people fled to Thailand and established the refugee camps that remain to this day. Landmines and patrol squadrons, ordered to shoot anyone on sight, were used to keep areas unstable so that the KNU could be routed out.

The Tatmadaw's area of operations expanded dramatically in 1995, when a large faction of Buddhists within KNU broke away and formed the original DKBA. They aligned with the Tatmadaw and helped the GoM to push the KNU out from much of Mon State, Tanintharyi and central Kayin State, while displacing hundreds of thousands more civilians. Communities living in remaining strongholds in northern Kayin State and eastern Bago were subjected to regular clearance operations and targeted violence. In areas under closer Tatmadaw and DKBA control, forced labour, portering (the carrying of military equipment for military operations), land confiscation and other forms of exploitation for military purposes, public sector objectives or profit became widespread.

The 2012 ceasefires, and the rotation of Tatmadaw troops to conflict zones in other parts of the country, greatly reduced the levels of violence and abuse experienced by Karen communities, while leading to increases elsewhere. However, deep insecurity persists as the deals have failed to greatly reduce the overall levels of militarisation, delineate territories or properly establish a code of conduct for military actors.

A KNLA soldier watches youth play football.
© Saferworld

Civilians and soldiers of the Karen National Liberation Army.
© Karen Peace Support Network

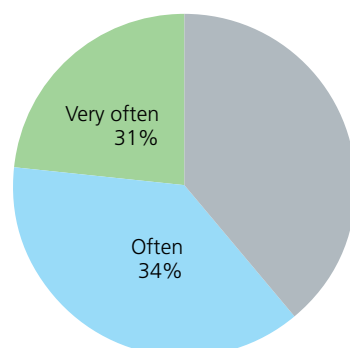## 3.1 **Exposure to security forces**

Key findings

- ◻ Karen ceasefire areas remain militarised despite the ceasefires, with the majority of respondents saying they see soldiers often or very often.
- ◻ Respondents were most likely to see soldiers from the KNU, followed by those of the Tatmadaw.
- ◻ The majority of respondents described their interactions with soldiers as friendly or civil and cordial, especially for the KNU.
- ◻ Respondents were more likely to have distrustful or hostile interactions with the Tatmadaw than with soldiers from any other authority, particularly among those who see the Tatmadaw very often.

"The Karen ceasefire areas remain heavily militarised, despite more than six years of relative stability."

The Karen ceasefire areas remain heavily militarised, despite more than six years of relative stability. Thirty-one per cent of respondents said, in the period since 2012, they saw soldiers from at least one authority very often, while 34 per cent said they saw them often. There were 18 surveyed villages in which the majority of respondents saw soldiers from at least two authorities very often or often.

Men saw soldiers slightly more regularly than women, while under-45s had greater exposure than over-45s (Figure 3.2). This is likely due to men and younger people taking on greater responsibilities that involve travelling to other areas or along routes where soldiers are present.

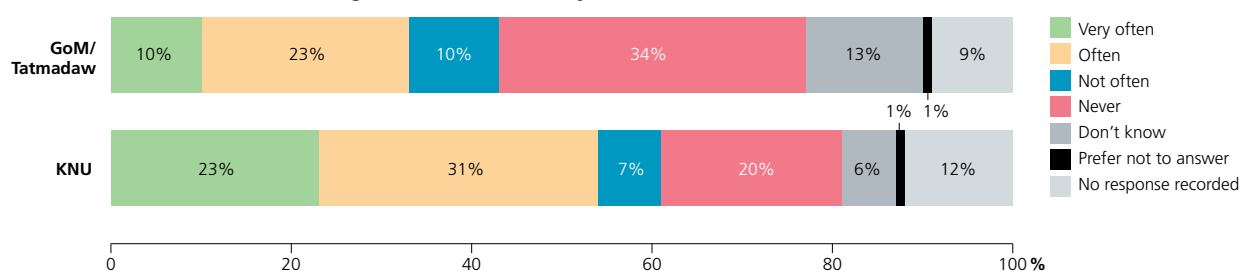**Figure 3.1 How often do you see solders (since 2012) ceasefires?**

Figure 3.2 People who reported seeing soldiers very often or often since 2012
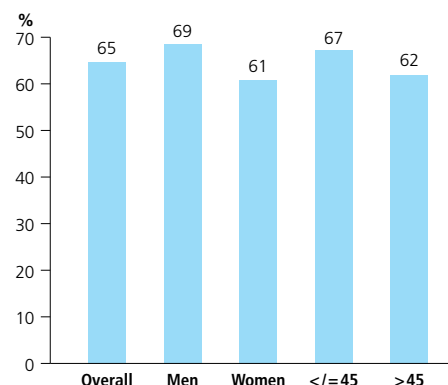
Respondents were mostly likely to see KNU soldiers,[56] with more than 50 per cent seeing them often or very often (Figure 3.3). Thirty-three per cent saw GoM (i.e., Tatmadaw) troops often or very often and ten per cent saw them not often. Military actors are a resolute feature of everyday life in the ceasefire areas.

....

56 This could include troops from either of the KNU's main armed wings, the KNLA or its home guard force, the KNDO.

Figure 3.3 How often do you see soldiers (since 2012 ceasefires)?

Figure 3.4 How would you describe your interactions with soldiers of each authority? (% of recorded answers)

Nonetheless, these interactions are not always viewed as problematic *per se*. When asked how they would describe their interactions with soldiers of the Tatmadaw, KNU, DKBA and BGFs, large proportions of respondents for all groups said that these interactions were friendly or civil and cordial. This was particularly notable in the case of the KNU, as 39 per cent of respondents who answered said that their interactions with KNU soldiers were friendly and 24 per cent said they were civil and cordial (Figure 3.4). Only 1.1 per cent said they were distrustful and 0.1 per cent (one individual) said the interactions were hostile.
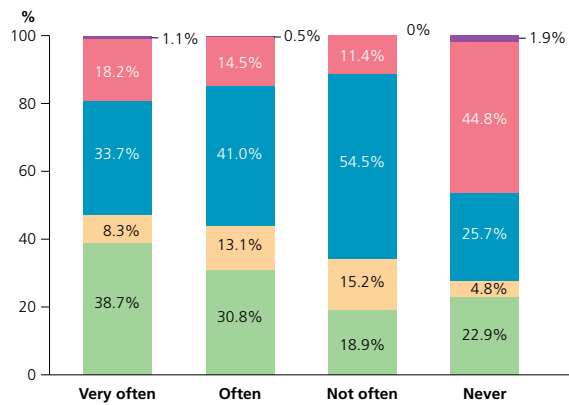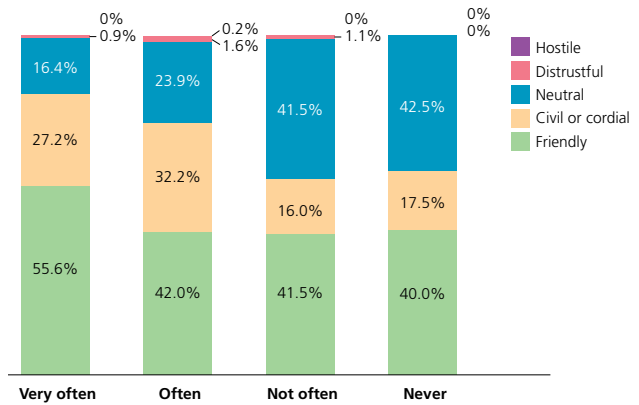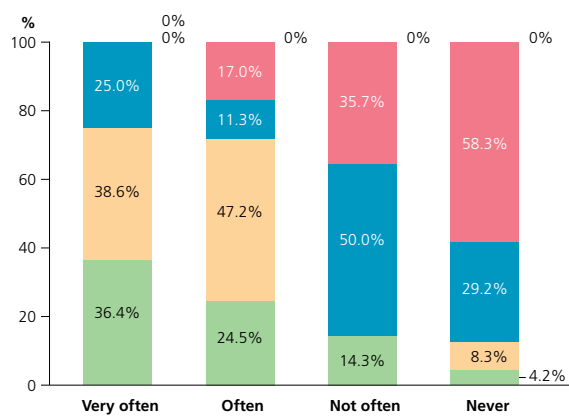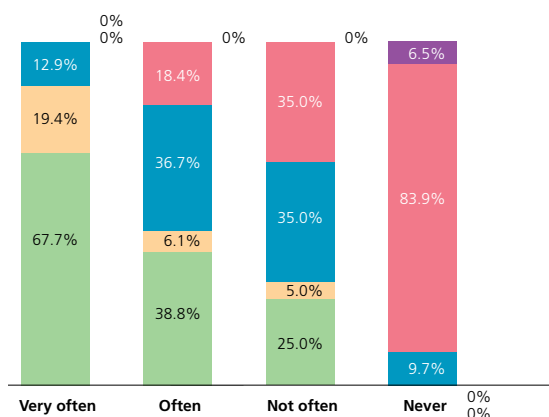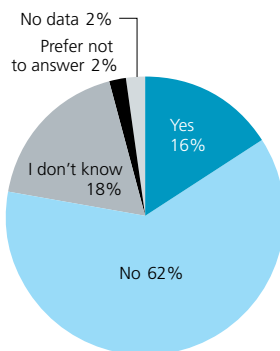
While the majority said the same about the Tatmadaw, too, respondents were more likely to describe their interactions with the Tatmadaw as distrustful or hostile than they were with soldiers from any other authority.

Remarkably, however, increased exposure to these groups was correlated with more favourable descriptions of those interactions (Figure 3.5). Among those who frequently saw soldiers of the DKBA (n=44) or BGFs (n=33), none described their interactions as hostile or distrustful and more than 75 per cent described them as friendly or civil and cordial. Frequency and quality of interactions were also positively correlated for the Tatmadaw, but trust appears low overall: even among those who saw them frequently (n=234), more than 18 per cent described the interactions as distrustful and more than a third were neutral. People who saw KNU soldiers frequently were almost twice as likely (83 per cent) to describe their interactions with them as friendly or civil and cordial compared to those who saw the Tatmadaw frequently and said the same (47 per cent).

The negative responses among those who reported seeing armed actors never or rarely were likely in some cases due to negative attitudes in general about that actor – for example, Karen people in remote KNU strongholds tend to be particularly distrusting of the Tatmadaw, as well as the DKBA and BGFs, which may be seen as traitors to the Karen people or as a distant threat. In other cases, these people likely had negative experiences with soldiers of these groups during wartime, but have seen them rarely or never since the ceasefire.

Figure 3.5a Quality of interaction vs frequency of exposure with Tatmadaw soldiers

	Very often	Often	Not often	Never
Hostile	1.1%	0.5%	0%	1.9%
Distrustful	18.2%	14.5%	11.4%	44.8%
Neutral	33.7%	41.0%	54.5%	25.7%
Civil or cordial	8.3%	13.1%	15.2%	4.8%
Friendly	38.7%	30.8%	18.9%	22.9%

Figure 3.5b Quality of interaction vs frequency of exposure with KNLA soldiers

	Very often	Often	Not often	Never
Hostile	0%	0.2%	0%	0%
Distrustful	0.9%	1.6%	1.1%	0%
Neutral	16.4%	23.9%	41.5%	42.5%
Civil or cordial	27.2%	32.2%	16.0%	17.5%
Friendly	55.6%	42.0%	41.5%	40.0%

Figure 3.5c Quality of interaction vs frequency of exposure with DKBA soldiers

	Very often	Often	Not often	Never
Hostile	0%	0%	0%	0%
Distrustful	0%	17.0%	35.7%	58.3%
Neutral	25.0%	11.3%	50.0%	29.2%
Civil or cordial	38.6%	47.2%	14.3%	8.3%
Friendly	36.4%	24.5%		4.2%

Figure 3.5d Quality of interaction vs frequency of exposure with BGF soldiers

	Very often	Often	Not often	Never
Hostile	0%	0%	0%	6.5%
Distrustful	0%	18.4%	35.0%	83.9%
Neutral	12.9%	36.7%	35.0%	9.7%
Civil or cordial	19.4%	6.1%	5.0%	0%
Friendly	67.7%	38.8%	25.0%	0%

Legend: Hostile, Distrustful, Neutral, Civil or cordial, Friendly

Figure 3.6 Do you fear engaging with any armed actor due to risk of reprisals by another?

- No data 2%
- Prefer not to answer 2%
- Yes 16%
- I don't know 18%
- No 62%

The pervasive presence of military actors can also lead to civilians being punished by one for their interaction with, or supposed support for, another. Sixteen per cent of the survey respondents said they feared reprisals from authorities for engaging with other authorities (Figure 3.6). These fears are particularly widespread during periods of active armed conflict. Given the general reluctance of respondents to complain about the conduct of authorities, such fears could be more widespread.

A landmine victim sits on the floor of his home. Myanmar is one of the most landmine contaminated countries in the world.
© Saferworld

Civilians forced to carry weapons and supplies for the Tatmadaw in Tanintharyi Region, 1995. Forced portering was the most common form of violence and abuse documented in this survey.

© Karen Human Rights Group

3.2 Violence and abuse perpetrated by authorities

Key findings

- Seventy-one per cent of respondents and 80 per cent of surveyed households had experienced some form of violence or abuse by authorities. In the majority of cases, they had experienced these issues more than once or very regularly.

- Corroboration with existing KPSN, UN and other research indicates that the majority of these acts were committed by the Tatmadaw and its proxy forces, as the forms of violence are heavily associated with the state military's systematic and widespread practices. Other armed actors including the KNU have also committed acts of violence and abuse, but not in a systematic fashion or on a widespread scale.

- Portering, forced labour, fleeing home for safety and shootings were the most common forms of violence and abuse experienced.

- Out of 20 examined forms of violence and abuse, each one was experienced in 46 of the 72 surveyed villages and 15 were experienced in more than 60 villages.

- Men were more likely than women to have experienced almost all types of abuse, but large proportions of women had experienced the majority of abuses. Karen women, however, were more likely to have had to flee home for safety than any other sub-group examined. Existing local research has found concerning levels of sexual violence by authorities, particularly against women; however, this was not included in these questions due to methodological constraints.

- Karen households had experienced every form of violence and abuse in higher numbers than non-Karen households, especially issues commonly associated with Tatmadaw clearance operations.

- Land grabs and restricted access to services were experienced by near equal proportions of Karen households and non-Karen households.

This section displays high rates of violence and abuse experienced by survey respondents at the hands of authorities. Enumerators listed 20 specific forms of violence and abuse and respondents were asked to state if any had been experienced by them personally, by someone in their household, or by others in their village, either once, more than once, or very regularly. Respondents had the option to not state an answer for any of the questions. As was the case through the entire survey, respondents were informed they could stop the interview at any time.
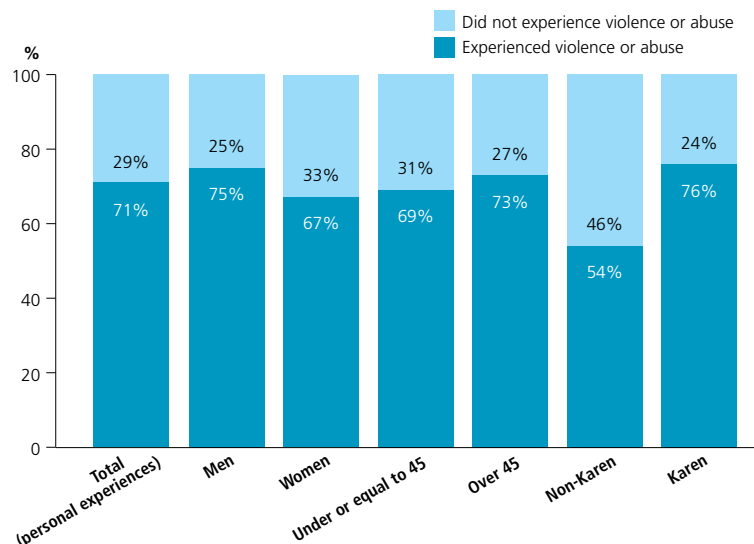
Corroboration with existing KPSN, UN and other research indicates that the majority of these acts were committed by the Tatmadaw and its proxy forces, as most of the forms of violence documented are heavily associated with widespread practices carried out by the state military systematically and under unified command. As noted by the UN Human Rights Council in 2018, 'For three decades, successive special rapporteurs on the situation of human rights in Myanmar concluded that patterns of human rights violations were widespread and systematic, linked to State and military policy'.[57] Other

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[57] UN Human Rights Council (2018), p 5. See also p 17, which notes that 'The consistent tactical formula employed by the Tatmadaw exhibits a degree of coordination only possible when all troops are acting under the effective control of a single unified command'.

armed actors including the KNU have also committed acts of violence and abuse, which are discussed in more detail below, but not in a systematic fashion or on a widespread scale.

These findings provide a general picture of the extent of violence experienced across the whole of society, but may not directly correspond to definitions under international humanitarian law. They reflect respondents' own perceptions and categorisations of their experiences. Additionally, some respondents may have spent time as combatants themselves, and listed experiences of violence from that time here.

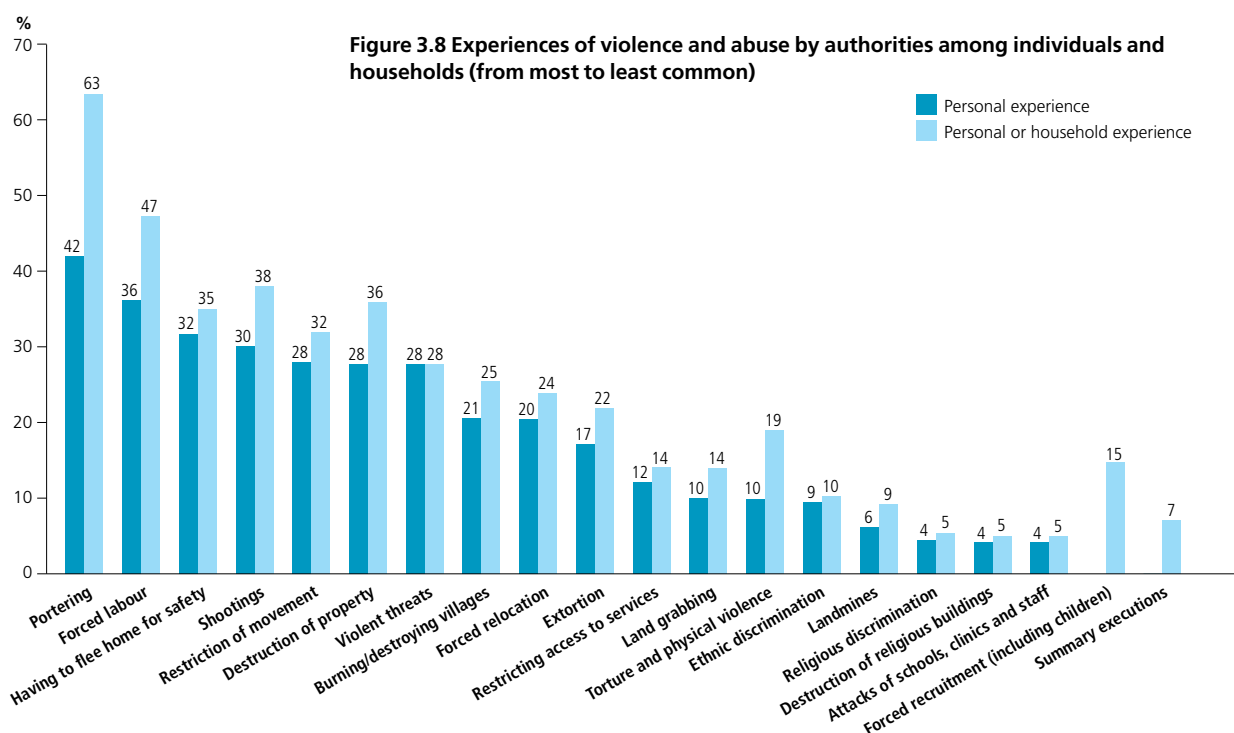**Figure 3.7 Respondents who personally experienced some form of violence or abuse**

Did not experience violence or abuse
Experienced violence or abuse

%						
	29%	25%	33%	31%	27%	24%
	71%	75%	67%	69%	73%	46% / 54%	76%

(Chart: Total (personal experiences) 71%/29%, Men 75%/25%, Women 67%/33%, Under or equal to 45 69%/31%, Over 45 73%/27%, Non-Karen 54%/46%, Karen 76%/24%)

People fleeing after their village was attacked by the Tatmadaw in Dooplaya District in February 1997.
© Karen Human Rights Group

More than 71 per cent of the respondents stated having personally experienced at least one form of violence or abuse by an authority, at least once, at some time in their life. Eighty per cent said someone in their household had had such an experience (Figure 3.7). The full list of forms of violence and abuse is shown in Figure 3.8 and shows that large proportions of these survivors had experienced severe violations of their rights. In 69 per cent of responses,[58] respondents said that they had experienced the abuse more than once or very regularly, as analysed further in section 3.3. These figures are extremely high given the method of random sampling used, even in a context with such a prolonged experience of war. It should also be noted these do not include the hundreds of thousands of refugees currently in Thailand or other countries, among whom such experiences are likely higher.

58 The 2,020 respondents collectively stated 2,382 forms of violence or abuse they had experienced "once" (31 per cent), 2,382 that they had experienced "more than once but not regularly" (46 per cent) and 1,717 that they had experienced "very regularly" (23 per cent).

Figure 3.8 Experiences of violence and abuse by authorities among individuals and households (from most to least common)

Legend:
- Personal experience
- Personal or household experience

Among the 20 forms of violence and abuse listed, the most common experienced by respondents themselves were portering (the carrying of military equipment for military operations), forced labour, having to flee home for safety and shootings (see box 3.2 for descriptions). The proportion of men who stated incidences (75 per cent) was greater than the proportion of women (67 per cent) (Figure 3.7). Karen households were significantly more affected than non-Karen households, at 76 per cent compared with 54 per cent. These differences are all discussed in more detail below.

> "Among the 20 forms of violence and abuse listed, the most common experienced by respondents themselves were portering, forced labour, having to flee home for safety and shootings. Karen households were significantly more affected than non-Karen households, at 76 per cent compared with 54 per cent."

BOX 3.2 Description of key forms of violence and abuse

To gain a comprehensive understanding of the forms of violence and abuse discussed here, readers should refer to the ample documentation by the KHRG among other key sources over recent decades.[59] Importantly, most of the forms of violence and abuse listed here have been consistently found to be committed by the Tatmadaw on a systematic and widespread scale, sometimes alongside local proxy militia (such as BGFs and formerly the DKBA). The KNU has also been implicated in certain forms of abuse but these have not been systematic and have not included campaigns of targeted or regular violence. Short descriptions of some of the most important issues are provided here:

'Portering', the systematic use of civilians by the Tatmadaw and its proxy forces to carry military equipment, to serve as guides or to provide human shields to deter ambushes from EAOs, has been well-documented over the decades.[60] Such practices made international headlines in 2011 for a GoM programme of using prisoners as military porters.[61] Yet, far more regularly, local civilians are used for these purposes, sometimes for weeks at a time, often involving significant violence and intimidation and causing severe health problems or even deaths. The KNU has also utilised civilians as porters, sometimes making it a compulsory duty during conflict periods. While this presents risks to personal safety it has not been associated with severe violence and intimidation. Therefore, although the nature of portering used by the Tatmadaw and its proxies is different from that of the KNU, according to an enumerator team leader, the reason this issue is so common is because "all sides do it".

59 For a detailed look at local experiences and responses to abuse, see KHRG (2007), KHRG (2008), KHRG (2009), KHRG (2014), KHRG (2017), among the many other reports and raw testimony provided on the KHRG website. For a legal analysis of Tatmadaw counter-insurgency in the late-2000s, see IHLC (2014). See also Amnesty International (2008) and Amnesty International (2018), as well as a collation of UN human rights documentation in 'Documents on Myanmar' collated by the UN Office of the High Commissioner for Human Rights.
60 As noted in a 2016 UN High Commissioner for Human Rights report, "There are also ongoing reports of the use by both the military and ethnic armed groups of civilians as porters, sentries, guides and human shields" (UNHCHR 2016, A/HRC/31/71 para. 52).
61 IRIN 2011.

'Forced labour' can also take on many forms in this context. Under military rule, it was routine for the GoM to conscript forced labour for public, military or commercial purposes, and these practices continue to some extent today. EAOs also take civilians for labour duty on a regular basis in some areas, as do some religious actors or other people of influence. The community spirit and sense of collective responsibility that exists in rural Myanmar is regularly exploited.

Forced displacement is covered here under a number of forms of violence and abuse. 'Fleeing home for safety' suggests a choice was made, but in response to an imminent threat. The categories 'forced relocation' and 'burning or destruction of villages' refer to systematic Tatmadaw practices whereby populations in places labelled as 'black areas' are targeted and either ordered to relocate to specific sites under GoM-control, or simply have their villages burned down to force them to flee, often deeper into EAO territories or across international borders, as part of four cuts campaigns (see box 3.1). But forced relocation also includes people being moved for development purposes or for another reason on orders of authorities.

'Shootings' and 'destruction of property' both take place in a range of contexts, but are primarily enacted by the Tatmadaw, as part of 'four cuts' operations. The full description of destruction of property in the survey questionnaire included 'food, tools and livestock', all of which are regularly rendered unusable during clearance operations as a means to clear out communities or destabilise the local food supply. Clarifications with enumerator teams confirmed that interviewees understood a personal experience of a shooting to refer to the person being present when shots were fired at them, at others with them or generally in their direction while fleeing their village or area. Most of these were said to have taken place during Tatmadaw attacks on villages or clearance patrols in forested areas where people were foraging or hiding. The Tatmadaw sometimes designates certain areas as 'shoot on sight' zones, where all remaining persons can be considered military targets. A number of documented cases, however, may have involved shootings when respondents had served as soldiers.

'Summary executions' have also been carried out by all sides, particularly when someone is suspected of being an informant, or sometimes as a means to strike fear into local communities and establish order. KHRG has reported that: "During the conflict the vast majority of indiscriminate and extrajudicial killings were perpetrated by the Tatmadaw, with some incidences by the DKBA [the so-called Buddhist faction] and BGF, with the intent to oppress Karen civilians, to punish supporters of the KNU and to create widespread fear".[62]

'Landmines and improvised explosive devices (IEDs)' have been used regularly by armed actors on all sides of the conflict and, in some cases, by communities themselves.[63] The Tatmadaw uses landmines, manufactured in-country or imported from abroad, which can remain active for decades. They have regularly been used to restrict civilians from returning to cleared villages or farms or to stop them fleeing to certain areas. EAOs extensively use IEDs to defend military facilities or restrict Tatmadaw movements. The KNU has an official policy to ensure local civilians are always informed of the locations of mines, but more research is needed to determine how systematically this practice is enforced. Clarifications with enumerator teams confirmed that respondents understood a personal experience of landmines or IEDS to involve detonation while they were present. Many respondents had been left with injuries, and in numerous cases had seen companions maimed or killed during these incidences.

Day Law Pya village in Hpa-An District was burned down by the DKBA in 2002.
© Karen Human Rights Group

62 KHRG 2017, p 84.
63 A survey published by Danish Church Aid (Cathcart et al. 2016) found that 22.5 per cent of respondents across south east Myanmar found that "landmines keep the community safe" and that five per cent said they placed landmines around their settlement to "protect village/ward assets", pp 38–39. See also KHRG (2018), pp 49–52.

Youth leaving school for the day in Ei Htu Hta displaced persons camp. While humanitarian funding for these camps in the south east are drying up, people do not feel secure enough to return. In many cases, people have nowhere to return to as their land has been taken, and they have little faith that the peace process will lead to sustainable peace.
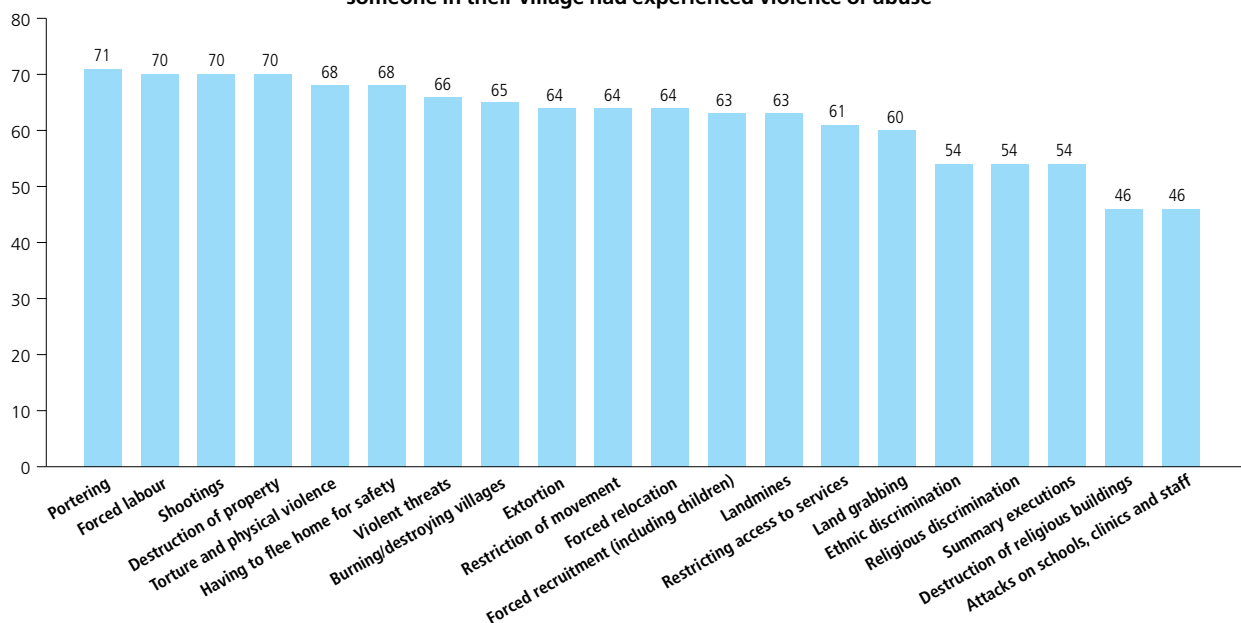© Karen Peace Support Network

"The 20 types of violence and abuse were spread out widely across the 72 surveyed villages. Experiences of portering were reported in all but one village, while forced labour, shootings and destruction of property were experienced in all but two."

The 20 types of violence and abuse were spread out widely across the 72 surveyed villages (see Figure 3.9). Experiences of portering were reported in all but one village, while forced labour, shootings and destruction of property were experienced in all but two. Every abuse was experienced in at least 46 villages (64 per cent), and 15 were experienced in more than 60 villages (83 per cent). There were some notable differences between KNU and GoM-controlled areas, however, as discussed in section 3.3.

In all 20 forms of violence and abuse, except land grabbing, personal experiences were stated more frequently by men than by women (Figure 3.10), but only by narrow margins in most cases.[64]

Figure 3.9 Number of villages where respondents stated that they, their household or someone in their village had experienced violence or abuse

Category	Value
Portering	71
Forced labour	70
Shootings	70
Destruction of property	70
Torture and physical violence	68
Having to flee home for safety	68
Violent threats	66
Burning/destroying villages	65
Extortion	64
Restriction of movement	64
Forced relocation	64
Forced recruitment (including children)	63
Landmines	63
Restricting access to services	61
Land grabbing	60
Ethnic discrimination	54
Religious discrimination	54
Summary executions	54
Destruction of religious buildings	46
Attacks on schools, clinics and staff	46

Figure 3.10 Prevalence of experiences of violence or abuse among men and women (in order of differential)
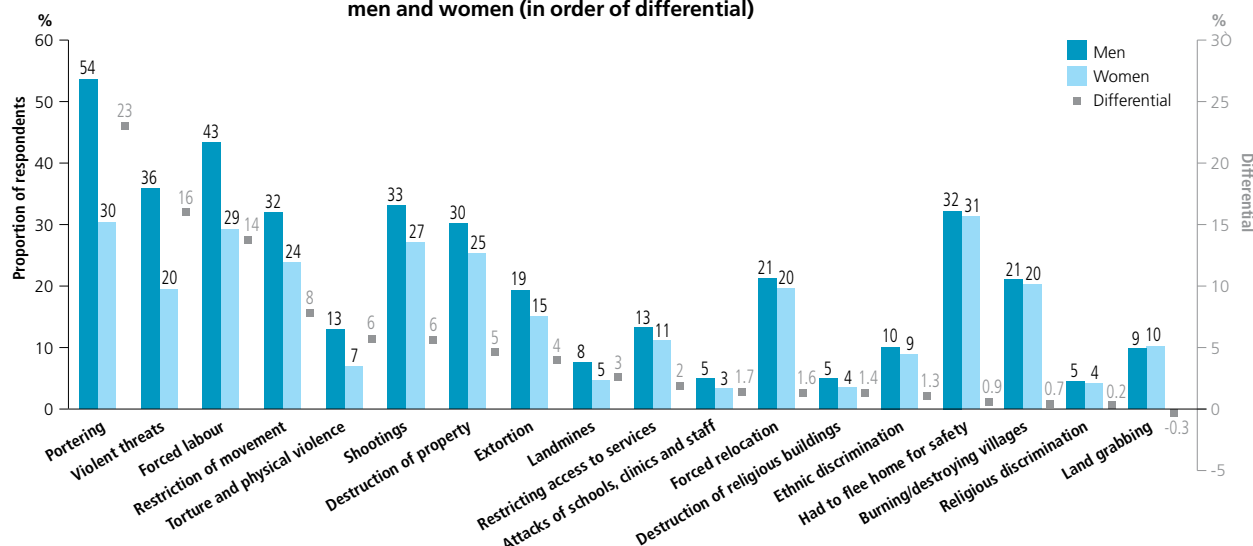
BOX 3.3 Gender-based violence against women

Gender-based violence against women in the context of armed conflict in Myanmar has been well-documented by the UN, and by local and international human rights organisations for decades.[65] Abuses committed by the Tatmadaw have been most prominent, often in the context of four cuts operations or as a result of high levels of militarisation and impunity for offending soldiers, though other armed actors have also been implicated.[66]

KPSN member organisations have documented such violence regularly in Karen conflict areas, particularly prior to the 2012 ceasefire, but also since. In 2004, the KWO reported that: "rapes [by the Tatmadaw] occur as part of a strategy designed to terrorise and subjugate the Karen people, to completely destroy their culture and communities".[67] Analysing reports of 16 incidences of GBV committed between the January 2012 ceasefire and March 2016, the KHRG found that despite signs of decreased prevalence, "women remain vulnerable to GBV committed by a range of powerful actors, including soldiers [from the Tatmadaw, BGFs, DKBA and KNU] … as well as village tract leaders, officials from the [GoM] and ordinary community members".[68]

For a number of reasons, however, it should not be concluded that men have suffered violence by authorities more than women overall. First, this data does not include specific cases of sexual violence or other forms of GBV, which existing research by KPSN member organisations and others has found to be prevalent in Karen and other conflict-affected areas of Myanmar and to women more than men (see box 3.3). Respondents were not given specific examples of GBV in this list of abuses, due to the heightened risks of social desirability bias, fear of reprisal, stigma and potential re-traumatisation associated with such forms of abuse and their disclosure.[69] These factors also mean that survivors may have been less likely to report other forms of violence and abuse where they had concurred with GBV, as is common in Karen conflict areas.[70]

65　Key recent contributions include Women's League of Burma (2016); KWO (2004); KWO (2007); KHRG (2006); KHRG (2016); SWAN (2002); Gender Equality Network (2015); UN Population Fund (UNFPA) (2017); Amnesty International (2018), pp 88–95; Human Rights Watch (HRW) (2017); UN Flash Report (2017); Redress & Institute for International Criminal Investigations (2018); and International Rescue Committee (2016). See also 'Documents on Myanmar' collated by the UN Office of the High Commissioner for Human Rights.

66　Redress & Institute for International Criminal Investigations (2018), pp 3–4, p 9.

67　KWO (2004), p 6.

68　KHRG (2016), pp 74–75.

69　These factors are all discussed in the context of collecting such data in Myanmar in Redress & Institute for International Criminal Investigations (2018), pp 31–32. As noted by KHRG (2006), p 48, "Traditional notions of propriety lead many rape victims to remain silent about the abuse".

70　The KWO has found that: "the rape of women is often committed in conjunction with other human rights violations such as beating, mutilation, torture, murder, forced labour, denial of rights to food, water and shelter, and denial of the right to legal redress". See KWO (2004), p 6. In other contexts, Saferworld has found a high correlation of sexual abuse and forced recruitment.

Internally displaced youth congregate at the welcome sign to Ei Tu Hta dispaced persons camp.
© Saferworld

> "The most common forms of abuse stated by women were, in order of prevalence, having to flee home for safety (31 per cent), portering (30 per cent), forced labour (29 per cent) and shootings (27 per cent). The most common forms of abuse stated by men were portering (54 per cent), forced labour (43 per cent), violent threats (36 per cent) and shootings (33 per cent)."

Some forms of violence and abuse are experienced more often by men than by women. This is likely because men are more likely to have been combatants or targeted on such suspicions or are more likely to be selected for duties involving hard labour. Regardless, most of these forms of abuse were also stated by large numbers of women.

The most common forms of abuse stated by women were, in order of prevalence, having to flee home for safety (31 per cent), portering (30 per cent), forced labour (29per cent) and shootings (27 per cent). The most common forms of abuse stated by men were portering (54 per cent), forced labour (43 per cent), violent threats (36 per cent) and shootings (33 per cent). Land grabbing was reported by a slightly higher proportion of women (10.2 per cent) than men (9.8 per cent), and is also experienced differently by each gender, as discussed in section 3.3. The issues displaying the largest differences between genders were portering, violent threats, forced labour and restricted movement (see Figure 3.10).

Karen households were found to have experienced every form of violence and in higher numbers than non-Karen households (Figure 3.11). Karen households were far more likely to have experienced issues commonly associated with Tatmadaw clearance operations, such as having to flee home, property (including livestock and food) being destroyed, violent threats, burning or destroying of villages, and forced relocation.

Figure 3.11 Prevalence of experiences of violence among Karen and non-Karen households (in order of differential)
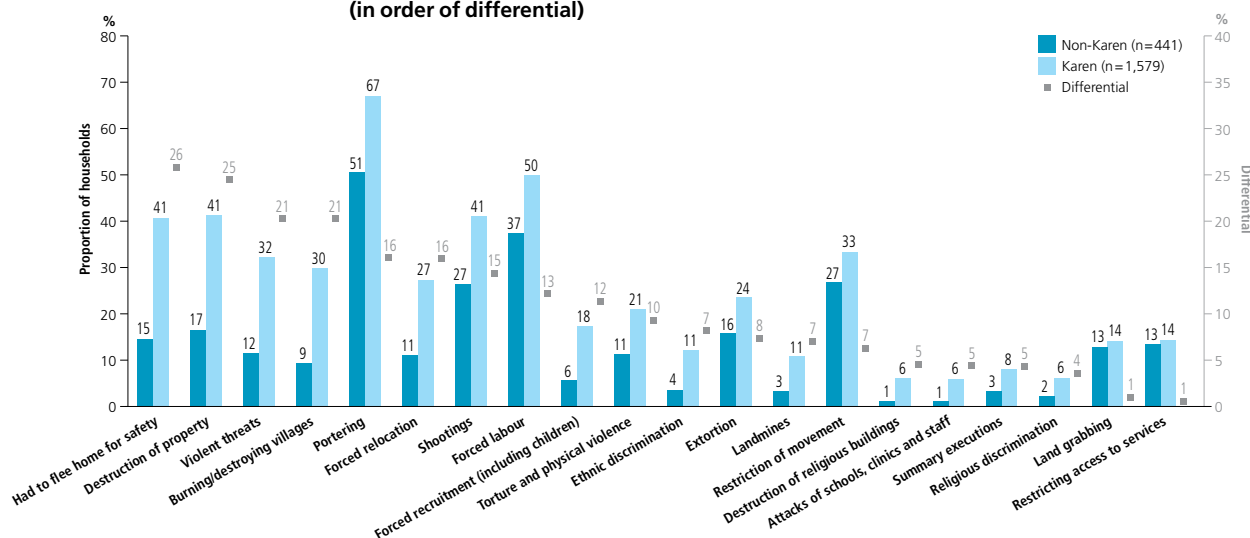
This is likely because Karen people are more likely to be suspected of supporting the KNU and so are targeted during four cuts campaigns. Karen were also were significantly more likely to have been used as porters, but this was still experienced by more than 50 per cent of non-Karen households. Karen households were more than three times as likely to have experienced forced recruitment, almost certainly predominantly by Karen EAOs, including the KNU. Land grabs and restricted access to services were experienced by only slightly higher proportions of Karen households than non-Karen households.

Examining gendered and ethnic differences together finds that Karen men experienced almost all forms of violence and abuse more than any other sub-group (Figure 3.12). The majority of Karen male respondents (57 per cent) had been forced to porter for an authority at some time in their life. However, Karen women were slightly more likely to have had to flee home than Karen men, while other issues linked with forced displacement – burning of villages and forced relocation – were found to be near equally as common among Karen men and Karen women.

Figure 3.12 Experiences of violence and abuse (by ethnicity and gender)
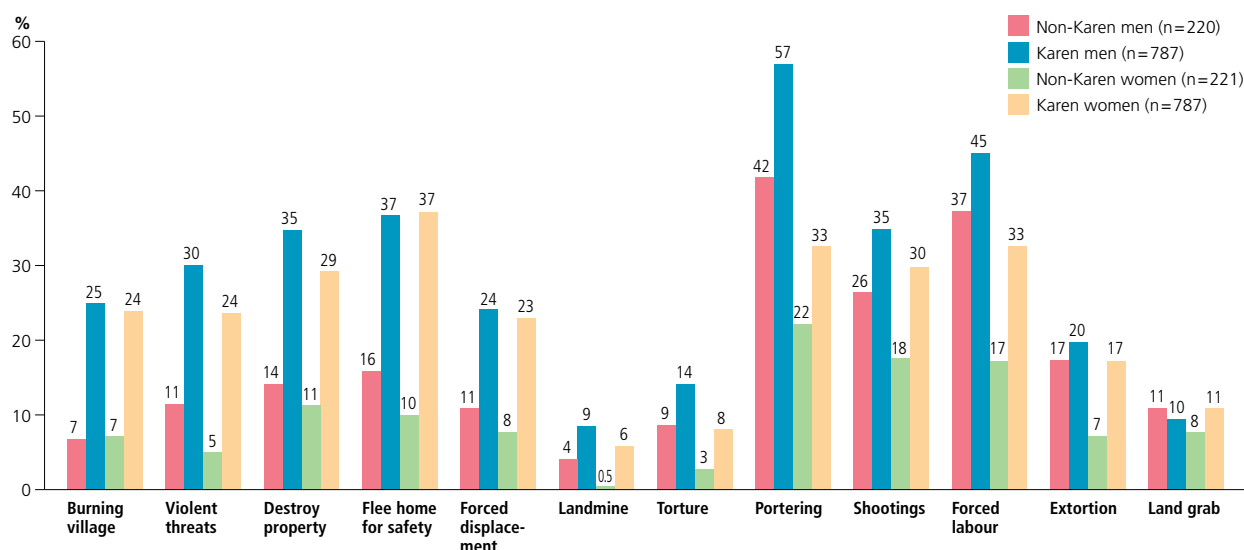
3.3 Before and after the ceasefires

Key findings

- Before 2012, the most common forms of violence and abuse were portering, forced labour, shootings, destruction of property and fleeing home for safety, affecting between 35 and 63 per cent of surveyed households.

- For all of these abuses (and most others) the majority of survivors said they had happened more than once or very regularly.

- Portering and forced labour were extremely regular before 2012, especially in mix-controlled areas. Since 2012, they have continued, with one in 87 households experiencing portering during this period.

- Forty-three per cent of surveyed households in KNU-controlled areas had experienced the burning or destruction of villages by authorities, almost certainly by the Tatmadaw and local proxy forces. This and other abuses associated with Tatmadaw's four cuts operations were most prevalent in KNU-controlled areas.

- Since 2012, one in 47 surveyed households had experienced land grabs, making it the most prevalent form of violence or abuse in this period.

- Forty-two of 43 land grab cases were in GoM-controlled or mix-controlled areas, where the GoM and mainstream business actors have gained increased access since 2012.

Respondents were asked to specify whether their experiences of violence and abuse took place before or after the 2012 KNU ceasefires. Although violence and abuses have continued since the 2012 ceasefires, some types have become less frequent, while others have become more visible. There is evidence from other research that the overall prevalence of violence and abuses has decreased,[71] but the data here was not designed to reflect that. Incidence totals from the two timeframes are not directly comparable, as pre-2012 was the respondent's entire lifetime and post-2012 was just six years. However, comparisons can be made between pre-2012 trends and post-2012 trends. For example, while the most common issues pre-2012 largely mirrored the overall totals shown above, other issues have become more prominent since 2012 – such as land grabbing and forced recruitment (both analysed below).

Before 2012: targeted violence and everyday exploitation

Understanding past experiences of violence and abuse among conflict-affected populations is crucial to building peace. These experiences have likely left survivors with significant trauma and greatly impact their political perspectives, their opinions of authorities and their confidence in ongoing peace negotiations. A review of pre-2012 violence and abuse in south east Myanmar is also informative for understanding ongoing conflicts elsewhere in the country, and the rare incidents of renewed conflict in the south east. If the ceasefires with the KNU and other Karen EAOs break down, many of these issues will likely become commonplace once more.

**Table 3.1 Frequency of violence and abuse experiences (pre-2012)**

	Me			My household			In my village		
	Once	More than once	Very regularly	Once	More than once	Very regularly	Once	More than once	Very regularly
Portering	8%	19%	14%	8%	30%	18%	3%	40%	30%
Forced labour	6%	19%	11%	7%	23%	12%	4%	29%	19%
Had to flee home for safety	12%	13%	7%	12%	14%	7%	11%	18%	10%
Forced relocation	9%	8%	3%	10%	10%	3%	9%	12%	5%
Burning/destroying of villages	11%	8%	2%	12%	10%	2%	14%	14%	5%
Destruction of property, food, tools, livestock	8%	14%	6%	9%	18%	7%	4%	26%	13%
Shootings	6%	17%	6%	9%	19%	7%	8%	34%	10%
Summary executions	N/A	N/A	N/A	3%	2%	1%	6%	9%	2%
Torture or grievous bodily harm	4%	5%	1%	6%	9%	2%	5%	23%	6%
Violent threats	6%	11%	6%	5%	14%	6%	4%	20%	9%
Landmines	2%	2%	1%	3%	4%	2%	8%	15%	4%

Table 3.1 demonstrates the high regularity with which many of these forms of abuse were experienced by respondents, or by others in their households or villages. Portering was the most widespread and most regular form of violence and abuse before 2012, experienced by 63 per cent of surveyed households and 42 per cent of individuals during that period (see Figure 3.13). Fourteen per cent of all respondents had been used for portering very regularly and 19 per cent had been used more than once (see Table 3.1). Thirty per cent of respondents said that people in their village had been used for portering very regularly during this period, and 40 per cent said people in their village had been used more than once. This indicates systematic exploitation of civilians for military purposes. Forced labour showed similar trends. Portering and forced labour were most common in mix-controlled areas, which fits with existing research by KPSN members, including the KHRG. The KHRG documented heavy

71 KHRG (2014) and KHRG (2017).

exploitation of populations in areas that were partially taken by the Tatmadaw and the DKBA during the late-1990s and 2000s, which include most of the areas found to be under mixed control in this study.[72]
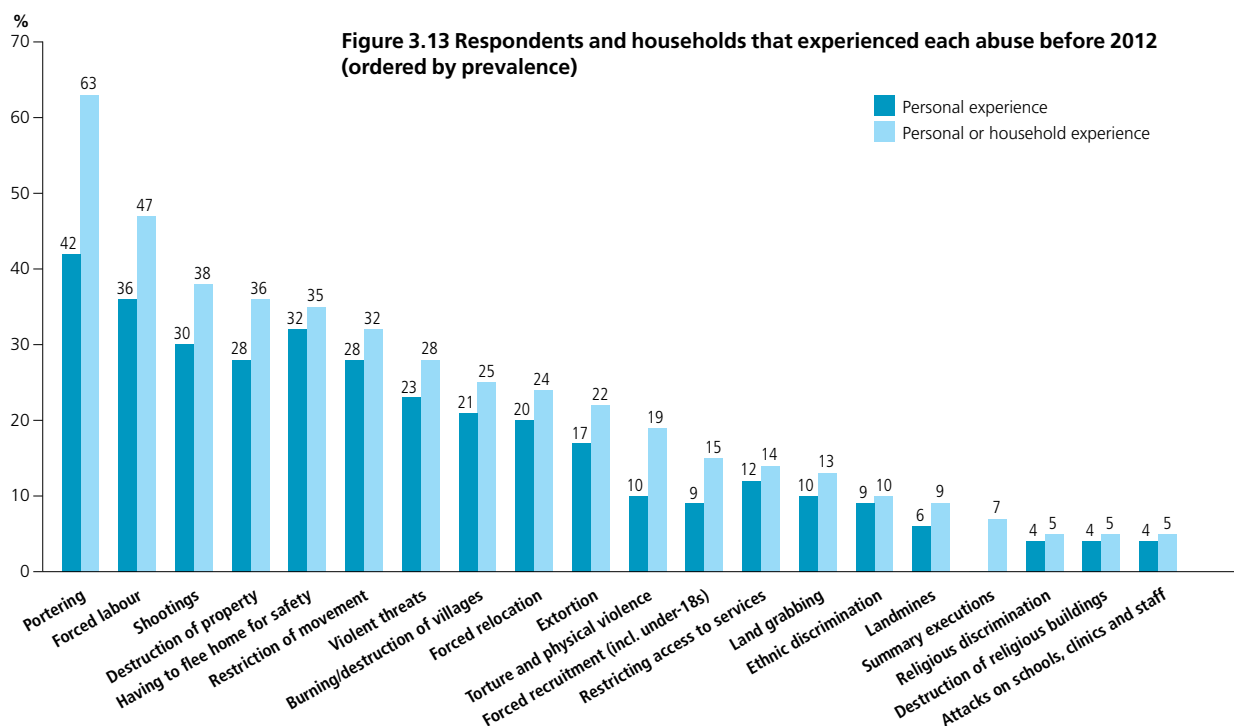

Figure 3.13 Respondents and households that experienced each abuse before 2012 (ordered by prevalence)

> "Experiences of forced displacement, including fleeing home for safety, having one's village burned down or destroyed, or being forcibly relocated, were experienced more than once or very regularly by notable portions of surveyed respondents and households. Eight per cent of respondents had had their village burned down more than once, and eight per cent had been forcibly relocated, demonstrating the pervasive impact of the Tatmadaw's four cuts strategy in the region."

Experiences of forced displacement, including fleeing home for safety, having one's village burned down or destroyed, or being forcibly relocated, were experienced more than once or very regularly by notable portions of surveyed respondents and households (Table 3.1). Eight per cent of respondents had had their village burned down more than once, and eight per cent had been forcibly relocated, demonstrating the pervasive impact of the Tatmadaw's four cuts strategy in the region. Thirteen per cent of all respondents had personally had to flee more than once. Indeed, during conflict, entire communities living in areas designated as 'black areas' by the Tatmadaw would regularly have to flee and hide in the forest or would find a new place to settle only to face new insecurity there. Fourteen per cent of respondents had had their property, food, tools or livestock destroyed more than once; 39 per cent said this had happened in their village more than once or very regularly. As noted above, such attacks on basic essentials are heavily associated with Tatmadaw 'clearance operations'. In contrast with forced labour and portering, these counter-insurgency-related abuses were most prevalent in KNU-controlled areas, where 43 per cent of surveyed households had had their villages burned down or destroyed and 49 per cent had had their property destroyed (Figure 3.14).

Violent acts committed by authorities were also common before 2012 (Table 3.1). Twenty-nine per cent of respondents had personally experienced shootings, including 17 per cent who had experienced them more than once. Thirty-four per cent said shootings had happened in their village more than once and ten per cent said they had happened in their village very regularly. Seven per cent of respondents said that a member of their household had been summarily executed at some time before 2012, amounting to one in 14 households. One in 41 respondents (2.43 per cent) said this had happened more than once and 11 per cent of respondents said that summary executions had happened either more than once or very regularly in their village. Ten per cent of all respondents had been tortured or severely harmed physically, while 23 per cent had been violently threatened. Nine per cent of respondents said that violent threats were very regular in their village.

72 In particular, see KHRG (2007) and KHRG (2006). See also, KHRG (2002); KHRG (1998); KHRG (2008); KHRG (2009); The Border Consortium (2002 to 2014); Amnesty International (2008).

Figure 3.14 Surveyed households in each type of territory that experienced selected abuses
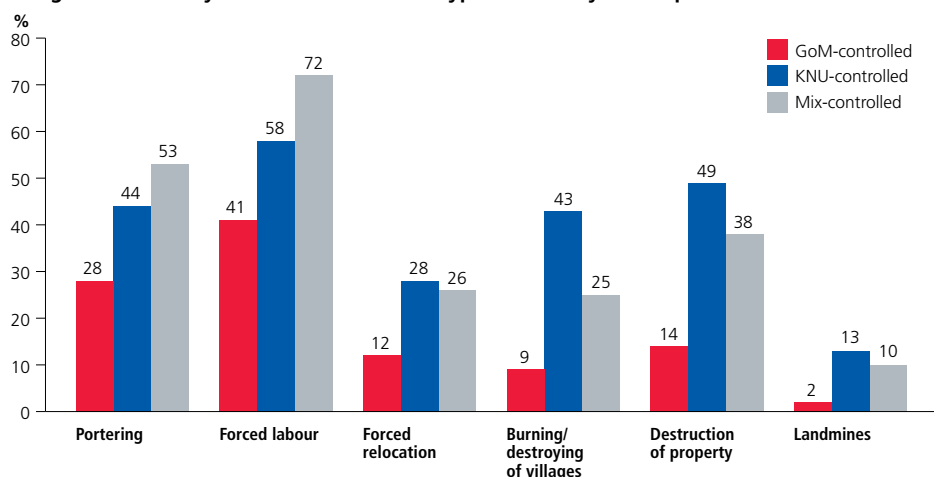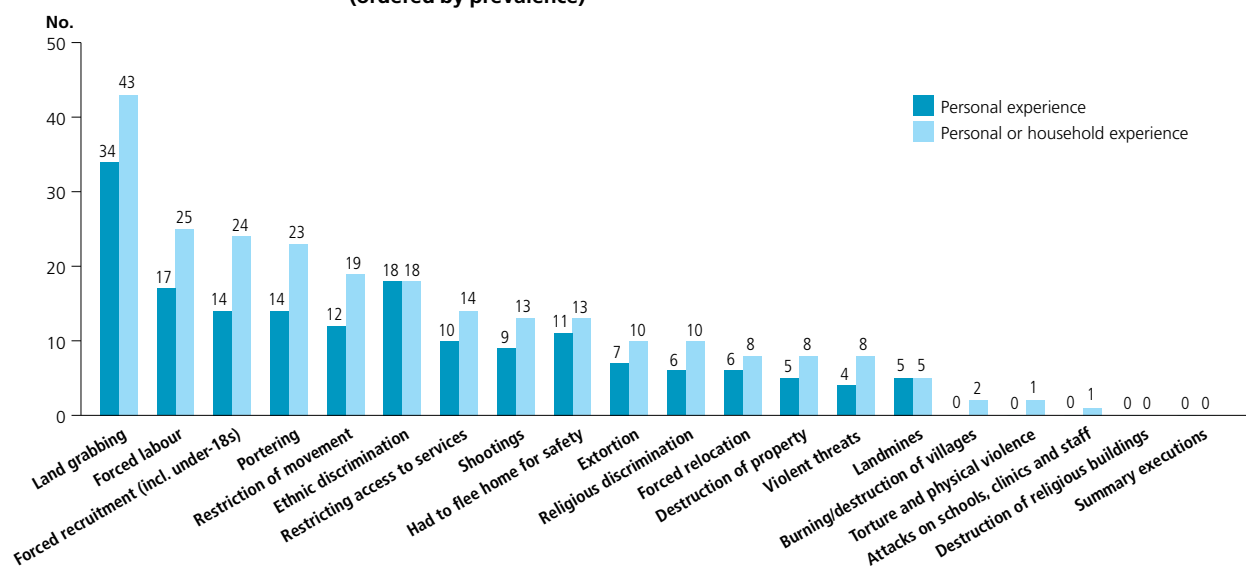

Landmine and IED incidents were most prevalent in KNU-controlled areas (13 per cent) and mix-controlled areas (ten per cent) – where the Tatmadaw, EAOs and communities themselves all actively use such devices – compared with GoM-controlled areas (two per cent) (Figure 3.14). Six per cent of respondents (one in 17) and nine per cent of households (one in 11) directly experienced landmine or IED incidents, while 15 per cent of respondents said that others in their village had experienced such incidents more than once.

Since 2012: Pervasive land grabs and ongoing abuse

Since the 2012 ceasefires, most violence and abuses directly associated with the Tatmadaw counter-insurgency have been greatly reduced, while others have become more prevalent. Broader GoM reforms, and a period of relative stability under the Thein Sein government, greatly reduced the abuses resulting from exploitation and arbitrary mistreatments carried out by the Tatmadaw and its proxy militia forces. Other issues have become more prominent, either because they have actually increased or simply because they make up a larger proportion of experienced abuses (Figure 3.15). The levels of ongoing insecurity demonstrate that the conditions are not yet in place for refugee repatriation to take place voluntarily and in safety and dignity.

Figure 3.15 Number of respondents and households that experienced each abuse since 2012 (ordered by prevalence)

The most striking change is land grabbing becoming the most common form of violence and abuse, having been the 14th most common before 2012 (Figure 3.15).[73] A total of 43 respondents (2.1 per cent) from across 20 villages said they or someone in their household had suffered a land grab since 2012. In other words, one in 47 respondents' households had experienced a land grab in the past six years. Given the limited time-frame in question, this is a significant number of people to have experienced such a devastating blow to their livelihoods due to powerful interests. Land grabs were said to have taken place in 30 of the 72 of the surveyed villages.[74] Other forms of violence and abuse have also continued since 2012, including forced labour (one in 81 households), forced recruitment (one in 84 households) and portering (one in 87 households) (see percentages in Figure 3.14).

BOX 3.4 Contested land governance

Land management and ownership are inextricably linked to conflict. Successive central governments have sought to extend state control over the country's land and natural resources, a strategy that supports the broader goal to defeat EAOs and consolidate a centralised system of governance.

Current GoM land-related legal frameworks, provided in the 2008 Constitution and in laws promulgated from the colonial era through to 2015, make all land the property of the state and subject to centralised management and taxation, while essentially legalising certain forms of land grabs. Laws from 2012, in particular, have aided the dispossession of small holder farmers from their lands and livelihoods, while simultaneously promoting land as an investment opportunity for large companies.

A 2015 study by the Land in Our Hands network found the Tatmadaw was the leading entity responsible for land confiscations, accounting for 47.7 per cent of all land confiscations surveyed, while government departments were involved in 18.8 per cent, and companies in 13.9 per cent. Similarly, this KAP survey found all but 1 out of 43 land grab cases documented were in areas where the GoM had full or partial control.

GoM land-related policies and practices contradict the existing land administration systems developed by the KNU and Karen communities. The revised 2015 KNU Land Policy focuses on community-based decision making, allowing people to own and use land according to their traditional and customary land management systems.

Land confiscation has likely increased in prominence as the relative stability of the ceasefires has created significant opportunities for outside companies to conduct business. As the KHRG explained in a 2018 report, "the bilateral ceasefires of 2012 and the succeeding Nationwide Ceasefire Agreement of 2015 have ushered in a period of intensifying investment. Infrastructure development and natural resource extraction are on the rise in south east Myanmar. This has resulted in an increase in land disputes, as rural populations come face-to-face with local and international companies who intend to make a profit with little regard for the needs and grievances of the local communities,"[75] and that "the development of south east Myanmar has resulted in an upsurge in land confiscations, severely undermining the livelihoods of rural communities."[76] Companies have benefited from increased transport, construction of roads, better access to natural resource deposits and, in some cases, contracts linked to peacebuilding funds. New finance has also become available due to foreign investors entering Myanmar since sanctions were lifted in 2012.

One prominent example of this new web of cooperation is the ongoing construction of a section of 'The Asia Highway', running from Myawaddy on the Thailand border to Hpa-an, the official capital of Kayin State. The road has been hailed as a symbol for peace and cooperation, but has led to at least 17 families being displaced from their land and resulted in heightened tensions, distrust and conflict between multiple armed actors.[77] However, the majority of land grabs are likely associated with less high-profile enterprises, by local businesses with powerful local connections. Gold mining, stone

....

73 This figure displays the results in numbers of actual cases, as the percentages are very small.
74 As experienced by at least one respondent.
75 KHRG (2018), p 2.
76 KHRG (2018), p 6.
77 [KESAN, KHERG, TCDN] (2016). See also Su Myat Mon and T Kean (2018).

quarrying, hydropower infrastructure and monocrop plantations are among the many business interests that have been most associated with land confiscation.

"These findings clearly demonstrate that communities are most vulnerable to land grabs in areas where there is a degree of GoM control, which is crucial for outside companies being able to access the areas, particularly those operating elsewhere in Myanmar."

Land grabbing was found to be almost non-existent in KNU-controlled areas. Only one of the land grabbing cases experienced by a respondent or someone in their household took place in a KNU-controlled area, making up only 0.24 per cent (one in 401) of respondents in those areas (Figure 3.16). Meanwhile, land grabs were experienced by 2.36 per cent (one in 42) households in GoM-controlled areas and 2.68 per cent (one in 37) households in mix-controlled areas. When asked whether land grabs had taken place in their village, only four of the 21 KNU-controlled villages had respondents who said someone in their village had experienced this, compared with 46 per cent of GoM-controlled villages and 53 per cent of mix-controlled villages. Furthermore, in all four of the KNU-controlled villages where respondents said land grabs had taken place, there were also signs of other armed actors being present.[78]

These findings clearly demonstrate that communities are most vulnerable to land grabs in areas where there is a degree of GoM control, which is crucial for outside companies being able to access the areas, particularly those operating elsewhere in Myanmar. Meanwhile, KNU-controlled areas, particularly in the highly autonomous Mutraw District, remain far less affected. The most vulnerable areas are mixed-control areas, where there is some GoM presence but a lack of consolidated authority, and thus likely fewer legal protections for civilians. Nonetheless, KNU-affiliated companies established since the ceasefires are among those benefiting from harmful projects in mix-controlled areas, as are pre-existing companies linked to the BGFs and factions of the DKBA.

Figure 3.16 Households under each type of control that experienced land grabs since 2012
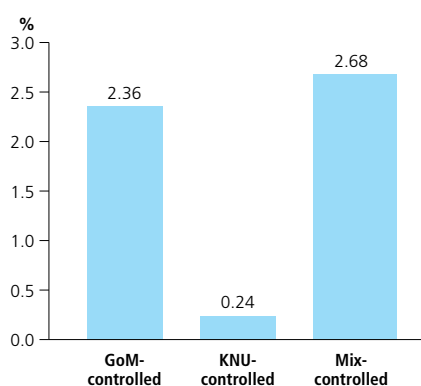
Figure 3.17 Villages under each type of control that experienced land grabs since 2012
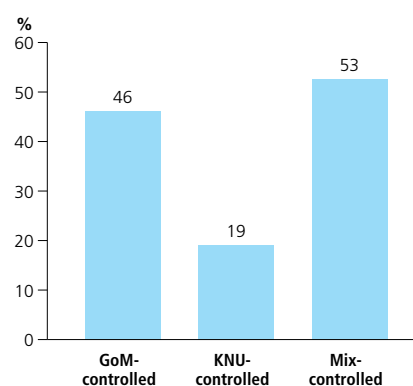
There was also great variation across geographical areas, though it should be noted that the sampling method did not ensure that these were representative figures. Twenty-nine (67 per cent) of the 43 households that experienced land grabs were in Taw Oo (Taungoo) District. This translates into 8.7 per cent (one in 12) surveyed households from that district reporting land grabs (Figure 3.18). Meanwhile, no surveyed households in Doo Tha Htoo (Thaton), Kler Lwe Htoo (Nyaunglebin) or Mutraw (Hpapun) reported land grab cases. Land grabs were most widespread across villages in Blih-Dawei (Myeik-Dawei), where respondents from 90 per cent of surveyed villages said they or others in the village had experienced land grabs (Figure 3.19).

The high number of land grabs in Taw Oo District were concentrated in just eight of the 15 villages surveyed there. Among them, there were two villages in which more than 20 per cent of the surveyed households had experienced land grabs, both of which were under mixed control.[79]

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78 Two had village leaders who also reported directly to the GoM's GAD; one is in an area under mostly DKBA control; and the other is near a Tatmadaw camp and receives some GoM services.

79 Both had two village leaders, one each for the KNU and GoM systems.

> ## BOX 3.5 The human and gendered impacts of land grabs
>
> A recent study by Saferworld (2018) found that for Karen participants who had experienced a range of violations in their lives, land grabs had the gravest long-term consequences. As one man explained, "The land grab is not killing you, but it's like it is indirectly killing you… we were already married and had a family to take care of. Those of us living in the hilly areas also have no opportunities to change our livelihood, and all our siblings' and family's land was grabbed". While land confiscations impacted men and women both in profoundly negative ways, there were gendered differences in how this was experienced. Men said that they experienced a significant decline in their ability to be a provider, which meant a perceived decline in their ability to be masculine. Women experienced a significant increase in their workload to make up for the family's decline in income; this, alongside traditional caregiving responsibilities, led to loss of sleep.
>
> Several research participants indicated that frustrations in their ability to fulfil traditional gender roles, and increased tension in families over financial issues and decision-making, led to an increase in intimate partner violence. According to one woman, "Men think that growing crops is their only duty, but after losing their land they feel they have no more duties. So, the men just get drunk and then come back home and bring trouble". Few participants had been successful in getting their land back and many remained deeply mistrustful of GoM and of the ability of land departments to resolve their claims fairly.

Land grabs were the only form of violence and abuse stated as a personal experience by women (51 per cent) more than by men (49 per cent). In any case, land grabs tend to deeply impact entire households in a more direct way than other forms of abuse, which primarily affect the specific individuals. Box 3.5 explores the crippling human impacts that land grabs have on households, including important differences in impact between genders.

3.4 Perpetrators of violence and abuse

> ### Key findings
>
> ☐ Respondents were much less willing to name specific authorities for causing problems in their communities than they were to disclose experiences of violence and abuse without naming specific actors. This led to limited new data on the specific perpetrators of violence and abuse.
>
> ☐ Respondents named the GoM for forced labour in their community more than any other issue with any authority.
>
> ☐ One in ten respondents named the KNU for unfair recruitment practices.
>
> ☐ Among respondents who engage directly with the smaller authorities, the DKBA was named most frequently, particularly for forced labour and use of landmines and IEDs. BGFs were also named by small groups of respondents who engaged with them.

Respondents were not asked to name the perpetrators of specific cases, in order to protect the security of enumerators and to avoid undue pressure on respondents. More general questions about respondents' perceptions of problems caused by the full range of armed actors gave some indication of which authorities commit and are responsible for which issues, but do not correlate directly to the categories of violence and abuse. As noted previously, corroboration with existing research was the primary method used to determine the main perpetrators, and found heavy association with the systematic practices of the Tatmadaw and its proxies.

Respondents were reluctant, however, to report concerns about specific actors even when speaking in general. Respondents who had experienced violence and abuse by authorities personally or in their household were far more likely to name specific authorities (57 per cent) than other respondents were (ten per cent). This association is likely, in part, because those respondents have more negative views of the authorities; it may also demonstrate that some respondents were more confident to speak out than others overall. As section 3.2 noted, corroboration with existing research found that most of the forms of violence and abuse are heavily associated with the systematic

practices of the Tatmadaw. Other armed actors have also committed acts of violence and abuse but not in a systematic way.

In any case, even among those whose households had experienced violence or abuse by authorities, 43 per cent did not state a single problem caused by a specific authority – demonstrating significant under-reporting. Most prominently, out of 357 respondents whose household had experienced a land grab, only 17 per cent named a specific authority as 'causing land issues'. Out of 388 respondents whose household had experienced 'forced recruitment', only 34 per cent named a specific authority as carrying out 'unfair recruitment practices'.

Nonetheless, the responses that were given provide some insight into the grievances people are willing to state. The most widely stated problem attributed to any authority was the GoM for forced labour (21 per cent). As noted above, this was the second most prevalent form of violence or abuse experienced overall. Six per cent highlighted the KNU for this issue (Figure 3.18).

Figure 3.18 Do any of the authorities cause any of the following problems in your area? (all respondents)
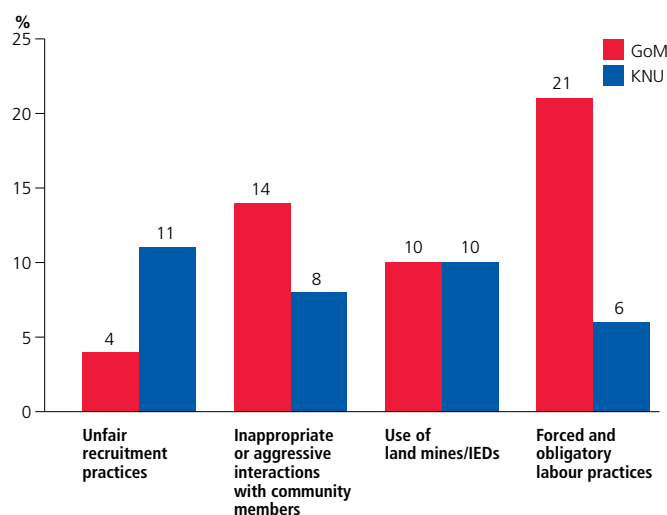
The KNU was more than twice as likely, however, to be associated with unfair recruitment practices (11 per cent). While existing research has regularly found the Tatmadaw to engage in forced recruitment, it has rarely recruited directly from rural Karen populations in areas where it is fighting the KNU. The Tatmadaw was nearly twice as likely to be associated with inappropriate or aggressive interactions with members of the community and six times as likely to be associated with sexual abuse (by just 49 respondents compared with eight).

**Figure 3.19 Which authority keeps your community most safe and secure?**
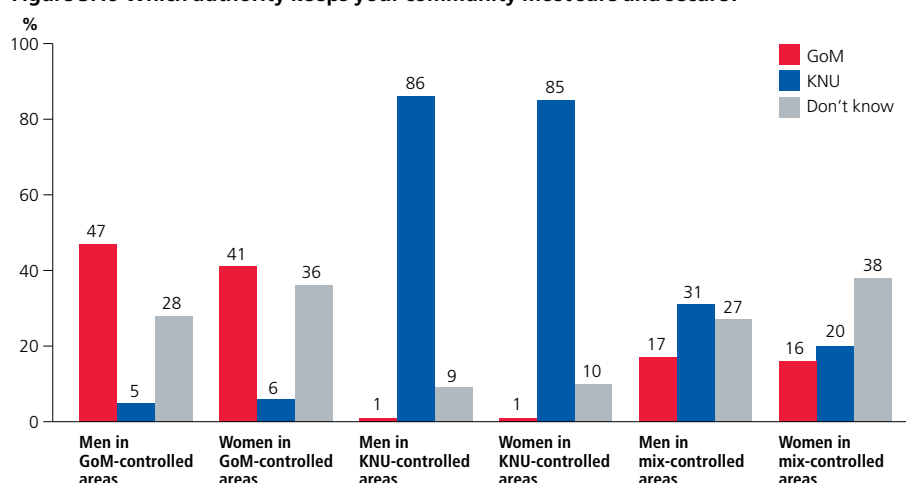
When respondents were asked which communities kept them most safe and secure, the biggest differences were observed between types of territory. In KNU-controlled areas, 86 per cent of men and 85 per cent of women felt that the KNU kept them most safe and secure (Figure 3.19), undoubtedly reflecting the reality that their communities have been targeted by the Tatmadaw for decades. Comparatively, 47 per cent of men and 41 per cent of women in GoM-controlled areas said the GoM kept them most safe and secure.

Overall, 33 per cent of women and 24 per cent of men said "I don't know" in response to this question, which was the second largest gendered difference among all the questions comparing different authorities. Notably, the proportion of women in mix-controlled areas who said "I don't know" was higher than those who said GoM- or KNU-controlled areas put together, demonstrating severe lack of protection from authorities in these areas.

Among the respondents who were found to have some form of direct contact with the DKBA, BGFs and KPC, respectively, the DKBA appeared to be the most commonly associated with these violent practices. Twenty-four per cent of respondents associated the group with forced labour, 22 per cent with the use of landmines or IEDs, and 17 per cent with inappropriate or aggressive actions towards communities. The KPC was most commonly associated with unfair recruitment, but only by six per cent of those that had contact with this authority. Ten per cent of people that had contact with the BGFs named them for forced labour, inappropriate interactions and use of landmines or IEDs, most of whom were in GoM-defined Myawaddy Township.

These findings appear to demonstrate a link to conflict between the DKBA (Buddhist faction) and the BGFs in 2016. Numerous respondents who named the DKBA for use of landmines and aggressive actions were in areas of Hlaingbwe Township, in villages where a notable portion of respondents stated that the BGFs kept them most safe and secure, and near to where the two sides fought repeatedly in 2016 (see section 2.5). These issues were all also raised regarding the DKBA in areas controlled by the Klo Htoo Baw faction.

Figure 3.20 Problems observed by respondents that had 'direct contact' with the DKBA, BGFs and KPC
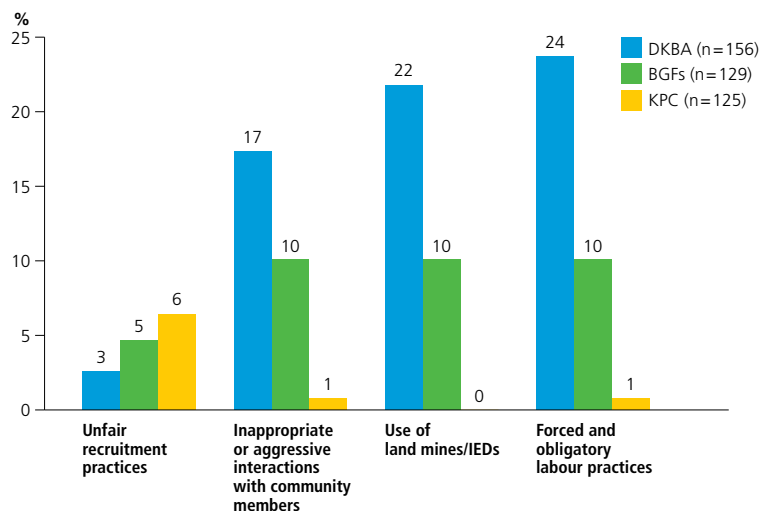
**Women nearby their land that
was confiscated. There is now
a sign that reads "Government
land. Do not trespass.".**
© Saferworld

4

Justice

JUSTICE PROVISION IS OFTEN AMONG THE CORE DEMANDS of civilians living in conflict-affected areas. Establishing a reliable, effective and consistent justice system is thus central to an authority's legitimacy in the eyes of local people and to establishing its authority. Justice is a crucial public good in itself and is particularly important for consolidating peace. Justice delivery in Myanmar's conflict areas was, until recently, an area of little academic or policy interest, but a number of recent initiatives have begun to fill that gap.[80] These include projects by Saferworld to better understand and directly strengthen the justice mechanisms relied upon by conflict-affected populations. Long-term and in-depth research into the KNU justice system has been carried out by the Karen Women Organisation (KWO) with the aim of strengthening mechanisms for justice and building capacity to effect reforms in key areas.

Both the GoM and KNU justice systems evolved from the British common law system, which was established during the colonial era. Both have penal and civil codes of law, as well as courts established at the township, district and higher levels, and police forces for law enforcement.[81] The KNU judiciary is independent from the administrative and military wings of the organisation, while the 700-strong police force, called the Karen National Police Force (KNPF), is a civilian body, under the Interior and Religious Department. The Myanmar Police Force (MPF) is under the Tatmadaw-led Ministry of Home Affairs and is mostly active in urban areas, but its coverage is being slowly extended via new police stations in numerous smaller administrative centres.

In practice, the large majority of justice issues are handled at the village or village tract level, as has seemingly been common for hundreds of years. Communities are encouraged by authorities to handle smaller issues at the lowest level possible. A recent survey by the MyJustice project found that a large majority of ordinary people felt ward or VTAs, and 100-household heads, were "the best way" to settle "community issues".[82]

Therefore, customary practices play a central role in the actual delivery of justice. These often rely heavily on arbitration and emphasise the restoration of harmony between aggrieved parties and within the community. Village and village tract leaders can refer more serious cases to higher authorities. The KNU system provides village and village tract leaders with far more detailed guidance, specific powers and institutionalised connections to higher tiers of the judicial system. The KNU procedural code outlines the steps local leaders should take in handling cases and stipulates which levels of the judiciary (e.g., township, district or supreme courts) should ultimately have jurisdiction

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80 Key works include Saferworld and Overseas Development Institute (2016), McCartan and Jolliffe (2016), Kyed (2018).
    See also the website of Danish Institute for International Studies' Everjust project and associated publication of Kyed (2018).
81 The founder of the KNU, Saw Ba U Gyi, was a lawyer by training, as were numerous other senior members. The organisation currently uses four books of law, which were compiled in the 1970s, and have been upgraded numerous times since, by the quadrennial congress.
82 MyJustice (2018), sections 2.3 and 2.4.

with each type of crime, based on severity. However, the KWO and other KPSN members have found that these procedures need to be more strictly enforced, particularly to ensure that cases of sexual violence are consistently referred to the KNU Supreme Court as is required in the code.

The NCA, which is legally binding, having been ratified by the Union Parliament, acknowledges that signatory EAOs, including the KNU, DKBA and KPC, "have been responsible for development and security in their respective areas" and commits parties to cooperation in "matters regarding peace and stability, and the maintenance of rule of law". There are currently, however, no formal referral mechanisms for other forms of official cooperation between the GoM and EAO justice systems. This is despite signs of some criminal issues increasing since the signing of ceasefires, most notably the production, trade and use of illegal narcotics, which has also been associated with a number of violent crimes at the community level.

Karen people protesting the construction of large hyrdopower dams on the Salween (Thanlwin) River. Without an effective justice system, few options are available to ordinary civilians to counter the harmful development practices of powerful actors.
© Karen Peace Support Network

4.1 **Attitudes towards justice**

Key findings

▪ Respondents were most likely to prefer the KNU to deal with justice issues, compared with other authorities, most widely in KNU-controlled areas and among Karen people.

▪ Less than half of respondents felt it was common or very common to report 'big' justice cases to any authority or responsible person.

▪ Women in mix-controlled areas were more likely to say "I don't know" in response to which authority they would prefer to deal with justice issues than either GoM- or KNU-controlled areas put together, and the majority said it was very uncommon or uncommon to report cases.

▪ When people do report cases, the overwhelming majority go to their village leader first.

▪ Respondents in KNU-controlled areas were more likely than any others to name alternative options for first reporting, including village tract authorities, the KNPF and other KNU bodies.

▪ High costs, lack of personal connections, long distances to authorities and time consumption were the main barriers to justice identified, most commonly associated with GoM.

When asked which of the higher authorities they would prefer to deal with justice issues, the highest proportion of respondents (39 per cent) said the KNU, 23 per cent said the GoM and 9.4 per cent said "none" (Figure 4.1). This fits with a recent qualitative, empirical study, which found people living in two villages under full or partial KNU control had "a strong preference for the KNU justice system, which is seen as more effective and legitimate when compared to the GoM system".[83]

83 Kyed (2018), Saferworld, forthcoming.

Figure 4.1 Which authority would you prefer to deal with justice issues?
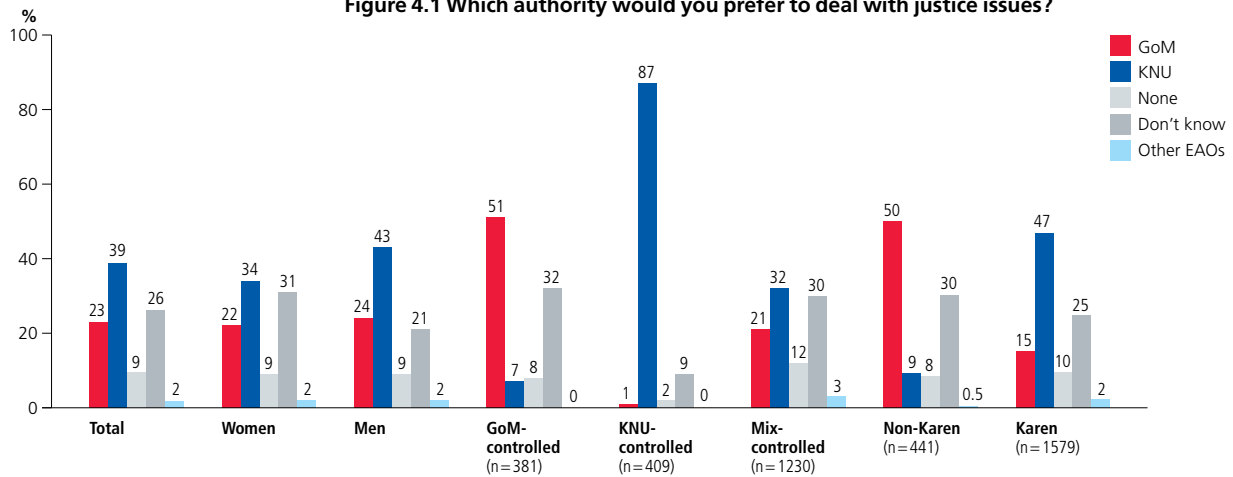
> The GoM and KNU were each the most widely preferred authority in the areas they control, overwhelmingly in the case of the KNU, where 87 per cent said the KNU. The KNU was more popular overall in mix-controlled areas, with 32 per cent to the GoM's 21 per cent.

The biggest differences were between different control areas and between ethnicities. The GoM and KNU were each the most widely preferred authority in the areas they control, overwhelmingly in the case of the KNU, where 87 per cent said the KNU. The KNU was more popular overall in mix-controlled areas, with 32 per cent to the GoM's 21 per cent. A notable 12 per cent of respondents in mix-controlled areas said they wanted none of the authorities to deal with justice. Forty-seven per cent of Karen respondents said they would prefer the KNU to deal with justice issues, and 15 per cent said they would prefer the GoM. Fifty per cent of non-Karen preferred the GoM and 15 per cent preferred the KNU. These findings demonstrate that control area appears to determine one's justice preferences more than ethnicity, likely because, for an authority to deliver justice effectively, they must have *de facto* control and authority. This is also likely why higher numbers of people in mix-controlled areas are left preferring "none".

Figure 4.2 Which authority would you prefer to deal with justice issues?
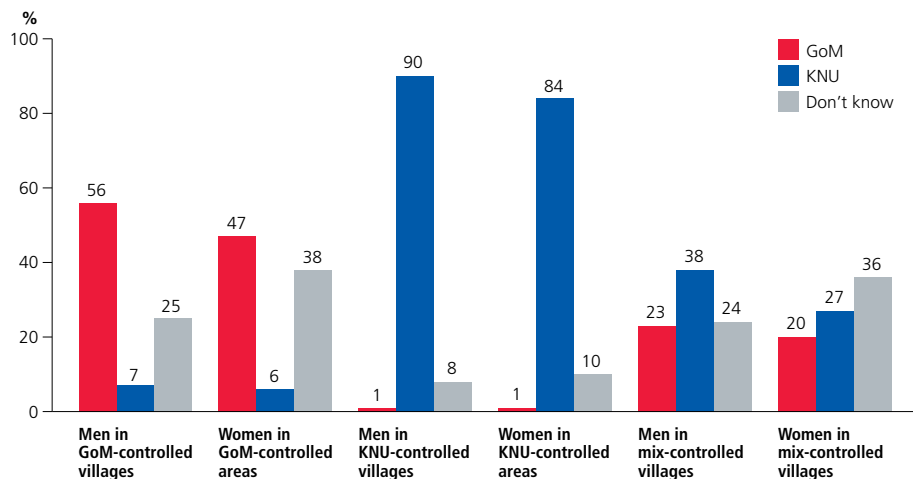
Women were significantly more likely to say "I don't know" to this question (31 per cent) than men were (21 per cent) indicating a disparity in access to justice and knowledge about available authorities. Importantly, this was the largest gendered difference among all questions comparing different authorities. Correspondingly, women were in particular less likely to say the KNU (34 per cent), than men (43 per cent) and were slightly less likely to specifically say GoM. As shown in Figure 4.2, women in GoM-controlled areas (38 per cent) and mix-controlled areas (36 per cent) were far more likely, to say "I don't know" to this question than women in KNU-controlled areas (ten per cent). In mix-controlled areas, women were more likely to say "I don't know" than to say they preferred either the GoM or KNU, and were notably less likely to say they preferred the KNU (27 per cent) than men were (38 per cent). Non-Karen women were more likely to say "I don't know" to this question (36 per cent) than Karen women were

(30 per cent).[84] Similar trends were noted in responses to the question of which authority keeps the community most safe and secure, as discussed in section 3.4.

It appears that justice cases regularly go unreported in many of the surveyed households. Respondents were asked, "If someone in your village experiences a justice issue considered to be a 'small case'" or a "justice issue considered to be a 'big case', how common is it to report it to any authority?"[85] The terms 'big' and 'small' were not defined by the enumerators, so served as an efficient and simple means to collect people's willingness to approach authorities, rather than as a measure of what kinds of issues they consider to be big or small. Notably, only 50 per cent said it was common or very common to report a 'big case' to any authority. Twenty-eight per cent said that it was uncommon or very uncommon (Figure 4.3). This suggests that, even when people have major grievances or concerns, large proportions of communities would not even try to report them.

Figure 4.3 How common is it to report a 'case' to any authority or responsible person?
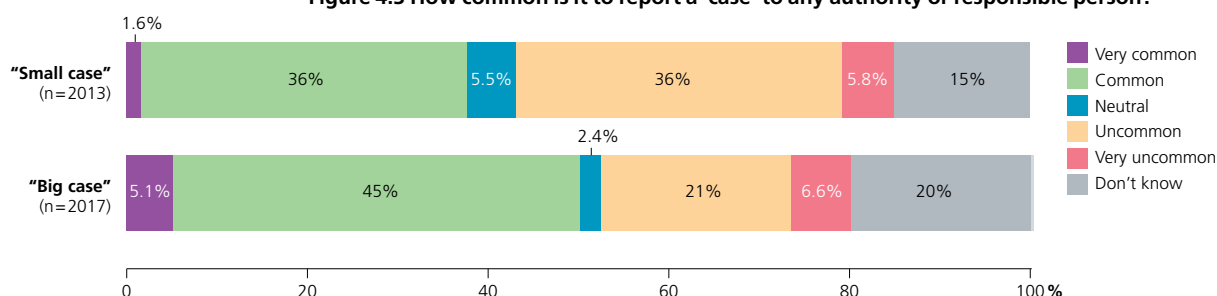
Cases are most likely to go unreported and unaddressed when they involve powerful actors. In particular, the KHRG and other KPSN members have documented frequent violent crimes committed by Tatmadaw BGFs against local people, including murders, sexual attacks, torture and grievous bodily assaults but have not been penalised. While the BGFs lack sufficient internal mechanisms to hold their own members to account, they are not reliably subjected to justice through the official military courts. There are some cases where compensation is provided to victims or their families but these are not delivered through an independent and impartial mechanisms and appear *ad hoc*.

Figure 4.4 How common is it to report a 'big' justice case to any authority or responsible person?

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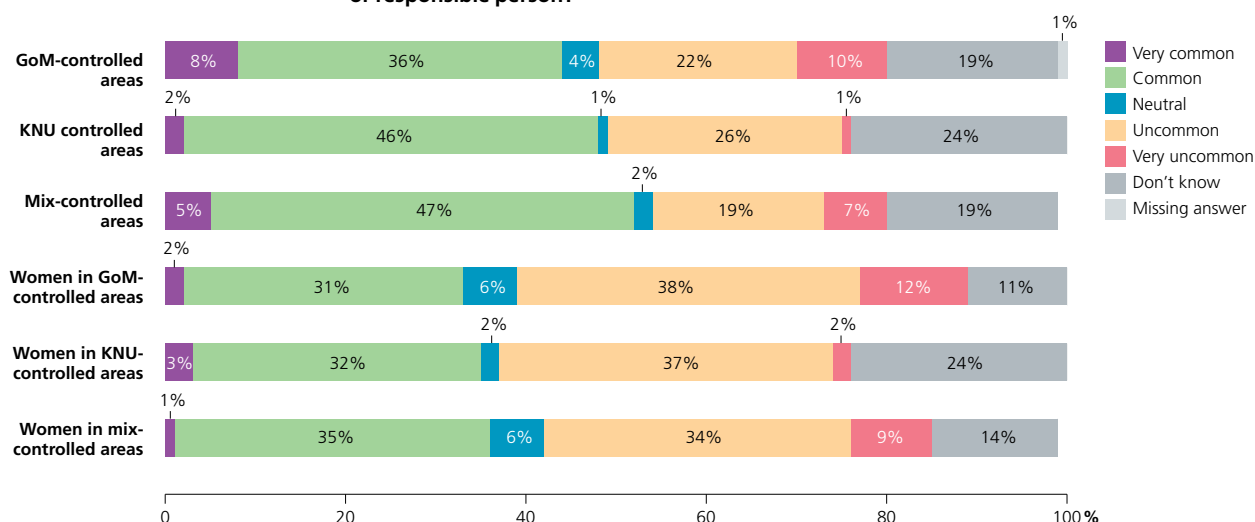
84 For comparison, 25 per cent of men in GoM-controlled areas, 24 per cent of men in mix-controlled areas, eight per cent of men in KNU-controlled areas, 25 per cent of non-Karen men, and 19 per cent of Karen men, said "I don't know" to this question.

85 It should be noted that in Burmese, the term 'case' is a common word for any problem or issue in general and is commonly used in this context.

Rice-wine being distilled in someone's house. Many communities link domestic violence and violent disputes between community members to alcohol abuse.
© Kim Jolliffe

"The reporting of justice cases is considered to be less common by women than men, and appears least common in GoM-controlled areas compared with KNU-controlled or mix-controlled areas. Overall, women were twice as likely to say reporting 'big cases' was very uncommon (8 per cent) than men (4 per cent) and the proportion who said common (34 per cent) was slightly less than the proportion of men (38 per cent)."

The reporting of cases is considered to be less common by women than men, and appears least common in GoM-controlled areas compared with KNU-controlled or mix-controlled areas (Figure 4.4). Overall, women were twice as likely to say reporting 'big cases' was very uncommon (8 per cent) than men (4 per cent) and the proportion who said common (34 per cent) was slightly less than the proportion of men (38 per cent) who said the same. Fifty per cent of women in GoM-controlled areas said it was very uncommon (12 per cent) or uncommon (38 per cent) to report a 'big case', as did 44 per cent of men in those areas, which was notably higher than in KNU-controlled or mix-controlled areas. Women and men in GoM-controlled areas were also least likely to say it was very common or common to report 'big cases'. High proportions of both men and women in KNU-controlled areas (24 per cent of each) said "I don't know", leaving some ambiguity when comparing those areas with mix-controlled areas; respondents in mix-controlled areas were more likely to give definitive answers either way.
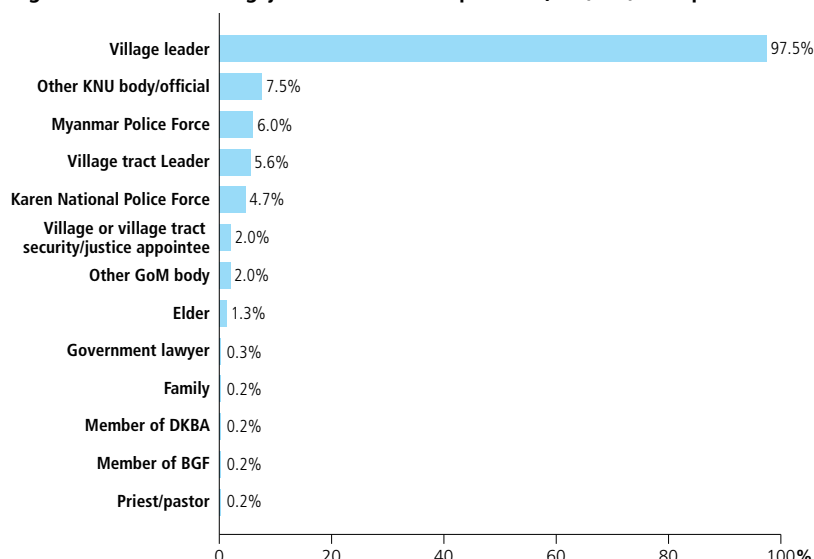
When people do seek justice, the village leadership is the primary channel used, especially when it comes to 'small cases'. Respondents who said it was very common or common to report a case or who were neutral, were asked where people usually go first to report cases. They could give multiple responses, including formal authorities and informal actors, such as family members and elders. For 'small cases', 98 per cent of the respondents who were asked (n=872) said a villager leader, among whom 96 per cent gave village leader as their only answer. For big cases, 98 per cent of respondents who were asked (n=1,051) said a village leader, 76 per cent of whom gave village leader as their only answer.

Beyond the village leaders, elders was the most common answers for 'small cases', while formalised KNU or GoM authorities occurred more frequently for 'big cases'. For small cases, 19 respondents (2.2 per cent) said an elder, while only 14 (1.3%) said either the MPF or another GoM body;[86] only 11 (1.3 per cent) said either the KNPF or another KNU body.[87] For 'big cases' (Figure 4.5), 97.5 per cent of the respondents who were asked, said a village leader, 12.2 per cent said either KNPF or another KNU body, and eight per cent said either MPF another GoM body.

....

86 Eight respondents said MPF, and four said "other GoM body".
87 Two said KNPF, and nine said "other KNU body".

Figure 4.5 Where are 'big' justice cases first reported? (n=1,051, multiple answers possible)

|	
Village leader	97.5%
Other KNU body/official	7.5%
Myanmar Police Force	6.0%
Village tract Leader	5.6%
Karen National Police Force	4.7%
Village or village tract security/justice appointee	2.0%
Other GoM body	2.0%
Elder	1.3%
Government lawyer	0.3%
Family	0.2%
Member of DKBA	0.2%
Member of BGF	0.2%
Priest/pastor	0.2%

(x-axis: 0, 20, 40, 60, 80, 100 %)

> "People living in KNU-controlled areas appear to have greater access to alternative channels for reporting 'big cases' beyond their village leaders than those in either GoM-controlled or mix-controlled areas."

People living in KNU-controlled areas appear to have greater access to alternative channels for reporting 'big cases' beyond their village leaders than those in either GoM-controlled or mix-controlled areas (Figure 4.6): 14.4 per cent of respondents from those areas who were asked this question said people usually reported 'big cases' to the KNPF and 10.4 per cent said they reported them to another KNU body/official. Additionally, 20 per cent said it was common to report cases directly to the village tract leader and 7.5 per cent said the village or village tract security or justice appointee (a formal position provided for in the KNU constitution). The MPF was listed by respondents in both GoM-controlled areas (10.8 per cent) and mix-controlled areas (6.6 per cent). In mix-controlled areas, the KNPF and another KNU body were listed more frequently than the MPF or another GoM body. Notably, in KNU-controlled areas, the KNPF was listed more commonly than another KNU body, while the opposite was true in mix-controlled areas. This reflects the reality that the KNPF is better established in KNU strongholds than in areas where its presence is less stable, meaning justice responsibilities often fall to other departments and officials.

Figure 4.6 Where are 'big' justice cases first reported? (by type of territory)

Legend:
- Myanmar Police Force
- Other GoM body
- Karen National Police Force
- Other KNU body/official
- Village Tract leader
- Village or Village Tract security/justice appointee
- Elder

GoM-controlled (n=186): 10.8, 3.2, 2.2, 1.6, 1.6, 0.5, 0.0

KNU-controlled villages (n=201): 0.0, 0.0, 14.4, 10.4, 19.9, 7.5, 3.5

Mix-controlled (n=653): 6.6, 2.3, 2.5, 8.4, 2.5, 0.8, 1.1
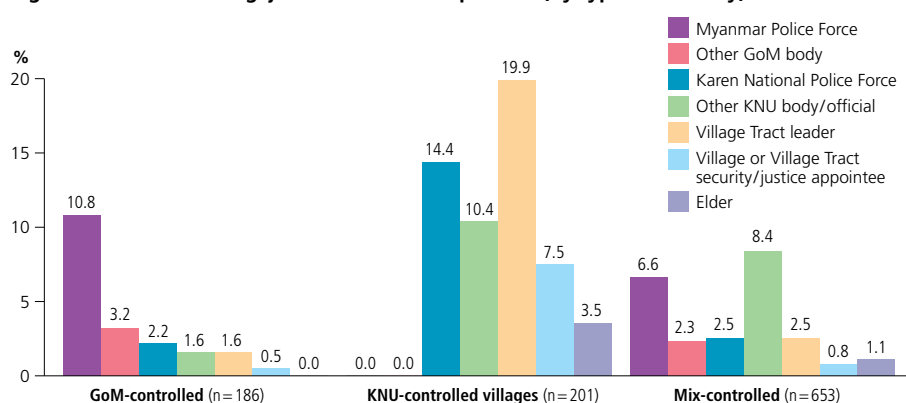
When respondents were asked what barriers they experienced in accessing justice, the response rates were low. This is likely mainly due to a reluctance to complain about authorities, as noted in other questions. However, it may also be simply because few respondents had attempted to use the justice systems available to them and so had few opinions or found the question to be too abstract.

Figure 4.7 Proportion of stated barriers to justice that were attributed to each authority
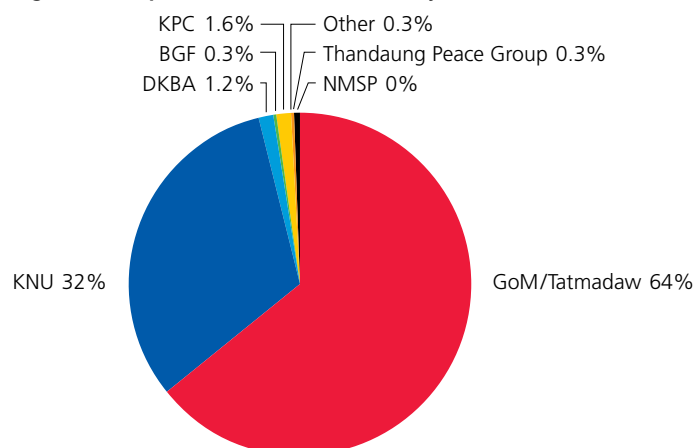
KPC 1.6%
BGF 0.3%
DKBA 1.2%
Other 0.3%
Thandaung Peace Group 0.3%
NMSP 0%
KNU 32%
GoM/Tatmadaw 64%

> "The most common issues raised for the GoM were high costs (listed by 56 per cent of those who answered the question), lack of personal connections (44 per cent), long distances needed to travel to access the authorities (44 per cent), time-consuming (38 per cent) processes, and lack of information on the authority's mandate."

In total, 1,005 barriers to justice were listed by 123 respondents, comprising 65 women and 58 men. Among the barriers, 64 per cent were attributed to the GoM and 32 per cent to the KNU (Figure 4.8). Given the small sample sizes, this does not conclusively show that there are greater barriers in accessing the GoM system compared to the KNU's system overall. Yet, these figures do provide a strong indication of the types of barriers associated with each authority. The most common issues raised for the GoM were high costs (listed by 56 per cent of those who answered the question), lack of personal connections (44 per cent), long distances needed to travel to access the authorities (44 per cent), time-consuming (38 per cent) processes, and lack of information on the authority's mandate (Figure 4.8). These followed roughly the same order of prevalence for both the GoM and the KNU, but all issues were raised for the GoM by more respondents than for the KNU.
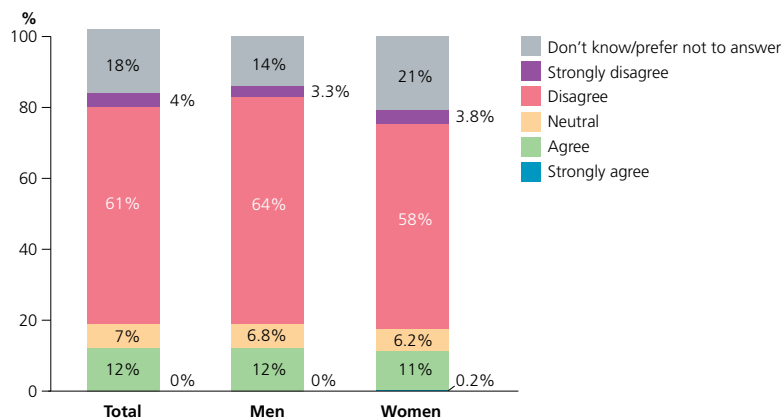
Figure 4.8 Barriers to accessing justice from the GoM or KNU (n=126)
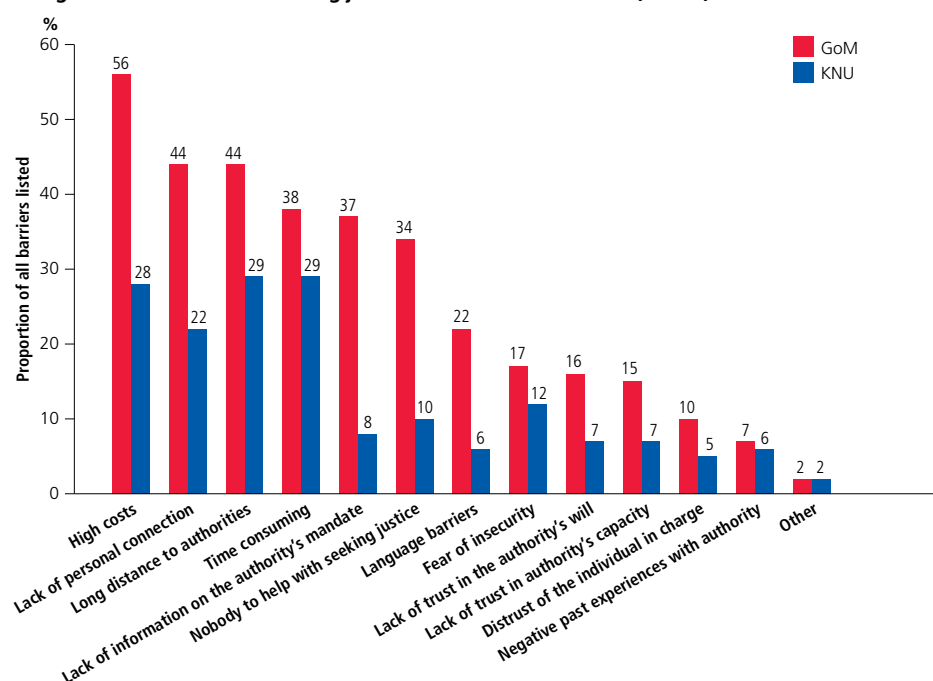
Eleven per cent of respondents said they agreed with the statement: "It is more difficult for women to report cases to authorities than it is for men", while 60 per cent disagreed or strongly disagreed (Figure 4.9). Men were slightly more likely than women to disagree with the statement. However, analysis from the Karen Women's Organisation suggests that women do face particular difficulties in accessing justice particularly in cases of GBV, which are sometimes minimised and defined as less serious issues by

village leaders. These responses may be largely due to a widespread lack of experience trying to access justice, as well as a reluctance to complain, which seemingly affected numerous questions regarding negative assessments of authorities. However, even among the 77 women who were documented as having dealt with a justice case through the authorities before, the same trends were found. Only five agreed with the statement, 44 disagreed and four strongly disagreed.[88]

Figure 4.9 Is it more difficult for women to report cases than it is for men?

As noted in the introduction to this part, in both the KNU and GoM justice systems, village leaders are encouraged to handle minor cases at the local level where possible, but to refer more serious cases to higher authorities. Unlike the GoM system, the KNU system has a procedural code in place which gives village leaders specific processes to follow, powers to issue certain punishments, and mechanisms for referring cases to higher levels, including stipulations for the specific courts that crimes must be referred to, depending on their severity. GoM procedures are much vaguer, giving the local leaders no authority to issue punishments or specific referral mechanisms. In both cases, village leaders tend to use the threat of referrals to the higher systems as their main form of leverage to enforce perpetrators to accept punishments, pay compensation and commit to not reoffending.[89]

One hundred and forty-seven respondents (seven per cent of total) said they had "experienced a case that required an authority or other responsible person to solve it". Seventy-seven (52 per cent) of these respondents were female (Figure 4.10) and 70 were male; 143 cases were documented in detail.[90] Among these, 41 cases (29 per cent)
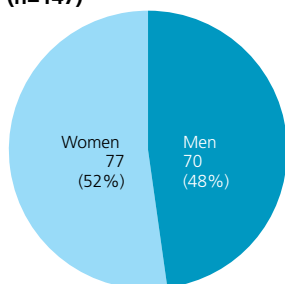
4.2 **Actual justice cases**

Key findings

- Seven per cent of respondents had reported a justice case to authorities before, the slight majority of whom were women.
- Land disputes and domestic disputes or violence were the most common issues concerned, though these figures do not indicate prevalence.
- In 82 per cent of cases, the respondent went first to their village leader and the majority of cases were fully or partially resolved and closed at that level of reporting.
- Among 42 cases that were reported, the majority were in KNU-controlled areas and to the KNU, with only two being reported to the GoM, indicating more established referral mechanisms. There were two cases where the MPF had referred respondents to a local unofficial judge.
- The majority of respondents who had reported cases said they were satisfied or very satisfied with the outcome, but a notable minority were not.

Figure 4.10 Respondents who had to settle a case (n=147)

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88 In addition, three were "neutral", six said they "don't know" or "prefer not to answer", and 16 had no recorded response.
89 Kyed (2018), Saferworld, forthcoming.
90 No further answers were recorded for four of the 147 respondents who stated that they had had to settle some kind of case with an authority.

involved land disputes with neighbours, 26 cases (18 per cent) involved domestic violence, 20 cases (14 per cent) involved drugs or alcohol, and 14 cases (nine percent) each involved debts or other intra-communal issues (Figure 4.11). Ten cases (seven per cent) involved adultery.[91] The Karen Women's Organisation felt that the actual number of rape cases that are reported could be higher because these are sometimes not defined as rape due to traditional definitions that minimise such cases and define them as less serious issues.
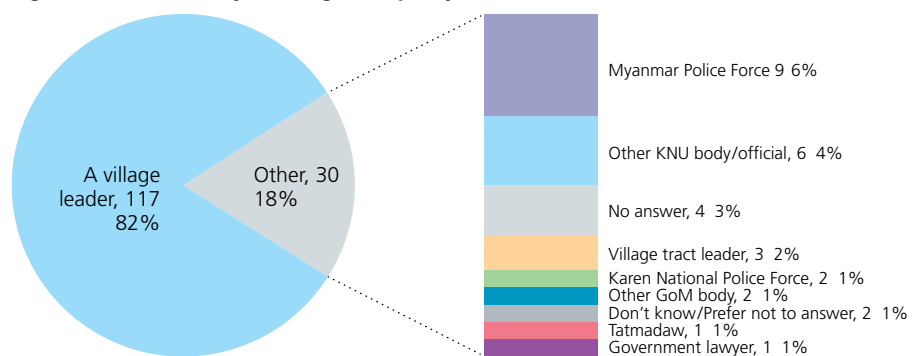
Figure 4.11 What issues did the case involve? (Out of 143 fully documented cases; multiple answers possible)

"Of the 147 justice cases that required an authority or other responsible person to solve it, 41 cases (29 per cent) involved land disputes with neighbours, 26 cases (18 per cent) involved domestic violence, 20 cases (14 per cent) involved drugs or alcohol, and 14 cases (nine per cent) each involved debts or other intra-communal issues and ten cases (seven per cent) involved adultery."
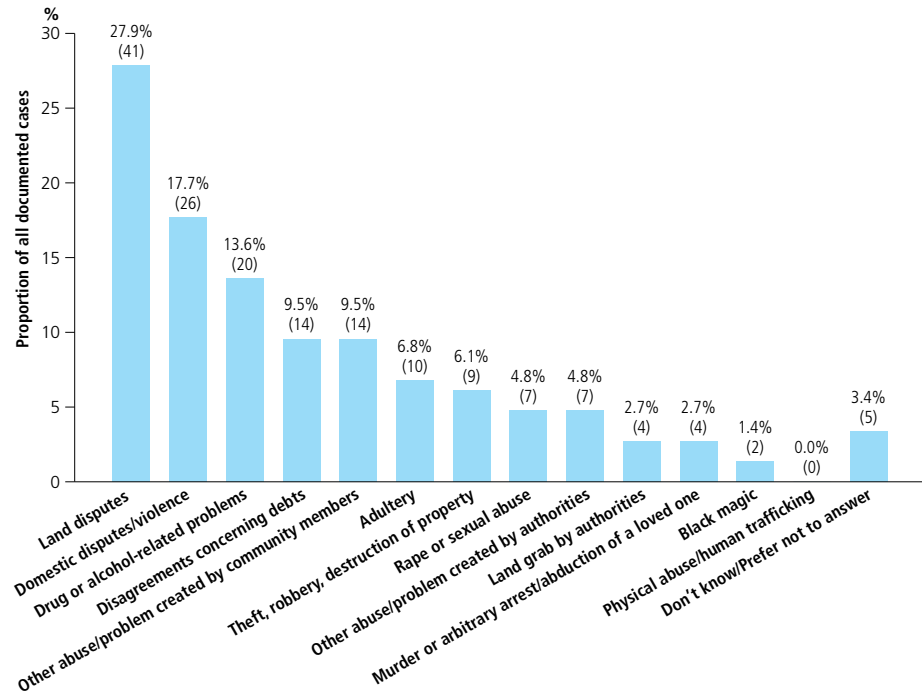
This sample does not represent the overall prevalence of each type of crime. Firstly, as respondents indicated, it is rare to report cases in most communities; these figures are likely much lower than the actual number of people experiencing such grievances and so do not indicate prevalence of the crimes. Additionally, a sampling method that targeted people who had reported crimes specifically would be necessary to generate a larger and more representative sample. Nonetheless, it provides a snapshot of the types of cases that arise and how they are handled.

Figure 4.12 Where did you first go to report your case?

A village leader, 117 82%

Other, 30 18%

Myanmar Police Force 9 6%

Other KNU body/official, 6 4%

No answer, 4 3%

Village tract leader, 3 2%
Karen National Police Force, 2 1%
Other GoM body, 2 1%
Don't know/Prefer not to answer, 2 1%
Tatmadaw, 1 1%
Government lawyer, 1 1%

....

91 Adultery is technically a crime under KNU law, though it is reportedly still often treated by local authorities as like a civil incident by local authorities.

Officers of the Myanmar Police Force. Of the 143 cases in the survey where people reported cases to an authority, 9.6 per cent of the cases were directly reported to the Myanmar Police Force. None of these cases were then referred to the official GoM courts.
© 2013; Flickr commons

"In 117 (82 per cent) cases, respondents said they reported the case first to a village leader and the majority of these cases (61 per cent) were said to be fully or partially resolved at that level. This confirms existing research that suggests that large majority of cases in Myanmar, particularly in rural areas, are dealt with at the lowest level possible."

In 117 (82 per cent) cases, respondents said they reported the case first to a village leader (Figure 4.12). Women were marginally more likely to have reported to the village leader first (83 per cent), than men (79 per cent). Eleven cases (7.7% per cent) were reported directly to the GoM, including nine to the MPF (seven by women) and two to another GoM body. Eight of the cases (5.6 per cent) were reported directly to the KNU, including two to the KNPF and six to another KNU body.

The majority of these cases (61 per cent) were said to be fully or partially resolved at that level while four per cent were not solved, but did not go any further.[92] KPSN analysis and existing research confirm that there is a widespread preference for justice to be handled at the local level, as is the case across the country. However, as noted in section 4.1, while the GoM does not have official referral mechanisms, those stipulated in the KNU procedural code are not always followed in practice. For example, rape cases are sometimes wrongly defined by local leaders and so are not referred accordingly, leading to them being handled at the local level, which sometimes involves oppressive traditional practices, such a requiring survivors to marry their attackers in order to restore internal harmony and dignity of the community.

This confirms existing research that suggests the large majority of cases in Myanmar, particularly in rural areas, are dealt with at the lowest level possible.[93] Forty-two (29 per cent) of the cases were referred to another agency, body or official. Among these referred cases, 18 were finally settled by the KNU (seven by the KNPF and 11 by another KNU body); six by a village tract leader; six with a lawyer or local judge not affiliated with any group; and only two with the GoM.[94] These findings indicate that while respondents were more likely to go directly to the MPF than they were to the KNPF, cases were more likely to be referred to the KNU by village or village tract leaders than they were to the GoM. The majority of these referrals (28 or 67 per cent) were chosen by the respondent themselves: because the respondent believed in their capacity to resolve issues (18 cases); because it was common practice in their area (four cases); because the authority was fair in judgement (three cases); or due to personal connections (three cases).
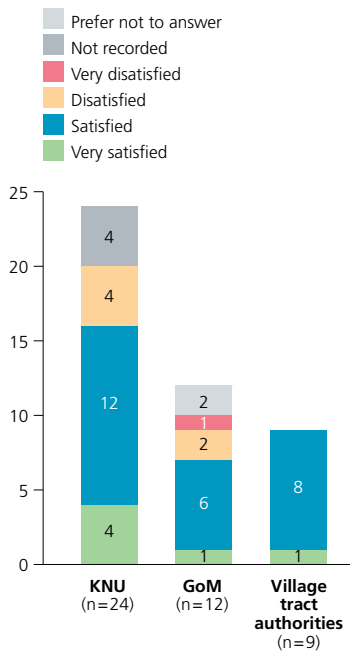
Cases were much more likely to be referred in KNU-controlled areas (65 per cent) than then they were in GoM-controlled areas (28 per cent) or mix-controlled areas (25 per cent), which is likely a result of the KNU having specific procedural guidelines and

92 Two respondents stopped answering the question at this point, and so these are percentages among the remaining 141 cases.
93 Kyed (2018), Saferworld, forthcoming; Overseas Development Institute (2016); McCartan and Jolliffe (2016).
94 One was ultimately settled by the MPF and the other by another GoM body.

Figure 4.13 Satisfaction with cases handled by authorities (higher than village leader)

Legend:
- Prefer not to answer
- Not recorded
- Very disatisfied
- Disatisfied
- Satisfied
- Very satisfied

referral mechanisms for village leaders or other responsible figures.[95] This was further indicated by the fact that of the 27 referred cases in mixed areas, 12 were referred to the KNU (five to the KNPF and seven to another KNU body), while only two were referred to GoM authorities (one to the police and one to another GoM body). Remarkably, none of the cases in GoM-controlled areas were referred to higher authorities, instead being dealt with by unofficial local 'judges' (two cases), an elder (one case), directly by a lawyer (one case) or by a village tract official (one case). In both of the cases handled by an unofficial judge, the referral had been made by the MPF.

In total, out of the 143 fully documented cases, 11 per cent of respondents said they were very satisfied with the outcome of their case and 57 per cent said they were satisfied. Thirteen per cent were dissatisfied and three per cent were very dissatisfied.[96] As shown in Figure 4.13, out of 24 cases that were ultimately handled by the KNU, respondents said they were very satisfied in four (17 per cent), satisfied in 12 (50 per cent) and dissatisfied in four (17 per cent). Out of 12 cases handled by the GoM, respondents reported they were very satisfied in one case (8 per cent), satisfied in six (50 per cent), dissatisfied in two (17 per cent) and very dissatisfied in one (eight per cent). The very dissatisfied case involved a female Buddhist in Tanintharyi Township, who reported a case of domestic violence directly to the police and was referred to an unofficial local judge. All nine cases handled ultimately by village tract authorities left the respondent satisfied (eight) or very satisfied (one).

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95 Four of these cases were solved by the village tract leader, three by another KNU body, two by the KNPF and two by another village leader.
96 In 15 of the cases (ten per cent), answers were not recorded, and in seven (five per cent), the respondent said they would prefer not to answer, which possibly signified a lack of satisfaction.

Karen National Union chairperson General Saw Mutu Sae Poe shakes hands with Myanmar president U Win Myint during the third Panglong conference in July 2018. Also in the picture are Myanmar commander-in-chief, senior general Min Aung Hlaing and state counsellor Daw Aung San Suu Kyi.
© Prachatai

5

Peace and conflict

Key findings

- Public opinion of all authorities had improved greatly since the 2012 ceasefire.
- However, confidence in the current peace process was very low, especially in KNU-controlled areas.
- The majority of respondents were worried or very worried that fighting would break out again within the next five years.
- Respondents in KNU-controlled areas were especially worried; this included in areas where fighting did break out just months after this data was collected.
- Respondents whose main interactions with authorities were with the military branches, were most likely to fear conflict breaking out again.

WHILE CEASEFIRES HAVE RESULTED in greater physical security for conflict-affected communities in most areas, improvements to security, justice and governance will depend upon progress towards an inclusive peace agreement based on meaningful political dialogue. Indeed, the KNU has repeatedly stated that the central reason for signing a ceasefire and initiating talks was in order to take part in union-wide dialogue towards a federal, democratic system of government. Despite the holding of three Union Peace Conferences since 2016, there has been a lack of clear agreement on many of the most fundamental issues, and confidence is low. There has also been a notable lack of public participation, including of people in conflict areas, to affect the focus of talks. Furthermore, intermittent armed conflict has continued, due to structural weaknesses in the design and implementation of ceasefires.

Young women participate in International Day of Peace event.
© Saferworld

> People's overall opinions of all authorities have gone up significantly since the ceasefires were signed, signifying that a strong commitment to ending conflict will be a key in maintaining popularity with the general population. "

One of the most striking findings is that people's overall opinions of all authorities have gone up significantly since the ceasefires were signed (Figures 5.1, 5.2 and 5.3): 55 per cent and 48 per cent of respondents said their overall opinion of the KNU and the GoM had improved, respectively, while the portion who said opinions had significantly improved was eight per cent for both. Only ten and 12 per cent of respondents said there was no difference and few said their opinions had deteriorated or significantly deteriorated. This demonstrates that, despite the many imperfections of the peace process, people in the survey area are supportive of efforts to end conflict. This should be no surprise given the great suffering people endured during times of conflict. It may also indicate that both authorities have improved in terms of their conduct and their ability to provide better governance. Regardless, it is clear that for authorities to maintain and build popularity with the general population, a strong commitment to ending conflict will be key.

**Figure 5.1 How have your opinions of authorities changed since the 2012 ceasefires?**
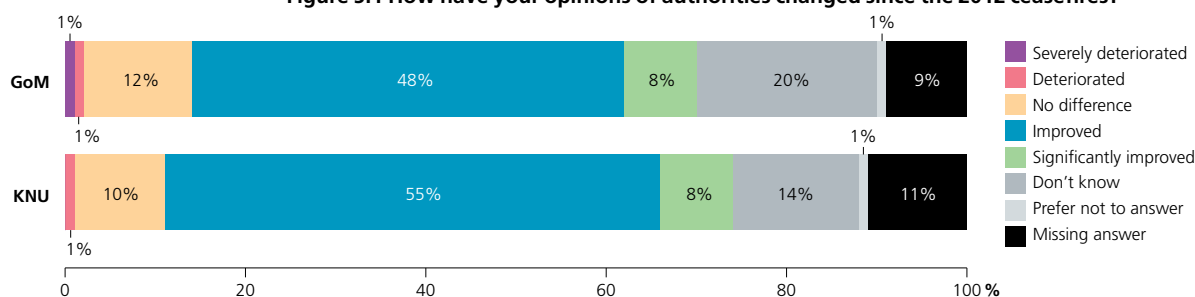
Notably, opinions of GoM and KNU most widely improved in areas controlled by each authority (Figure 5.3). Seventy-six per cent of respondents living in KNU areas said that their opinions of the KNU had improved, while only 25 per cent said the same of the GoM (many likely have limited contact with the GoM). People in GoM-controlled areas were much more likely to say their opinions of the GoM had improved compared to the KNU.

Figure 5.2 How have your opinions of authorities changed since 2012? (Smaller armed actors)
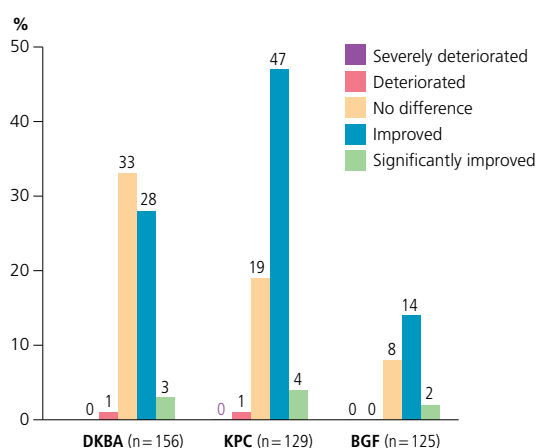
Figure 5.3 How have your opinions of authorities changed since 2012? (GoM and KNU)
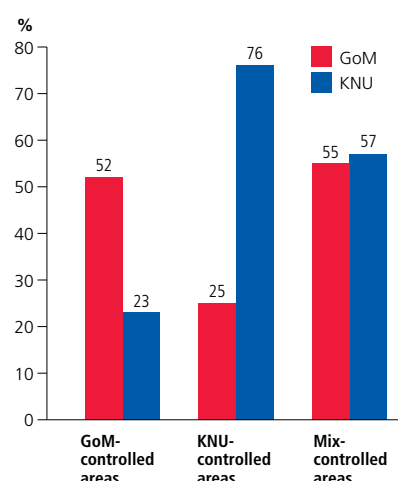
Opinions of the smaller Karen armed groups, among those who had contact with them, had also improved since 2012 – but not as dramatically (Figure 5.2). Among respondents that had contact with the BGFs and DKBA, opinions of the groups only improved or significantly improved among 16 per cent and 31 per cent, respectively. In the case of the DKBA, a higher proportion said there had been no difference.

Vice president Henry Van Thio (L), Daw Aung San Suu Kyi, former president U Htin Kyaw and vice president U Myint Swe in the front row of parliament.
© Saferworld

> "Only 12 per cent of respondents said they were confident that the peace process would lead to sustainable peace; just two per cent said they were very confident; while 23 per cent said they were not confident at all."

BOX 5.1 Renewed conflict in Mutraw District

In March 2018, 2,295 people from 12 villages in the KNU-defined Mutraw (Hpapun) District were displaced due to Tatmadaw troop movements and subsequent conflict with the KNU.[97] Tensions had been escalating in the area since December 2017, over Tatmadaw plans to upgrade a dirt trail into a vehicle road, on the outer edge of a KNU stronghold. Eight hundred Tatmadaw troops were moved into the area in February 2018, leading to 37 clashes within a three-week period and the killing of a Karen indigenous land defender by the Tatmadaw while he was transporting a KNU soldier.

The KNU stated that the Tatmadaw's actions illustrated 'total disregard for the NCA and demonstrates their lack of respect for the KNU as a dialogue partner'.[98] The Tatmadaw has maintained that the road upgrade was for routine 'development purposes' and for the 'use of the local people', and has accused the local KNU brigade of aggression.[99]

Talks in May 2018 appeared to resolve the issue and the Tatmadaw agreed to postpone road construction and (according to the KNU) to withdraw troops. However, intermittent clashes have continued since and it remains unclear how long the postponement will last or if displaced communities would feel safe to return. This escalation of conflict is also a reminder that the 'ceasefire areas' referred to in the NCA remain poorly defined. Until military actors reach agreements over 'areas of operation' and commit the necessary political will to upholding such agreements, it is highly likely that these incidents will become more regular.

Respondents demonstrated very low confidence in the peace process, despite the above noted support for authorities' efforts to end conflict in general. Overall, only 12 per cent of respondents said they were confident that the peace process would lead to sustainable peace; just two per cent said they were very confident; while 23 per cent said they were not confident at all (Figure 5.4).

Figure 5.4 How confident are you that the peace process will lead to sustainable peace?
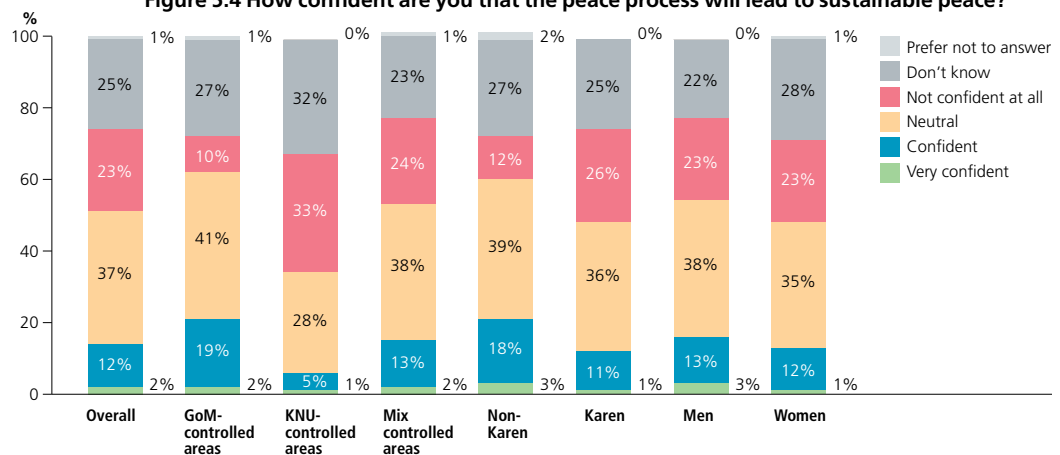
97 KPSN (2018), 'The Nightmare Returns: Karen hopes for peace and stability dashed by Burma Army's actions', April, https://karenwomen.files.wordpress.com/2018/04/the-nightmare-returns-english-version.pdf
98 KNU (2018).
99 *Myanmar Times* (2018).

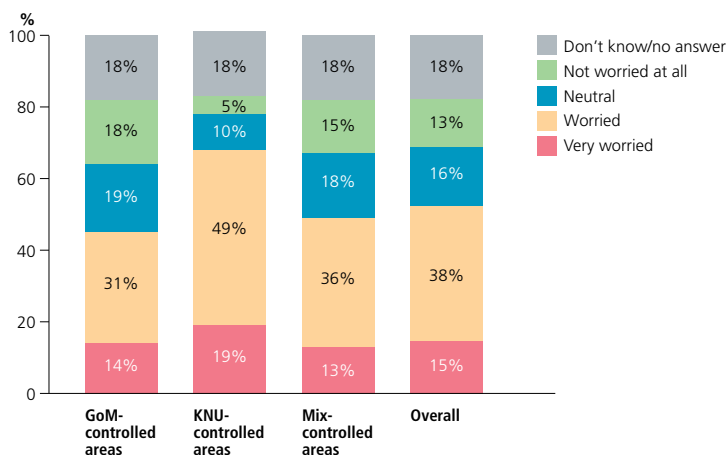**Senior delegates at the Union Peace Conference (2017).**
© Saferworld

"More than 50 per cent of all respondents were worried or very worried that fighting will break out again in the next five years, while only 13.5 per cent were not worried at all."

Confidence appears lowest in the KNU-controlled areas, where 33 per cent said they were not confident at all; meanwhile, only five per cent and one per cent said they were confident and very confident, respectively. Karen people were more than twice as likely as non-Karen people to be not confident at all, seemingly correlating with their higher levels of experience with abuse lower levels of confidence in GoM than non-Karen. Aside from women being more likely to say "I don't know" than men, the results were relatively similar across genders.

Answers to the question "Do you worry fighting will break out again in the next five years?" showed similar trends (Figure 5.5). More than 50 per cent of all respondents were worried or very worried, while only 13.5 per cent were not worried at all. Sixty-eight per cent of people in KNU-controlled areas said they were worried or very worried, most of whom were in KNU-defined Mutraw District, where fighting did actually break out shortly after this data was collected, displacing more than 2,000 people (See box 5.1). While intermittent fighting has continued since the 2012 ceasefires, KPSN has noted growing fears of widespread conflict breaking out.

Figure 5.5 Do you worry that fighting (armed conflict) will break out again in the next five years?

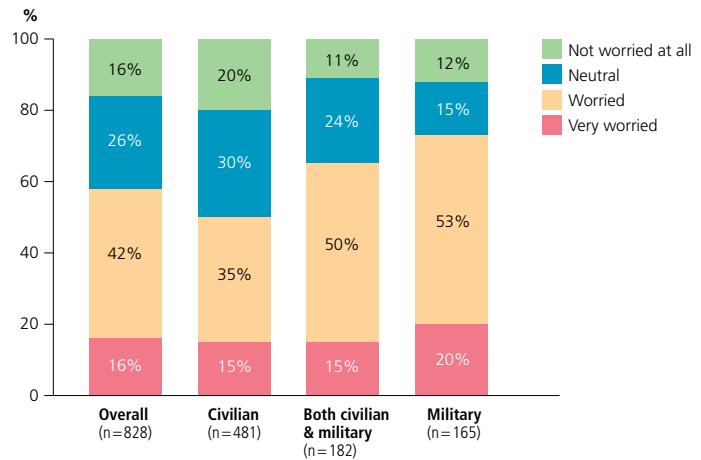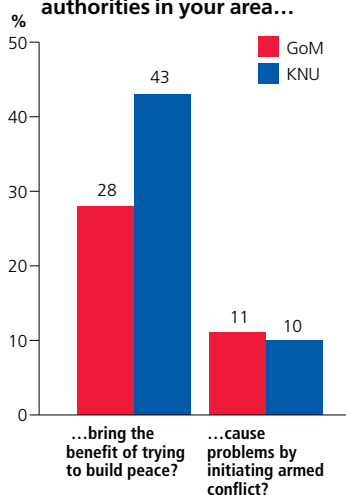|	GoM-controlled areas	KNU-controlled areas	Mix-controlled areas	Overall
Don't know/no answer	18%	18%	18%	18%
Not worried at all	18%	5%	15%	13%
Neutral	19%	10%	18%	16%
Worried	31%	49%	36%	38%
Very worried	14%	19%	13%	15%

Figure 5.6 Worries of fighting breaking out in next five years (according to main interaction with KNU – civilian, military or both – since 2012)
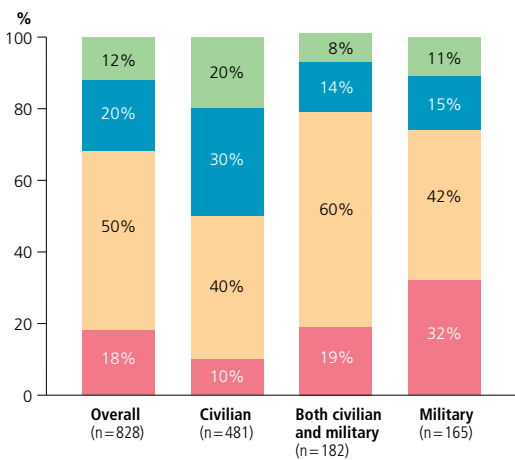
Figure 5.7 Worries of fighting breaking out in next five years (according to main interaction with GoM – civilian, military or both – since 2012)

Legend:
- Not worried at all
- Neutral
- Worried
- Very worried

Figure 5.8 Do any of the authorities in your area…

- GoM
- KNU

…bring the benefit of trying to build peace?
…cause problems by initiating armed conflict?

Continued militarisation in the ceasefire areas has seemingly played a role in sustaining these fears. There is a notable association between the extent to which respondents described their interactions with authorities as 'civilian' or 'military' and their worries of renewed conflict (see Figure 5.6). Fifty per cent of those whose main interactions with GoM had been with civilians since 2012 were worried or very worried, compared with 73 per cent of those whose main interactions were with the military. Respondents whose main interaction with the KNU was with the military were three times more likely to be very worried than those who interacted mostly with its civilians.

When asked about the various benefits provided by different authorities, 43 per cent saw the KNU as trying to build peace, while 28 per cent said the same of the GoM. Eleven per cent and ten per cent recognised initiating armed conflict as a problem caused by the GoM and KNU, respectively (Figure 5.8).

Man repairing his fishing boat in Dawei.
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6

Conclusion and recommendations

6.1 Conclusion

THE FINDINGS OF THIS SURVEY demonstrate that people in the Karen ceasefire areas continue to face severe insecurity, in the context of protracted armed conflict, routine violence, abuse and exploitation. The findings also paint a picture of extremely complex governance dynamics, which are intrinsically tied to the conflict. The KNU – which has governed parts of the region consistently since independence in 1949 – maintains a governmental presence across a widespread area, including in many areas far from the border with Thailand. The majority of villages in the survey areas appear to be influenced by both the KNU and the GoM, and in some cases other armed actors, without any official demarcation of territory or delineation of authority.

While meaningful political dialogue towards federalism has been precluded by the Tatmadaw's insistence on abidance to the 2008 Constitution, the findings of this report demonstrate that far greater effort is needed to address the many practical challenges on the ground.

The survey shows that the KNU enjoys notable legitimacy among large swathes of the population in Karen ceasefire areas, predominantly among Karen people. Many explicitly liked the KNU the most, would prefer it to govern their area, and saw it as the most suitable provider of security, safety and justice, when compared with the GoM and other armed actors. People living in KNU-controlled areas were near unanimous in these views, and few showed any preference for the GoM. At the same time, however, the KNU was criticised over a number of issues – including unfair recruitment practices, use of improvised explosive devices and excessive taxation – by a significant minority of respondents (less than 20 per cent). Meanwhile, the GoM was named more than any other authority for forced labour, aggressive or inappropriate conduct, and extortion, among other issues.

The legacy of violence and abuse effecting the region's civilian population cannot be overstated, in particular the impacts of widespread and systematic practices of the Tatmadaw. With 79 per cent of households affected by violence and abuse, and targeted acts such as shootings and burning of villages each having affected more than 30 per cent of the surveyed population, there is likely severe lasting trauma. Despite experiencing fewer incidents of armed violence in recent years, communities remain subjected to heavy militarisation, ongoing violence and abuse, landmines, rising threats related to development, and new and renewed cycles of armed conflict and displacement.

Views from the top of Mount Zwegabin (Kwekabaw) in Hpa An township.
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Widespread support for the KNU among Karen people in the ceasefire areas seemingly indicates support for the principles of localised governance and self-determination. This is significant because a belief in such desires are the main reason that Karen political leaders have long demanded a federal system of government and developed policies based on local practices, such as the KNU Land Policy. This support for the KNU among Karen people appears to be due to ethnic and linguistic ties, the embeddedness of KNU institutions in local communities, the KNU's historical position as the primary political organisation representing Karen society, and because of ties to Karen ancestral lands.

Importantly, these preferences existed despite GoM social services and development reaching roughly the same numbers of Karen respondents as social services and development from the KNU. This clearly demonstrates that investments in public services and development do not automatically translate into legitimacy being conferred by the population. Such investments are central to the stated 'peace' strategies of successive GoM administrations but are inextricably linked to the strategic extension of centralised control over both territory and people. The Tatmadaw has consistently downplayed the violence committed against ethnic communities, while pointing to GoM investments in development as evidence of their positive treatment of minorities and communities in the so-called 'border areas'.

The survey provides strong evidence that conflict-affected communities in Karen areas support an end to armed conflict but that confidence in the peace process and in the sustainability of ceasefires remains low. Indeed, there are no guarantees that Karen areas are on a linear path to lasting peace, amid continued militarisation, continued contestation at the local level, and very little progress towards a political solution at the national level.

Firstly, a number of urgent steps are needed to ensure the basic safety of civilians. These include the immediate demilitarisation of ceasefire areas, a reduction of tensions, and the enforcement of strict regulations and accountability measures for all security forces to respect human rights. Humanitarian support is needed for refugees and internally displaced persons as well as improved protection support. Steps by all authorities, especially the government and splinter groups, are needed to end land grabs and to establish laws and implementation mechanisms for restitution of all confiscated lands. Without the demarcation of ceasefire territories that limit troop movements and allow more effective monitoring and a basis for determining violations, intermittent armed conflict will continue and a return to widespread violence will remain a constant risk.

Consolidating the peace will then depend on the development of a more inclusive and democratic political dialogue framework that allows resolutions to be established outside of confines of the 2008 Constitution.[100] Alongside this process, security sector reform is needed to create more inclusive, representative and accountable armed forces and justice institutions that can guarantee the safety of all communities in Myanmar. Interim arrangements for the period prior to a political settlement that ensure the recognition of EAO and community governance and social service systems will make ceasefires more stable, improve the well-being of conflict-affected communities, and provide space for improved governance and inclusive human development.

All authorities need to take steps to enforce a moratorium on major development projects, to end land grabs, and to regulate business practices more responsibly and transparently. Transformational government reforms are needed to make the economy more inclusive, equitable and decentralised in order to end decades-old grievances linked to extraction of wealth and resources from ethnic areas to companies and individuals owned by or linked to the Tatmadaw and GoM.

During the interim period, official recognition of the KNU's laws, policies and governance will be crucial to building the genuine trust and political dialogue needed to negotiate the establishment of a future federal and democratic union. Meanwhile, the use of development, service delivery and humanitarian support to expand the GoM's territorial control or gain influence over populations will drive conflict further. The KNU can take significant steps to improve its governance and social service delivery too, and to cooperate with CBOs and CSOs, benefitting from their capacity and knowledge on women's rights and empowerment, responsible development practices, environmental conservation, human rights promotion, and support to displaced persons and migrants, among other key issues.

All authorities also have a long way to go to ensure women are safe, secure, have access to full opportunities and enjoy equal participation in governance. This requires greater inclusion of women at all administrative levels and greater women's participation in local elections and decision-making. Beyond that, it relies on transformation of core policies and institutions to tackle gender norms that perpetuate the insecurities and forms of marginalisation faced by women.

> "All authorities also have a long way to go to ensure women are safe, secure, have access to full opportunities and enjoy equal participation in governance. This requires greater inclusion of women at all administrative levels and greater women's participation in local elections and decision-making. Beyond that, it relies on transformation of core policies and institutions to tackle gender norms that perpetuate the insecurities and forms of marginalisation faced by women."

100 KPSN (2018), 'Burma's Dead-End Peace Negotiation process: a case study of the land sector', July, https://progressivevoicemyanmar.org/wp-content/uploads/2018/07/Eng-Burmas-Dead-End-Peace-Negotiation-Process-KPSN-report-web.pdf

Women working in the rice paddies.
© Julie Debuire

Finally, sustainable peace will depend on leaders and the whole country coming to terms with the sheer scale of suffering experienced by conflict-affected people, by providing formal acknowledgement to those who have suffered and survived, ensuring justice and accountability for past crimes, and systematically addressing the remaining causes of insecurity.

None of the issues highlighted in this report will be easily solved and all require unprecedented political will and resolve from leaders on all sides of the conflict, to make compromises and commit wholeheartedly to ending the protracted cycle of conflict, violence, and insecurity.

6.2
Recommendations

These recommendations were developed in collaboration between the KPSN and Saferworld, and draw on KPSN's existing work and experience in a range of sectors. They are divided into recommendations for the GoM, the KNU and the international aid community.

To the Government of the Union of Myanmar

A. Urgent steps to ensure the basic safety of all civilians

1. Demilitarise ceasefire areas by moving infantry, BGF and other military facilities away from communities; cease all escalatory actions and preparations for renewed offensives; decrease troop numbers and limit military contact with civilians to emergencies.

2. End impunity and enforce strict regulations on the conduct of all civilian personnel and security forces, including BGFs, to ensure protection of human rights.

3. Lift all restrictions on humanitarian assistance, guaranteeing the safety of humanitarian workers, even where EAOs are involved in, or are overseeing, delivery.

4. Avoid promoting refugees to return to ceasefire areas, in recognition that the situation is still not safe and secure, while ensuring the rights and needs of spontaneous returnees are fully upheld.

5. Continue to work with the KNU and other EAOs to demarcate territorial boundaries and further develop the code of conduct to limit the movements of armed actors to permitted areas, to allow more effective monitoring and a basis for determining ceasefire violations.

6. End land grabs, reform land laws in line with customary practices and existing land management structures, and establish laws and implementation mechanisms for restitution of all confiscated lands.

B. Necessary steps for consolidating the peace

1. Establish a genuine federal and democratic system that devolves governance, land management and social services to state/region, district and township authorities, as appropriate, to allow policies and practices to be aligned with the customs and specific needs of the country's diverse ethnic nationalities.

2. Commit to security sector reform to create more inclusive, representative and accountable armed forces and justice institutions that can guarantee the safety of all communities in Myanmar and that are suitable for a federal and democratic system of government.

3. Establish interim arrangements that formally and legally recognise the authority and legitimacy of the KNU and that are fully inclusive of civil society and affected communities for the period prior to the establishment of a federal and democratic system of government.

4. Work with the KNU to determine its role in the establishment of a democratic and federal Union of Myanmar, recognising that it has governed millions of the country's citizens since independence, and is still seen as legitimate, and cannot simply be replaced through the expansion of the Myanmar state.

5. Initiate transformational reforms to make the economy more inclusive, equitable and decentralised to end decades-old grievances linked to extraction of wealth and resources from ethnic areas to companies and individuals owned by or linked to the Tatmadaw and GoM.

6. Enforce a moratorium on mega projects in ceasefire areas for the interim period and ensure all development activities adhere to the principles of free, prior and informed consent.

7. Focus peacebuilding efforts on addressing the political drivers of conflict and reducing militarisation and violence, rather than on economic development, recognising that development projects and social services alone will not bring peace or necessarily make the GoM more legitimate in the eyes of the people.

8. Address the legacy of violence and abuse faced by conflict-affected communities, by recognising the right to remedy for victims of human rights violations; publicly acknowledging and ensuring justice for past crimes; permitting independent forums, museums and memorials to be established; and investing in psychosocial support.

9. Actively promote greater inclusion and participation of women and ethnic and religious minorities in administration, justice provision and security sector governance at the village, village tract, township, state/region and union levels. This should include honouring the commitments the government made on the implementation of the National Strategic Action Plan for the Advancement of Women, in particular all the provisions in articles 13 and 14, and on the implementation of Convention on the Elimination of All Forms of Discrimination against Women.

To the Karen National Union

A. Urgent steps to ensure the basic safety of all civilians

1. Consult communities on the main threats to their security and improve policies and practices to further ensure their safety, and prioritise the passing and implementation of the KNU Women Protection Act.

2. Ensure the full enforcement of all policies on humanitarian conduct, such as the ban on underage recruitment, and the informing of all local civilians on the locations of improvised explosive devices.

3. Work with INGOs and CSOs to develop and implement a comprehensive and transparent agenda for advocating on behalf of refugees and internally displaced persons, to secure continued international assistance, gain greater international commitment to finding genuine durable solutions, and avoid encouraging premature repatriation.

4. Strengthen and enforce regulations on the conduct of all KNU personnel to ensure protection of human rights.

5. Review, update and then fully enforce the KNU Humanitarian Policy to ensure all civilians have access to adequate assistance through an appropriately regulated system that avoids NGO duplication or irresponsible programmes.

6. Continue to work with the Tatmadaw to demarcate territorial boundaries and develop the code of conduct to limit the movements of armed actors to permitted areas, to allow more effective monitoring and a basis for determining ceasefire violations.

7. End all land grabs in areas of KNU influence and hold accountable all independent or KNU-affiliated individuals and companies involved; ensure that development projects are only approved once all necessary safeguards are in place.

B. Necessary steps for consolidating the peace

1. Make security sector reform a priority at peace process negotiations[18] to demand more inclusive, representative and accountable armed forces and justice institutions that can guarantee the safety of all communities in Myanmar and that are suitable for a federal and democratic system of government.

2. Work with other EAOs, the GoM and Tatmadaw to secure interim arrangements that conform to the NCA text by formally and legally recognising the authority and legitimacy of the KNU and other EAOs, and that are fully inclusive of civil society and affected communities for the period prior to the creation of a federal and democratic system of government.

3. Continue efforts to promote women's involvement in Karen politics and local governance by developing a gender sensitivity policy, mainstreaming gender into all other policies, encouraging greater women's participation in local elections and increasing the proportion of women representatives at all administrative levels to at least 30 per cent with particular efforts to increase the number of women village leaders.

4. Fully implement the KNU Economic Policy, with a particular focus ensuring communities have free, prior, and informed consent; and that all projects are properly regulated through transparent mechanisms.

5. Use the KNU's influence as a prominent stakeholder in the peace process to enforce a moratorium on mega projects in ceasefire areas for the interim period and ensure all development activities adhere to the principles of free, prior and informed consent.

6. Consult communities to hear any concerns about existing taxation policies and to initiate necessary reforms to reduce the burden on communities where necessary, particularly in mix-controlled areas.

7. Continue to strengthen and improve the justice and policing systems, to reduce direct contact between military units and civilians, in line with international norms.

8. Ensure the justice procedural code is fully enforced at all levels so that crimes are consistently referred to the appropriate level and particularly that cases of gender-based violence are not minimised by the responsible authorities.

9. Improve organisational capacities for policy-making, public consultation and community outreach, and cooperate with CBOs and CSOs to benefit from their capacity and knowledge on women's rights and empowerment, responsible development practices, environmental conservation, human rights promotion, and support to displaced persons and migrants, among other key issues.

10. Continue to strengthen KNU departments and administrative bodies and to collaborate with CBOs and CSOs to provide education, healthcare, access to justice and social security for all people in the KNU-controlled and mix-controlled areas.

11. Develop and implement an organisation-wide policy to consult people of all ethnicities and religions and to cooperate with relevant CSOs to ensure that there is no discrimination or marginalisation of minorities within KNU-controlled and mix-controlled areas.

12. Initiate independent processes and demand that the GoM establishes nationwide processes to address the legacy of violence and abuse faced by conflict-affected communities, by publicly acknowledging and ensuring justice for past crimes; permitting independent forums, museums and memorials to be established; and investing in psychosocial support.

To the international community

A. Urgent steps to ensure the basic safety of all civilians

1. End cuts to humanitarian aid for refugees in Thailand and internally displaced persons in south east Myanmar and ensure readiness for potential new displacements in the context of renewed conflict.

2. Review current approaches to supporting the peace process, with particular efforts to address asymmetry of influence that favours the Tatmadaw and GoM, provide technical capacity and resources available to less powerful stakeholders, and utilise diplomatic pressure to encourage a greater commitment from the GoM to compromise and steps towards federalism.

3. Ensure that all aid initiatives in conflict areas are conceived, implemented, and monitored with the support of – and are accountable to – local-level actors who are fully trusted by local communities.

B. Necessary steps for consolidating the peace

1. Refrain from treating Karen ceasefire areas as a post-conflict context or primarily as a development challenge. Avoid development programmes that assist unwarranted government expansion into ceasefire areas or strengthening of government institutions in areas where trust in the government remains low, recognising that neither government access nor presence of government-affiliated village leaders guarantee government control.

2. Ensure all development activities adhere to the principles of free, prior and informed consent and refrain from large-scale economic development projects in the ceasefire areas until stable interim arrangements that guarantee fully transparent, inclusive and conflict sensitive procedures are in place at the subnational level.

3. Avoid peacebuilding programmes that focus on material economic development and instead base strategies on countering the core drivers of conflict, such as by promoting decentralised and local governance, strengthening existing social service systems, supporting land restitution or assisting transitional justice efforts.

4. Recognise the legitimacy of the KNU as an important governance actor in the ceasefire area, consulting the organisation on all aid programmes and interventions in territories where it has influence.

5. Provide aid to support the establishment of 'interim arrangements' by supporting the KNU and associated CBOs and CSOs to strengthen and improve their programmes and functions in the main areas of governance, security and service delivery.

6. Invest in community-led peacebuilding initiatives that improve local resilience and response to conflict and connect ordinary people to the peace process.

7. Maintain support to human rights research, documentation and advocacy, particularly to groups working in conflict areas, including women's organisations.

8. Support moves towards transitional justice, by empowering domestic actors working on the issue, piloting initiatives aimed at publicly acknowledging past experiences, and supporting justice and accountability.

9. Support women's organisations to promote gender sensitive policies and greater inclusion of women in decision-making at all levels, including in governance, peace negotiations and formal political institutions, particularly in conflict-affected areas.

6.3 Furthering the research agenda

More research is needed to understand the issues explored in this study in greater detail and to support efforts to find solutions. In many ways, this report raises as many questions as it provides answers, demonstrating the incredible complexity of and lack of reliable information on the context. The following research questions should be explored further:

■ What security and justice issues do men and women consider most prevalent and concerning in ceasefire areas, and how are they different depending on gender and other power dynamics? How do they perceive the specific responses of authorities to these issues? What policies, practices, or programmes are needed to support communities and authorities to better respond to gendered issues arising and make ceasefire areas safer and more secure for women and girls and men and boys?

■ How can local politics, security, justice, and governance be made more inclusive, particularly of women? How can local-level elections be made more inclusive of women, particularly in communities with both GoM and KNU village leaders? Why are women less willing or able to voice preferences on governance issues, and how is this related to marginalisation in other aspects of social, economic and political life?

■ How are authorities and service providers at all levels preventing and responding to the multiple forms of GBV, including sexual abuse by powerful actors, intimate partner violence and girl-specific forms of GBV? What options exist for survivors of such abuse to access protection, justice and other forms of support? What are the main barriers survivors face in accessing the different types of GBV services? What works in the varied Myanmar contexts to prevent GBV and how can peacebuilding organisations include this in their work? What steps can be taken by authorities to end such violence and to ensure adequate services to survivors?

■ What are the experiences and perceptions of the smaller Karen armed actors among people living under their direct influence? What does this tell us about the protection needs of these communities and about the potential roles of these armed actors in a future federal union?

■ What are the mental health impacts of high levels of violence and abuse on communities in conflict areas? How do they differ for men and women? How prevalent is post-traumatic stress disorder and other related mental and physical health conditions, and what local approaches have been taken to help cope with or manage them? What formalised services are needed to help communities recover and how can these be delivered gender sensitively?

- What are people's priorities for the overall management of the country's security sector and how can these be better included in related areas of the ongoing peace talks?

- What are the most prevalent justice and criminal issues in ceasefire areas? Are issues associated with illegal narcotics on the rise, and how do they affect ordinary people? What steps can be taken by authorities to curb these threats?

- How common is migration of young men and young women out of ceasefire areas for work or other reasons? Where are they going? What is the rate of return? What impact do these movements have on the political economy of ceasefire areas?

- What are the impacts of such great differences in experiences and perceptions among Karen and non-Karen people in the ceasefire areas? Do tensions between communities exist, and how do these relate to the overall conflict dynamics? What are the implications of these differences for the goal of building a democratic and federal union of Myanmar? Will the impacts of electoral politics become more prominent and influential in the region over time?

- How do various authorities co-exist in areas of mixed control? What are the impacts of international interventions on these dynamics, and how can this aid be delivered in a more gender- and conflict-sensitive way?

- How has international aid to the region evolved over time and how much aid is currently going to the GoM-affiliated governance system versus that of the KNU? What are the impacts on the political economy over the long-term and how can aid policy be designed to support peace rather than drive conflict?

- What are the risks and opportunities involved in the potential return of over a hundred thousand Karen refugees to the ceasefire region? What types of territory will they return to and how can their protection be assured? What will the impacts of such a migration be on conflict dynamics at the local level and how can problems be mitigated?

References and bibliography

Amnesty International (2008), 'Crimes against humanity in eastern Myanmar', June

Amnesty International (2018), '"We will destroy everything" Military responsibility for crimes against humanity in Rakhine State, Myanmar', June

Burma Link (2018), 'Karen National Union (KNU) statement regarding the Tatmadaw's reinforcement and activities in KNU Brigade-5 Area, Mudraw (Papun) District', 10 May (https://www.burmalink.org/karen-national-union-knu-statement-regarding-the-tatmadaws-reinforcement-and-activities-in-knu-brigade-5-area-mudraw-papun-district/)

Cathcart G, Phyusin Ngwethaw, Nay Thar, Ye Paing Soe and Kyaw Toe Hlaing (translator) (2016), 'Knowledge, attitudes and practices survey: the impact of landmines and other explosive remnants of war in south eastern region of Myanmar', Danish Church Aid

Davis B, Jolliffe K (2016), 'Achieving health equity in contested areas of southeast Myanmar', The Asia Foundation, May (http://asiafoundation.org/publication/achieving-health-equity-contested-areas-southeast-myanmar/)

Denney L, Bennet B, Khin Thet Sann (2016), 'Making big cases small and small cases disappear: experiences of local justice in Myanmar', November, MyJustice

Gallup (2018), 'Taxes' (http://news.gallup.com/poll/1714/taxes.aspx)

Gender Equality Network (2014), 'Behind the silence: violence against women and their resilience, Myanmar', October (http://www.burmalibrary.org/docs20/GEN-2014-11-Behind_the_Silence-en.pdf)

Human Rights Watch (2017), '"All of my body was pain" Sexual violence against Rohingya women and girls in Burma', November

International Human Rights Clinic (IHRC) (2014) 'Preventing indiscriminate attacks and wilful killings of civilians by the Myanmar military, Human Rights Program at Harvard Law School, April (http://hrp.law.harvard.edu/wp-content/uploads/2014/03/2014.03.24-IHRC-Military-Policy-Memorandum-FINAL.web_.pdf)

International Rescue Committee (2016), 'Gender based violence among displaced communities in Sittwe Township, Rakhine State: A knowledge, attitudes and practices study', September (https://reliefweb.int/sites/reliefweb.int/files/resources/IRC%20GBV%20%202016.pdf)

IRIN (2011), 'Military porters worked to death', 13 July (http://www.irinnews.org/report/93220/myanmar-military-porters-worked-death)

Jolliffe K (2015), 'Ethnic armed conflict and territorial administration in Myanmar', The Asia Foundation, July (https://asiafoundation.org/resources/pdfs/ConflictTerritorialAdministrationfullreportENG.pdf)

Jolliffe K (2016), 'Ceasefires, governance and development: the Karen National Union in times of change', The Asia Foundation, December

Jolliffe K, Speers Mears E (2016), 'Strength in diversity: towards universal education in Myanmar's ethnic areas', The Asia Foundation, October (http://asiafoundation.org/publication/strength-in-diversity/)

Karen Environmental and Social Action Network, Karen Human Rights Group, Thwee Community Development Network (2016), 'Beautiful words, ugly actions: the Asian highway in Karen State, Burma, August (http://khrg.org/2016/08/beautiful-words-ugly-actions-0)

Karen Human Rights Group (KHRG) (1998) 'Wholesale destruction: the SLORC/SPDC campaign to obliterate all hill villages in Papun and Eastern Nyaunglebin districts', April, (http://khrg.org/1998/02/khrg9801/wholesale-destruction)

Karen Human Rights Group (KHRG) (2002), 'Consolidation of control: The SPDC and the DKBA in Pa'an District', 7 September (http://khrg.org/2014/08/khrg02u4/consolidation-control-spdc-and-dkba-paan-district)

Karen Human Rights Group (KHRG) (2006), 'Dignity in the shadow of oppression: the abuse and agency of Karen women under militarisation', November

Karen Human Rights Group (KHRG) (2007), 'Development by decree: the politics of poverty and control in Karen State', April

Karen Human Rights Group (KHRG) (2008), 'Village agency: rural rights and resistance in a militarized Karen State', November

Karen Human Rights Group (KHRG) (2009), 'Cycles of displacement: forced relocation and civilian responses in Nyaunglebin District', January

Karen Human Rights Group (2014), 'Truce or transition: trends in human rights abuses and local response in southeast Myanmar since the 2012 ceasefire', May

Karen Human Rights Group (2016), 'Hidden strengths, hidden struggles: women's testimonies from southeast Myanmar', July

Karen Human Rights Group (2017), 'Foundation of fear: 25 years of villagers' voices from southeast Myanmar', October (http://khrg.org/sites/default/files/khrg_foundation_of_fear_english_full_report_october_2017_w2.pdf)

Karen Human Rights Group (2018), 'Development without us': Village Agency and Land Confiscations in Southeast Myanmar', August

Karen Peace Support Network (2018), 'Nightmare Returns: Karen Hopes for Peace and Stability Dashed by Burma Army's Actions', April, (https://kesan.asia/index.php/resources/download/13-reports/122-the-nightmare-return-karen-hopes-for-peace-and-stability-dashed-by-burma-army-s-actions)

Karen National Union (2018), 'Statement regarding the Tatmadaw's reinforcement and activities in KNU Brigade-5 Area, Mudraw (Papun) District', 10 May 2018

Karen Women's Organisation (2004), 'Shattering silences: Karen women speak out about the Burmese military regime's use of rape as a strategy of war in Karen State', April

Karen Women's Organisation (2007), 'State of terror: the ongoing rape, murder, torture and forced labour suffered by women living under the Burmese military regime in Karen State', February

Karen Women's Organisation (2010), 'Walking amongst sharp knives: the unsung courage of Karen women village chiefs in conflict areas of Eastern Burma', February (https://karenwomen.files.wordpress.com/2011/11/walkingamongstsharpknives.pdf)

Kempel S, Aung Tun (2016), 'Myanmar ward and village tract administrator elections 2016: an overview of the role, the laws and the procedures', Norwegian People's Aid

Kyed H M, Pohl Harrisson A, McCarthy G (2016), 'Local democracy in Myanmar: reflections on ward and village tract elections in 2016', Danish Institute of International Studies, September

Kyi Pyar Chit Saw, Arnold A (2014), 'Administering the state in Myanmar: an overview of the General Administration Department', The Asia Foundation

Land in Our Hands Network (2015), 'Destroying People's Lives: The Impact of Land Grabbing on communities in Myanmar', December, (https://www.tni.org/files/article-downloads/lioh_research_report_eng_0.pdf)

McCartan B, Jolliffe K (2016) 'Ethnic armed actors and justice provision in Myanmar', The Asia Foundation, October

Myanmar Times (2018), 'KNU, Tatmadaw 'ready to end clashes'', 4 May 2018, https://www.mmtimes.com/news/knu-tatmadaw-ready-end-clashes.html

MyJustice (2018), 'Searching for justice in the law', March (https://www.myjusticemyanmar.org/sites/default/files/Policy%20Brief_20042018_Screen_fit_0.pdf)

Oregon State University (2009), 'Field methods in vegetation science. Locating quadrats using the grid system' (http://oregonstate.edu/instruct/bot440/wilsomar/Content/SRS.htm)

REDRESS (2018), 'Supplement to the international protocol on the documentation and investigation of sexual violence in conflict: Myanmar-specific guidance for practitioners', March

Saferworld (2018), 'Gendered experiences of land confiscation in Myanmar: Insights from eastern Bago Region and Kayin state', May (https://www.saferworld.org.uk/resources/publications/1175-gendered-experiences-of-land-confiscation-in-myanmar-insights-from-eastern-bago-region-and-kayin-state)

Selth A (2001), *Burma's Armed Forces: Power without Glory* (Norwalk: East Bridge)

Smith M (1999), *Burma: Insurgency and the Politics of Ethnicity* (London: Zed Books)

South A (2011), 'Burma's longest war: Anatomy of the Karen conflict', March, Transnational Institute, Burma Center Netherlands

South A (2012), 'The politics of protection in Burma', *Critical Asian Studies* 44 (2), pp 175–204

South A, Perhult M, Carstensen N (2010), 'Conflict and survival: self-protection in South-East Burma', September (https://www.chathamhouse.org/publications/papers/view/109464)

Su Myat Mon, Kean T (2018), 'ADB puts brakes on Kayin State quarry', *Frontier Myanmar*, 2 January (https://frontiermyanmar.net/en/adb-puts-brakes-on-kayin-state-quarry)

Shan Women's Action Network (SWAN) (2002), 'License to rape: the Burmese military regime's use of sexual violence in the ongoing war in Shan State', May

Thawnghmung A (2007), *The Karen Revolution in Burma: Diverse Voices, Uncertain Ends* (Washington: East West Center)

The Border Consortium (2002-2014), Central Karen State sections of 'IDPs Reports' (http://www.theborderconsortium.org/resources/key-resources/)

The Nobel Foundation (2012), 'Aung San Suu Kyi Nobel lecture', 16 June, (https://www.nobelprize.org/nobel_prizes/peace/laureates/1991/kyi-lecture_en.html)

The Office of the United Nations High Commissioner for Human Rights (OHCHR) (2017), 'Report of OHCHR mission to Bangladesh: interviews with Rohingyas fleeing from Myanmar since 9 October 2016', February (https://www.ohchr.org/Documents/Countries/MM/FlashReport3Feb2017.pdf)

The Office of the United Nations High Commissioner for Human Rights (OHCHR) (2016), 'Situation of human rights of Rohingya Muslims and other minorities in Myanmar', 28 June (http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session32/_layouts/15/WopiFrame.aspx?sourcedoc=/EN/HRBodies/HRC/RegularSessions/Session32/Documents/A_HRC_32_18_AEV.docx&action=default&DefaultItemOpen=1)

The Office of the United Nations High Commissioner for Human Rights (OHCHR), 'Documents on Myanmar' (http://ap.ohchr.org/documents/dpage_e.aspx?c=125&su=129)

United Nations Population Fund (2017), 'Powerful myths hidden secrets' (http://myanmar.unfpa.org/sites/default/files/pub-pdf/PowerfulMythsHiddenSecrets_EDITED.pdf)

United Nations Human Rights Council (2018), 'Report of the independent international fact-finding mission on Myanmar', September (https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/ReportoftheMyanmarFFM.aspx)

Women's League of Burma (2016), 'Shadow report on Burma for the 64th session of the committee on the elimination of discrimination against women', July (https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MMR/INT_CEDAW_NGO_MMR_24233_E.pdf)

Saferworld is an independent international organisation working to prevent violent conflict and build safer lives. We work with people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace. Our priority is people – we believe in a world where everyone can lead peaceful, fulfilling lives, free from fear and insecurity.

We are a not-for-profit organisation with programmes in nearly 20 countries and territories across Africa, Asia and the Middle East.

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