

ARMED CONFLICT, INTERNALLY DISPLACED PERSONS AND PROTECTION IN KACHIN
STATE, MYANMAR



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A Thesis Submitted in Partial Fulfillment of the Requirements
for the Degree of Master of Arts Program in International Development Studies

Faculty of Political Science

Chulalongkorn University

Academic Year 2013

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บทคัดย่อและแฟ้มข้อมูลฉบับเต็มของวิทยานิพนธ์ตั้งแต่ปีการศึกษา 2554 ที่ให้บริการในคลังปัญญาจุฬาฯ (CUIR)

เป็นแฟ้มข้อมูลของนิสิตเจ้าของวิทยานิพนธ์ ที่ส่งผ่านทางบัณฑิตวิทยาลัย

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ความขัดแย้งที่ใช้อาวุธ ผู้ผลิตถิ่นภายในประเทศและการคุ้มครองในรัฐคะฉิ่น ประเทศพม่า



นายชอ ลอท์

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วิทยานิพนธ์นี้เป็นส่วนหนึ่งของการศึกษาตามหลักสูตรปริญญาศิลปศาสตรมหาบัณฑิต

สาขาวิชาการพัฒนาระหว่างประเทศ

คณะรัฐศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย

ปีการศึกษา 2556

ลิขสิทธิ์ของจุฬาลงกรณ์มหาวิทยาลัย

ชอ ลอท์ : ความขัดแย้งที่ใช้อาวุธ ผู้พลัดถิ่นภายในประเทศและการคุ้มครองในรัฐคะฉิ่น ประเทศพม่า. (ARMED CONFLICT, INTERNALLY DISPLACED PERSONS AND PROTECTION IN KACHIN STATE, MYANMAR) อ.ที่ปรึกษาวิทยานิพนธ์หลัก: ศ. ดร.สุภางค์ จันทวานิช, 184 หน้า.

ประเด็นการพลัดถิ่นภายในประเทศ เป็นปรากฏการณ์ที่ได้รับความสนใจมากทั่วโลก คล้ายกับประเด็นผู้ลี้ภัย ตามรายงานศูนย์การตรวจสอบการลี้ภัยภายในประเทศ ปี 2554 อธิบายว่ามีผู้พลัดถิ่นภายในประเทศทั่วโลก ประมาณ 26,400,000 คน ในขณะที่พม่าเป็นที่รู้จักกันว่าเป็นบ้านของสงครามกลางเมืองที่ยาวนานที่สุดในโลกแห่งหนึ่ง ปรากฏการณ์การพลัดถิ่นภายในประเทศกำลังได้รับความสนใจมากขึ้นและจำนวนการพลัดถิ่นในแต่ละปีเติบโตขึ้น

ความขัดแย้งระหว่างกลุ่มชนกลุ่มน้อยติดอาวุธกับทหารรัฐบาลพม่าได้เกิดขึ้นตั้งแต่ก่อนที่พม่าจะเป็นเอกราช ในปี พ.ศ. 2490 จนถึงตอนนี้ ในภาคตะวันออกเฉียง ภาคใต้ และภาคเหนือ ของประเทศ ซึ่งเป็นพื้นที่ที่ชนกลุ่มน้อยส่วนใหญ่อาศัยอยู่ ตามที่สมาคมชายแดนไทย ปี 2555 ประมาณการผู้พลัดถิ่นในภาคตะวันออกเฉียงและภาคใต้ของพม่ามีประมาณ 400,000 คน ตั้งแต่ปี 2554 ความขัดแย้งระหว่างกองกำลังอิสระคะฉิ่นกับทหารรัฐบาลพม่าได้เกิดขึ้น มีผู้พลัดถิ่นมากกว่า 100,000 คน ซึ่งเป็นจำนวนการพลัดถิ่นที่เยอะที่สุดที่เคยเกิดขึ้นในรัฐคะฉิ่น ผู้พลัดถิ่นส่วนใหญ่กำลังหลบภัยตามชายแดนพม่าจีน แต่รัฐบาลพม่าไม่ยอมรับผู้พลัดถิ่นภายในประเทศอย่างเป็นทางการ ผู้พลัดถิ่นภายในประเทศยังไม่ได้รับการป้องกันจากการถูกละเมิดสิทธิมนุษยชนและมนุษยธรรม สถานการณ์โรคเอดส์ก็เลวร้ายยิ่งขึ้น

ด้วยเหตุนี้ วิทยานิพนธ์เล่มนี้จึงมุ่งเน้นไปที่ความขัดแย้งที่มีการใช้อาวุธการอพยพของผู้พลัดถิ่นภายในประเทศ การคุ้มครองและความมั่นคงของมนุษย์ของผู้พลัดถิ่นภายในประเทศ ความขัดแย้งอะไรที่ส่งผลกระทบต่อผู้พลัดถิ่นภายในประเทศ สภาพความมั่นคงของมนุษย์และการทำงานของกลไกการคุ้มครองผู้พลัดถิ่นในระหว่างการย้ายถิ่น

การค้นพบที่สำคัญในการวิจัยครั้งนี้ชี้ให้เห็นว่า ความขัดแย้งในรัฐคะฉิ่น ตั้งแต่ปี 2554 มีสาเหตุจากแรงจูงใจทางเศรษฐกิจการเมืองของรัฐบาลพม่าและจีน ผู้พลัดถิ่นที่ย้ายเข้ามาในพื้นที่ไลซ่า (Laiza) มีการเชื่อมต่อทางสังคม ภูมิศาสตร์และการเมืองกับองค์กรอิสระคะฉิ่น (KIO) ความมั่นคงของมนุษย์ทั้งเจ็ดด้านยังไม่ได้รับความปลอดภัยโดยเฉพาะอย่างยิ่งความมั่นคงทางเศรษฐกิจและการศึกษาเป็นความท้าทายที่สำคัญสำหรับอนาคตของผู้พลัดถิ่น ในที่สุดผู้พลัดถิ่นยังไม่ได้รับการคุ้มครองตามกฎหมาย แม้ว่าพวกเขา กำลังถูกละเมิดสิทธิมนุษยชนและสิทธิทางการเมือง แผนการลงคะแนนเสียงเลือกตั้งในปี 2558 ยังคงเป็นความฝันสำหรับผู้พลัดถิ่นต่อไป

สาขาวิชา การพัฒนาระหว่างประเทศ

ปีการศึกษา 2556

ลายมือชื่อนิสิตร

ลายมือชื่อ อ.ที่ปรึกษาวิทยานิพนธ์หลัก

5581106024 : MAJOR INTERNATIONAL DEVELOPMENT STUDIES

KEYWORDS: MYANMAR ARMED CONFLICT / INTERNALLY DISPLACED PERSONS / MIGRATION PATTERNS / PROTECTION AND HUMAN SECURITY IN KACHIN STATE

ZAW LUT: ARMED CONFLICT, INTERNALLY DISPLACED PERSONS AND PROTECTION IN KACHIN STATE, MYANMAR. ADVISOR: PROF. SUPANG CHANTAVANICH, Ph.D., 184 pp.

Internally displacement issues which phenomenon is quite similar with refugee gets more attention from the world. According to the Internally Displacement Monitoring Center report, 2011 described there were approximately 26.4 million internally displaced persons (IDPs) around the world. As Myanmar has been known for the home of the world longest civil war running country, the internally displacement phenomenon is gaining more attention and displacement numbers is growing year.

Armed conflict between ethnic armed groups and Myanmar government military is going on since before Myanmar independence 1947 up to now in eastern, southern and northern parts the country where majority of the ethnic people are living. According to the Thai Border Consortium 2012, the estimation IDPs in the Eastern and Southern part of Myanmar is 400,000. Since 2011, armed conflict between Kachin independent Army and Myanmar government military is carrying on, over 100,000 internally displaced persons, which is the greatest displacement ever in Kachin state, majority of IDPs are taking refuge along the Myanmar China border. Yet, Myanmar government have not recognized the IDPs officially therefore, IDPs are unprotected from being human right violations and humanitarian aids situation is worse.

Therefore, this thesis focuses on armed conflict, migration pattern of IDPs, protection and human security of IDPs. How armed conflict affected to the IDPs, human security condition and function of protection mechanism for IDPs during the displacement.

The key findings in this research indicate that 2011 Kachin armed conflict is rooted on political economic incentives of the Myanmar government and China. IDPs who moved into Laiza area are socially, geographically, and politically connected with KIO. All seven dimensions of Human security is not secure especially economic security and education is great challenges for the IDPs for their future. Eventually, IDPs have not legal-bonded protection though they are suffering from the human right violation and political rights are absent voting for 2015 is still a dream for IDPs.

Field of Study: International Development
Studies

Student's Signature

Advisor's Signature

Academic Year: 2013

ACKNOWLEDGEMENTS

I would like to say thank you to my supervisor, Prof. Dr. Supang Chantavanich, Ph.D. for her patient supervision and guidance throughout my thesis period and to the member of thesis committees; Asst. Prof. Naruemon Thabchumpon Ph.D and Mr. Jerrold W. Hugest for their feedbacks.

I also would like to give special thanks to Heinrich Boll Foundation, Bangkok, Thailand who gives me scholarship to study and kind support throughout the study, and also those who help me throughout my journey of data collection and contacting the resource persons, guiding and accompanying into the IDPs camps at the Myanmar-China border. Moreover, special thanks to Mr. La Raw who helps me to find data of IDPs camps whenever I want and need. Special thanks to all friends who help me during the data collection and thesis process.

Finally, I would to thank my mom and spouse who encourage, motivate me throughout the study.

Garum ya ai ni yawng hpe grai chye ju dum let.

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CHAPTER I

INTRODUCTION

1.1 Statement of the problem

Myanmar is home to one of the world's longest civil war running; and as a result, and thousands of IDPs have been scattered around Myanmar. Due to the over six decades of armed conflict, generalized violation, social conflicts and natural disaster, there has been millions of IDPs in Myanmar. The numbers of IDPs have increased in Kachin State, Rakhine/Arakan State, Shan state, and along the Thai-Myanmar border due to the central government's military insurgency with the ethnic armed groups and sectarian violence. The Thailand-Burma Border Consortium (TBBC) estimated that more than 500,000 IDPs were living in the eastern part of Myanmar, including in urban areas and mixed administration or "grey" areas (TBBC, 31 October 2012).

IDPs are scattered around not only eastern and southeastern part of Myanmar but also in Kachin state where armed conflict between Kachin Independent Army (KIA) and central government militaries has been taking place. Soon after the inauguration of Myanmar's newly democratic government in March 2011, a fresh war had ignited between KIA and Myanmar's central government military due to the issue of Tarpein Dam (Chinese investment) security on June 9, 2011. A 17-year ceasefire agreement broke because of this. This has escalated the between two armed groups created

around 100,000 IDPSS in the Kachin state and Northern Shan State (KWAT, June 2012). Among them, around 70,000 IDPs are taking refuge in non-governmental controlled area (NGCA) along the Myanmar-china cross border under Kachin Independent Organization (KIO).

Human Rights Watch (HRW), Human Rights for Physician (HRP), local right watch groups, Kachin Women Association Thailand (KWAT), United Nations High Commission Refugees (UNHCR), United Nations Office for Coordination of Humanitarian Affair (UNOCHA), World Food Program (WFP) and other local Non-Government Organizations (NGOs) had documented the human rights and human security situations of IDPs in Kachin state. It revealed that IDPs in the Kachin and Northern Shan States have been suffering from humanitarian supply shortage and human rights abuses such as sexual violence, arbitrary arrest, and torture, looting properties, burning the villages, killing and inhumane treatment by Burmese Army in time of armed conflict with KIA. Therefore, “Internally displaced persons are often the victims of human Rights violations, armed conflict, generalized violence, natural & man-made disasters; and, because of displacement, their lives are dramatically, often permanently, and adversely affected” (IDMC, April 2012). However, there are no specific documents, report or academic research on human security and protection mechanism in Laiza area, Myanmar-China border in Kachin state (see Map 1. Page 30). This research will focus on legal protection and human security. It aims to understand factors that cause the influx of IDPSS and

how international agencies and mechanisms function to protect the IDPs in Kachin State.

1.2 Research Questions

1. How does the armed conflict affect displacement in Kachin?
2. How do international and local communities operate to protect the Internally Displaced persons in Kachin state?
3. How does UN Guiding Principle for DIPs function in protection mechanism and lead to human security?

1.3 Objectives of research

1. To examine the situation of current armed conflict in Kachin state.
2. To investigate the flow of internal displacement during the time of armed conflict in Kachin state.
3. To analyze the international and national protection to the IDPS in Kachin State through UN Guiding Principle and human security.

1.4 Conceptual framework

The conceptual framework of this study is separated into four different parts, which is illustrated in Chart. 1 in page 5.

The first section is about armed conflict, which drives thousands of civilians to displace.

The root cause of 2011 Kachin armed conflict and peace talk will be explored. The

2011 Kachin armed conflict is a combination of political economic incentives, political

implication, and Chinese foreign direct investment (CFDI). Due to this, thousands of

IDPs have been displaced around Kachin and northern Shan states.

In the second section, typology of displacement, type of migration and the reasons

why majority of IDPs are taking refuge in the non-governmental controlled area (NCGA)

will be discussed. As mentioned above, the five patterns of migration are keys to find

what type of migration is taking place. In Kachin, the type of displacement is one that

is politically induced rather than military occupation, development project, or

livelihood reasons.

The third section is about how human security of IDPs is affected by the armed conflict.

There are seven dimensions of Human security; Food, Health, Economic, Environment,

Personal, Community and Political security. The big section of this research will explore

how IDPs are protected by those seven dimensions. In addition, thousands of IDPSS

students do not have the opportunity to study at Myanmar government schools,

therefore, A4 education will be included in the assessment of human security in this

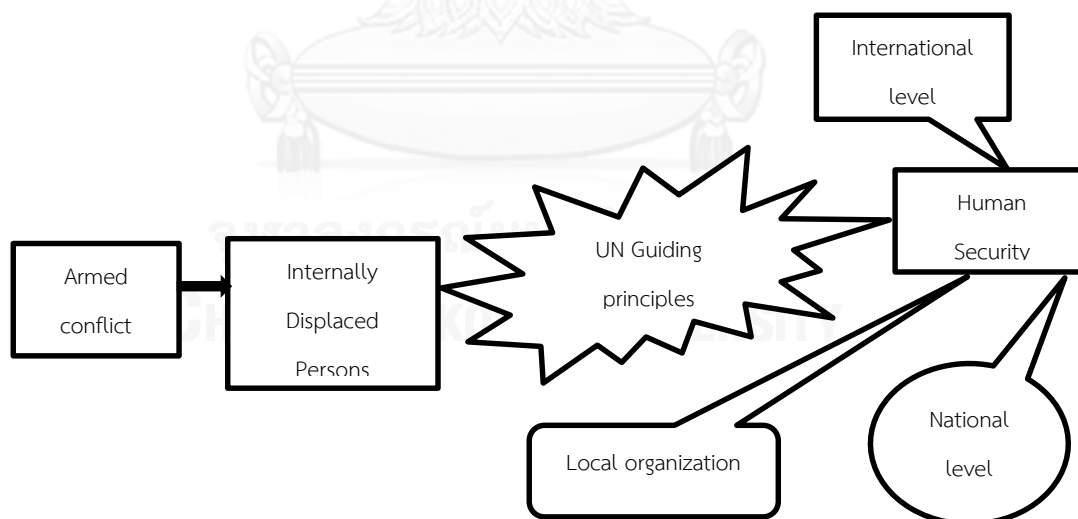
research.

The final segment describes how a protection mechanism functions when Kachin

people are displaced, treated inhumanely or when other human rights violation take

place. In the protection mechanism there are three different levels of protection; the international level, the national level and the community level are in the conceptual framework of this research. At the international level, UN agencies and ICRC are the organizations that give the most protection to the IDPs, because they have the mandate to do that. At the national level, Myanmar government policy and legal institutions are incumbent for protecting and assisting IDPs and for minimizing the impact of the armed conflict.

Figure 1. Conceptual Framework



1.4.1 Armed conflict

The issue of armed conflict has been around for a long time. It comes in various forms. In the post-World War II era, there was anti-colonial conflict. It was a battle for self-determination, with ethno-national groups in many colonial countries, they demanded legitimacy for cultural traditions, territorial autonomy and ethnic rights. Moreover, armed conflict occurred in Africa, Asia and the Middle East due to colonization, racist regimes, deprivation of equal access to political, social and economic opportunities, ethnic and religious divisions in society, economic interests, territorial possession or state security (Oberschall, 2010). Moreover, global climate change, environmental disruptions, demography, abundant of natural resources or Greed and Grievance, identity, self-autonomy and energy security are other factors that have triggered armed conflict. Different types of institutions have also defined armed conflict differently.

Five theories of new war armed conflict have been developed by Oberschall (2010).

- ***Ancient Hatred (AH)*** covers hatred rooted on ethnicity, territory and identity.

Ethnic minorities have been discriminated against in terms of educational attainment, modernization and globalization. The past atrocities committed against ethnic minorities, fear and hostile emotion is deeply sowed within the ethnic communities. Even after a long period of peace, incidents can occur and escalate into conflict.

- **Identity Politics (IP)** are likely to happen in a multiethnic society. This is related to cultural ethnocentrism and self-group defense. When their identity, territory and way of governance are threatened by rivals, violence breaks out of fear of extinction. The violence may lead to massacres, ethnic cleansing and atrocities, unless ethnic relations are properly controlled. Therefore, identity politics is in-line with language, cultural autonomy and power sharing.
- **Manipulate Elite (ME)** is as fragile as identity politics. Elite groups try to obtain power by manipulating social divisions, spreading propaganda, threats, non-compromise, and aggressive, crisis politics. Elites use issues and crises as opportunities to secure the profit of their interests and ambition.
- **Economic Roots (ER)** happens mostly in failed economies and weak states typically poor countries with unequal distribution of incomes run by an authoritarian governments. A feature of this is when Warlords or leaders stand up and organize unemployed youths for armed conflict. After some time, the armed groups end up performing criminal activities or illegal trafficking and selling natural resources to finance their rebellion, though, their initial goal may have been borne out of political motives.
- **Contention for Power (CFP)** has its roots in many forms of exploitation. For example, groups are excluded from equal rights and dignity, unfair taxation,

workers' rights, oppose corruption, religious freedom and so on. These lead to collective violence under tyrannies large and small that flourish due to the low capacity of the democratic regime. In conflict theory, whatever the root causes of the conflict are, eventually either a peace making process or repression will take place.

According to the International Humanitarian law, there are two types of armed conflicts: international armed conflicts, which involves two or more opposing States, and non-international armed conflicts, between governmental forces and non-governmental armed groups International Committee of Red Cross (ICRC, March 2005). However, armed conflict has to fit the following standards: minimum causality of requirement such as at least 25 battle-dead, minor armed conflict, intermediate armed conflict; less than 100 battle-related deaths, and War; more than 1000 battle-related deaths (Eriksson, Wallensteen, & Sollenberg, 2003).

1.4.2 IDPs and Typology of displacement

Displacement patterns differ according to political, social and economic contexts of a state. Different countries have different contexts. Moreover, the type of displacement in each country may or may not be the same. There are four types of displacement 1) armed conflict displacement, 2) generalized or human right violence, 3) man-made or

natural disaster, and 4. deliberate policy or practice of arbitrary displacement/development-induced displacement (South, 2008).

1) Armed conflict induced displacement: This kind of displacement occurs due to fighting or counter-insurgency operation or armed conflict. Negative impact are usually towards by local residents' human security such as food, health, economy, education, personal and human rights. This type can be found across the country; Kachin state, Kareni/Kaya state, Karen/Kayin state, Shan state, Arakan /Rakhine state, Mon state, Tenasserim/Taninthayi division and parts of Chin state and Sagaing Division.

2) Military occupation and development induced displacement:

This is generally caused by military and governments as a consequence of, for example, land confiscation following armed conflict by the Myanmar military or other armed groups, natural resource extraction, building massive infrastructure projects, urbanization and development projects such as building dams, and national farm/agriculture stock.

3) Livelihood vulnerability-induced displacement:

This form classifies external or internal migration within or out of Myanmar. This kind of displacement happens due to inappropriate government policies and practices for basic needs and fundamental rights. Limitation of access to productive land, poor access to market, lack of good and fair education and

the absence of a health care system cause people to migrate to other places within or outside of the country.

- 4) Deliberate policy or practice of arbitrary displacement/development-induced displacement :

This phenomenon has been occurring since the start of the Myanmar military regime up until now. The policies or laws have protected the manipulative elite regime rather than protecting the civilians. Development projects or foreign investments have chased away the local residents without offering them sufficient compensation. Land confiscation has been a grave result of development-induced displacement. This is happening all over Myanmar, from Kachin state downwards through Thaninthayi division.

Apart from being conflict-ridden, Myanmar is well-known as one of the least developed and poorest countries in the world. Soon after independence, armed conflict started with some of the ethnic groups and opposition groups. Due to the civil conflict and armed conflict, thousands of citizens are moving around the country and around the world as refugees, or social and economic migrants. Armed conflict-induced displacement will be the focus of this thesis since the area under research is one in which armed conflict has displaced thousands of civilians.

1.4.3 Human Security

The concept of “security” is to protect something or someone from danger or attack (Thabchumpon, July 2011). Traditionally, security is based on protecting state sovereignty and national territory from foreign invasion. This further means to maintain the authority within the state’s boundaries and to protect the state and the citizens’ security. However, the security dimension these days has changed into a human-centered security. The interior (national and local) security and sovereignty have become a new challenge for the Myanmar government. In some areas, rebel groups are demanding rights to rule some part of the state or the equal sharing of resources. In this situation, the state military attacks rebel groups in order to restore interior security and sovereignty. Consequently, the attacks or conflict between the state military and rebel armed groups cause serious human right violations and displacement. Therefore, the paradigm of “traditional security” shifts into “human security”. The main concept of “ Human Security” has two vital points; “Freedom from fear”, which entails to be secure from any kind of violence, and “freedom from want”, which is social and economic security for human beings.(United Nation Development Program (UNDP, 1994). Without human security, the state is no longer secure (Thabchumpon, July 2011). Therefore, the fundamental notions of state security and human security cannot be separated. There are seven components under human

security: 1) economic security, 2) food security, 3) health security, 4) environmental security, 5) personal security, 6) community security, 7) political security (UNDP, 1994).

Table 1 Human Security, definition and examples of threats

Type of security	Definition	Examples of main threat
Economic security	Job security	Unemployment, insecure income, poverty
Food security	Access to basic food	Hunger, famine, shortage of food
Health security	Available services for basic health care system, treatment and prevention	Lack of access to basic health care system, deadly infectious diseases
Environmental security	Sufficient clean water supply, sanitation, reforestation, coping pollution, natural and man-made disasters.	Environmental degradation, water scarcity, and disasters
Personal security	Security from physical violence, rape, war, child abuses, ethnic tension, crime	violence, rape, crime, child labor, ethnic tension
Community security	Free from dangers or threats to a family, group, ethnic, organizations	Tensions of religious, inter-ethnic or identity
Political security	Respects, promotes and protects basic Human Rights	Human Rights abuses.

Source: Developed based on UNDP Human Rights development report 1994 and UNOCHA 2009

Human security indicators

While traditional security works on state security, human security approaches the individual and the community in broader ways. Though the situation of the IDPSS camps along the Myanmar-China border is still in a mixed emergency period and pre-resettlement stage, this study will use the seven dimensions of the human security framework to analyze the current situation of social and legal protection.

In addition, the A4 education approach which is excluded in human security will be part of this framework, since thousands of IDPSS students live in the camps. A4 stands for “Availability, Accessibility, Acceptability, and Adaptability”. This A4 education framework is developed by Katarina Tomasevks, the first United Nations Special Rapporteur on the right to education. It has been used in “*A Human Security assessment of the Social Welfare and Legal protection situation of Displaced persons along The Thai-Myanmar border*” (Thabchumpon, July 2011) to measure the education status of students in the temporary camps along the Thai-Myanmar border.

Table 2. Human security and A4 frame work

Types	Indicators	Instruments
Education	Availability	<ul style="list-style-type: none"> Availability of education services and programs (e.g. basic education, post-secondary education, vocational training, adult Education/non e formal education, etc.)

		<ul style="list-style-type: none"> • Teacher retention and recruitment • Adequacy of school infrastructure, supplies and equipment
	Accessibility	<ul style="list-style-type: none"> • Economic status • Gender • Ethnicity, religion, language
	Acceptability	<ul style="list-style-type: none"> • Teacher quality • Learning standards • Accreditation
	Adaptability	<ul style="list-style-type: none"> • Flexibility of with the environment and structure • Relevance of education to the reality of IDPs lives
Economic Security	Stability of income	<ul style="list-style-type: none"> • Unemployment • insecure income
	Job security	<ul style="list-style-type: none"> • Poverty
Food Security	Availability	<ul style="list-style-type: none"> • Types and amount of food per day (rice, oil, salt, meat, fish, etc.)
	Accessibility	<ul style="list-style-type: none"> • Places they can get food
	Affordability	<ul style="list-style-type: none"> • Foods around them are affordable
	Nutrition quality	<ul style="list-style-type: none"> • Quality of rice, meat, fish, vegetables etc. • Other nutrient food (bread, milk, juice etc.)
Heath Security	Availability	<ul style="list-style-type: none"> • Basic health care services (e.g. medicine, sufficient and qualified nurses/doctors etc.)
	Accessibility	<ul style="list-style-type: none"> • Accessible clinics or health care system near the camps or within the camps • Times they can access the clinic.
	Prevention and treatment	<ul style="list-style-type: none"> • Seasonal flu, malaria, tuberculosis, HIV, AIDS, diarrhea etc.
	Awareness	<ul style="list-style-type: none"> • Personal hygiene

Environmental Security	Sufficient water supply, sanitation, reforestation, coping pollution, natural, man-made disasters.	<ul style="list-style-type: none"> ● Environmental degradation, pollution, water scarcity, man-made/natural disaster
Personal security	Protection	<ul style="list-style-type: none"> ● Fear of violence ● Level of crime ● Efficiency of legal and judicial institutions ● Prevention of harassment, sexual and gender-based violence ● Prevention of domestic violence and child labor ● Prevention of being recruiting to be soldier ● Freedom of movement and locating new residential place
Community security	Protection	<ul style="list-style-type: none"> ● Fear of multiregional conflict ● Fear of internal conflicts ● Protection from unfavorable traditional practices ● Abolishment of ethnic discrimination
Political security	Protection	<ul style="list-style-type: none"> ● Respect for basic Human Rights

Source: A Human Security assessment of the Social Welfare and Legal protection situation of Displaced persons along the Thai-Myanmar border, June, 2011 & Human Development Report 1994

1.4.4 Protection Mechanism towards the internally displaced persons

There is no legally binding protection mechanism for IDPs. The UN Guiding Principle for IDPs of 1998 has not been institutionalized yet. The guiding principles were

developed by Mr. Francis M. Seng, the representative of the Secretary-General on internally displaced persons from 1992 to 2004. The aim of guiding principles was to use these only as a guiding tool for humanitarian assistance. It should be carried out by humanitarian workers in cooperation with the host government. The United Nations Human Rights Commission accepted and adopted it as its guiding principles in 1998. Because these principles were never developed into a binding document, legal protection for the IDPs is in limbo at the international and national levels. However, based on the UN Guiding principle for IDPs and with UNHCR and ICRC expertise, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)¹ is developed and is therefore a success-story of a UN agency presence in Africa. Yet, in a weak state, like Myanmar, that has thousands of IDPs but does not officially recognize the IDPs, there is no such protection mechanism. Therefore, International Humanitarian Laws has to be used together with the UN Guiding Principles for IDPs in order to create a more legally binding framework for IDPSS protection. As Head of the State, the Myanmar government has the incumbent duty to provide a protection mechanism for IDPs, all citizens and especially those affected by, amongst others, armed conflict, a man-made or natural disaster, or a development project (Deng, 1998). Moreover, the international community should

¹African Union, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa ("Kampala Convention"), 22 October 2009

act to protect civilians and to provide access to humanitarian aid to the victims when the state is not willing to protect its citizens.

Two international bodies; International Committee of the Red Cross (ICRC) and United Nations Human Rights Commission for Refugees (UNHCR) have the great responsibility to give protection and assistance to the vulnerable IDPs (Abebe, 2009). “The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance” (ICRC, March 2005). ICRC has the clearest mandate to protect and assist with humanitarian aid in a situation in which IDPs are civilian victims of armed conflict. Moreover, the ICRC has the important role of acting as a representation to the Myanmar government and non-state actors when violation of human rights and International Humanitarian Law (IHL)² occur and to facilitate peace negotiations between the two armed parties (A global survey, 2002). UNHCR has the most experience in the provision of protection activities (which is adapted from the refugee experience) to the IDPs among UN agencies (Phuong, 2004). UNHCR seeks to integrate human rights monitoring and reporting activities.

²IHL is composed of three international Laws: Refugee Convention, Universal Declaration of Human Rights, and the fourth Geneva Convention.

Legal protection

In the early 1990s, the end of the cold war brought a proliferation of a new kind of internal conflicts which caused numerous internally displacement within countries affected. The religious conflict, identity conflict or ethnic conflict characterize these new confrontations that induce a sharp increase of internally displaced persons who are in need of safety and protection and who are not moving outside of the national border. The concept of protection obtains full respects for the right of individual in accordance with the relevant bodies international Human Rights, international humanitarian laws and refugee law (Hickel, September 2011). The 1998 UN guiding principle for IDPs is composed of those three international binding laws but it is not legally institutionalized. However, it is a good, clear and precise guiding principle for humanitarian actors, INGOs ad NGOs that give protection mechanism for IDPs. Therefore, in this legal protection mechanism, both 1998 UN Guiding Principle for IDPs and 4th Geneva Convention will be used to analyze the legal protection for IDPs in Kachin state.

Geneva Convention (IV) articles mandated respect person and family, religious practices, humanly treated and protect all forms of violence or threat, against the sexual violence to the women and enforced prostitution or any forms of indecent assault are engraved in (IV, 27, 29, UN Guiding principles: 10, and 11). Protection for persons such as education for the children, work, food, hygiene and public health,

religion and protection of property or personal belongings individually or collectively are in the (Geneva IV, 50, 51, 53, 55, 56, 58, UN Guiding principles: 19, 21, and 23). And finally, Geneva the fourth convention guarantee the free passage of humanitarian aids such as food, medicine, clothes, and objects necessary for religious worship, means of shelter and other supplies essential to the survival of the civilian population (Geneva IV, 23, UN Guiding, 18, 24).

1.5 Hypothesis

Forced migration, in the case of internally displaced persons in Kachin state occurred due to the armed conflict between Myanmar government military and KIA since June 9, 2011. IDPs have been all over the Kachin state. Since most of IDPs are taking refuge under KIA/KIO controlled territory, it's very hard to access humanitarian helps and protection. Many human rights violations, lack of protection, human insecurity have been the critical concerns for all the communities. The Myanmar government is also preventing the international community and humanitarian aid provider's access to those areas. Therefore, this research will find, lack of national and international protection for and lack of human security among IDPs along the Myanmar-China border.

1.6 Research methodology

Research methodology for this study has three categories. All categories are based on qualitative research. This methodology also includes documentary research.

1.6.1 Research site location

The research-focused areas will be inside Myanmar (see Map 1 in page 17). The focus areas inside Myanmar are mainly in Laiza. They situated along the Myanmar-China cross border where currently over around 20,000 IDPs and many targeted organizations, community based organizations (CBOs), key informants are staying and another areas inside Myanmar are Yangon, Myitkyina where many INGOs and UN organizations are located.

1.6.2 Interview sample

The key informant interview will cover the targeted stakeholders of the camps, IDPs, faith based organizations working there, KIO staffs, civil society organizations (CSOs), NGOs, International non-government Organizations (INGOs) and United Nations (UN) organizations which provide humanitarian aids. Moreover, around 33 IDPs including adults, youths and students from both research sites will be interviewed. In depth

interview with IDPs students studying in the temporary shelters will be conducted to counter balance the stakeholders' activities or function on the ground. Gender distribution amongst respondents is observed (equal ratio including students who are IDPs and host students). The key informants interviewed are found below.

KIO department

- The head of Education department
- The leader of Peace negotiation team from KIO
- The head of IDPs in charge in KIO control area
- The head of camp in charge from KIO staffs
- The head of health in charge in the camps from KIO

Local NGOs

- Kachin Development Group (KDG)
- IDPSS, Refugee and Relief Committee (IRRC)
- Kachin Women Association, Laiza (KWA)
- Metta foundation Laiza
- Relieve Action Network for IDPs and Refugees (RANIR)

Non-UN organization

- Health Poverty Action (HPA)

Myitkyina, Kachin state

- Myanmar Red Cross Society (Myitkyina)

Yangon

UN organizations and non-UN organization

- UNHCR
- ICRC
- MRSC

1.6.3 Data collection methods

In this section, in-depth interview, key informant interview, field observation and secondary data collection will be included.

a) Key informant interview

In-depth interview method will be applied for the targeted stakeholders of the IDPSS camps, IDPs, faith based organizations, volunteer teachers and teachers from KIO Schools and camps schools, civil society such as, RANIR, Metta foundation. To get detailed response, the semi-structure interview will focus on organizations that are working on humanitarian aid and protection. Since they are working on providing

humanitarian aid and social services, the interviewer-researcher will ask how the regulation, access, provision and delivery system for food, health, and education in times of armed conflict and post-armed conflict.

b) In-depth interview with IDPs

To understand and measure the international protection level to the IDPs, in-depth interview is highly considered for this objective. Particularly, international organizations (ICRC, UNHCR, United Nations Office for Humanitarian and Affairs (UNOCHA) in Yangon, Kachin State) which are responsible for providing protection for IDPs will be interview for protection of IDPs process in Kachin. According to the UN IDPSS guiding principles, the national government has the primary responsibility or obligation to protect the IDPs. However, due the limited connection and relationship, Myanmar government office that is accountable for IDPSS protection will be excluded in the interview list. Since, both combatants have responsibility to protect, this research cannot omit those who are in charge for IDPs in Laiza area, to know the role of providing security and humanitarian aids since most of IDPs are taking refuge under their controlled territory.

b) Field Observation

Field Observation is one tool to access a much richer information from the ground. The research will observe camp administrative structure, shelter condition whether it's too populated, basically strong enough to resist the climate environment changes. The sanitation system, hygiene and health care system, clinic, school classrooms,

temporary classrooms will be checked whether they are good enough for IDPs as well as their social life style in the camps.

c) Secondary data collection

Various secondary resources such as books, articles, international television news, online news, journals, reports and other resources will be included in this research. Field trip observation on data collection period will be considered as part of the research methodology.

1.7 Research scope and limitation

The research study area, Laiza is situated along the Myanmar-China border. It is home to the KIO headquarter. This group had struggled immensely with KIA and Myanmar government military. The research location is considered a high risk area and very sensitive. All the interviews will be conducted in the camps at Laiza area, particularly border trading small town, one of the KIO controlled area, in Daw Hpum Yang Township, Banmaw district, Kachin state. It is also close to Ying Jiang, Ruili in Yuanan province, China. As the research focused only four IDPs camps in Laiza out of 123 camps from both GCA and NGCA, it does not represent over 100,000 IDPs in Kachin state and northern Shan state. Moreover, the researcher interviewed the humanitarian

organizations, UN agencies and non-UN agencies based in Laiza, Myitkyina, and Yangon, which are related with IDPs issues and experts.

Interviews with IDPs were randomly chosen, with variety of sex, gender and age in mind. Moreover, in-depth structured interview were taken in three differently places Laiza, Myitkyina, and Yangon. All the key-informants were directly related with humanitarian assisting, and have responsibility to give protection the IDPs population. There are three methods in the data collection process: in-depth interview, semi-structure interview, and field observation.

The study had some limitations in carrying out the carrying out the research; since the camps have only existed for around 2 years old and the time of visitation allowed is short. The study is mainly focused on qualitative research field research since time for the entire research is so limited. Data from this research were collected during the field research in four IDPSS camps in Laiza in Kachin-China border, Myitkyina in Kachin state, and Yangon from the first week of June to first week of July 2013.

All the interviews were taken in three languages; Kachin, Burmese, and English. As 99% IDPs are Kachin, the interviews were carried out in Kachin language with 1 to 2 hours long. Burmese language was used for interviews with Myanmar Red Cross Society (MRCS) as they are Burmese people, and UNHCR and ICRC were being interviewed with English language.

1.8 Significance of the study

The issue of forced migration is closely connected to development issue. There are many existing books, journals, reports and papers concerning internally displaced persons in eastern part of Myanmar and along the Myanmar-Thai border. Many of them are focusing on human security and social welfare. But there are very less reports, documents, articles, journal and papers on current forced migration issue happening in Kachin state due to the armed conflict. Even though there are many reports, concerning human rights abuses, humanitarian aid, and human security by the international organizations, local organizations, no academic paper has been done on IDPSS issues in Kachin state. The findings of this Master thesis hope to contribute to the rather limited knowledge on the matters of human security, legal protection and armed conflict situation and to provide the awareness of the gap especially in protection area. Therefore, this paper should be useful for further academic studies and the research organization working on this issue.

1.9 Ethical issue

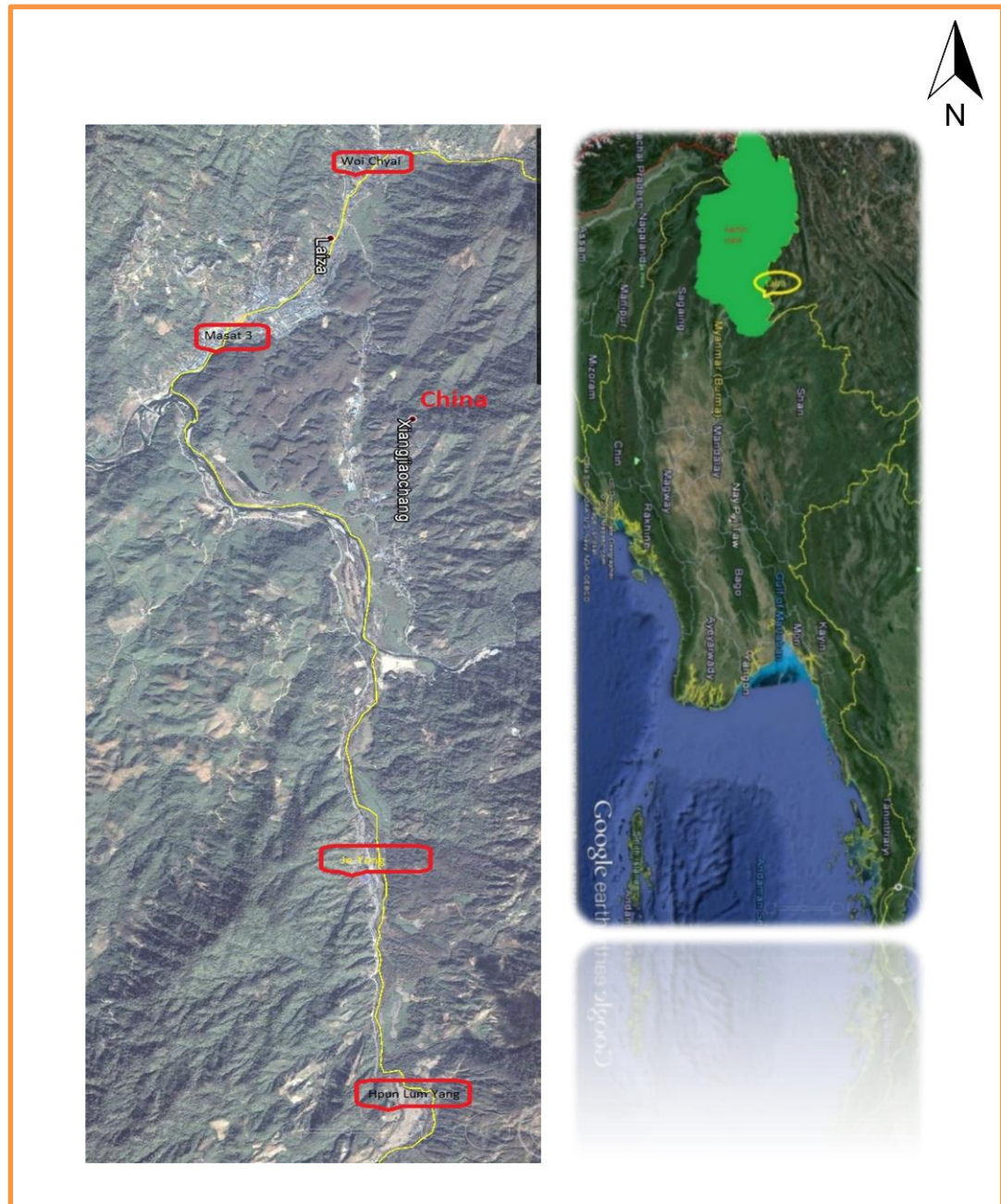
The ethical issue for this study research will be highly respected since the targeted key informants, Community Based Organizations (CBOs), other relevant organizations are based in the conflict affected areas. The security issue is of high concern since Myanmar

government have been employing arbitrary arrested and inhumane torture. For example, some of the IDPs in Myitkyina were arrested for suspicion labeling Act 17(b), detained and tortured.

The collected data, which is quite sensitive, will only be used for this research for personal security of the respondents.



Map 1. The research site location, Laiza, Kachin State, Myanmar-China border



Source: Google Earth view 2013

CHAPTER II

LITERATURE REVIEW

2.1 IDPs in the contemporary armed conflict

Internal and international migrations have been occurring as a result of economic crises, political instability, ethnic tension, armed conflict, continuation of human rights violations, generalized violence, natural or man-made disaster and a lack of sustainable job opportunities. While international migrants have move out of the country, internal migrants move within the state borders either voluntarily or by force. Internal displacement usually occurs due to “armed conflict, situations of generalized violence, violations of human rights, and deliberate policies or practices of arbitrary displacement” (IDMC, April 2012). According the Global Overview, 2011 report by IDMC, the number of internally displaced persons (IDPSS) caused by armed conflict, generalized violation or human rights violations have reached 27.5 million in 2010 and 26.4 million at the end of 2011. It showed displacement population decreased slightly. However, 2012 estimates reveal that IDPs caused by armed conflict worldwide have reached 28.8 million (i.e. in Serbia, Democratic Republic of Congo) This indicates the increase of 2.4 million from 26.4 million IDPs at the end of 2011 (IDMC, April 2013).

Internally displaced persons (IDPs) is defined as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violation of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border” (Deng, 1998). Even though IDPs and refugees have the same pattern of forced migration, they have different protection and assistance. Since refugees migrate into another country, they usually get protection, humanitarian assistance from international communities and with the international laws. Article 1 of 1967 Protocol, a refugee is defined as “a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” (UNHCR, 2010). IDPs have similar definition with refugees but they are less protected and less humanitarian access and aids since they move around within the state borderlines where international humanitarian accesses are depended on the host country policy towards the IDPs and types of government. The host country government has the fundamental accountability to assist and protect IDPs but fails to do so in some military regime government type countries due to limited political interest or inadequate resources.

In 2011, millions of IDPs in the world find themselves in unsafe places where criminal violence is instigated mainly by armed groups in Sub-Saharan Africa, drug cartels in Latin America, armed clashes such as those associated with the conflict in Côte d'Ivoire or the uprisings across the Arab world (IDMC, 2011). Therefore, IDPs are more vulnerable than refugees.



IDPs issues are not only occurring in the West and Europe but also in some developing countries such as South and Southeast Asia. This phenomenon is being caused by variety of factors; armed conflict, social conflicts, violation of human rights and generalized violence and natural or man-made disaster. In 2010, 4.6 million of IDPs existed in South and Southeast Asia alone. In 2011, the total numbers of IDPs slightly decreased to 4.3 million. However, at the end of 2012, 1.4 million population become newly internally displaced persons in the region, showing that the IDPs population had reached to 5.7 million due to the armed conflict and communal violence (IDMC, April 2013). Myanmar, Southeast Asia country which is home to multi-ethnic groups, there are thousands of IDPs due to the armed conflict between the ethnic armed groups and Myanmar government military.

2.2 IDPs and Armed Conflict in Myanmar

Due to the over six decades of armed conflict, generalized violations, social conflicts and natural disasters, millions of civilians were displaced in Myanmar. Over the past, the number IDPs in Kachin State, Rakhine/Arakan State, and Shan state, and along the Thai Myanmar increased due to the central Burmese military insurgencies with the ethnic armed groups over 60 years. Thousands of IDPs were forced to migrate internally and externally into South Eastern part of Myanmar, Western and Northern part of Myanmar due to armed conflicts.

There are currently a total of 521,000 IDPs affected by armed conflict plus 148,500 IDPs due to inter-communal violence in western and central parts of Myanmar. Majority of IDPs are from South Eastern part of Myanmar where armed conflict among Karen, Mom, Shan and Karenni ethnic armed groups and Myanmar government military have been waging war against each other since 1949, right after Myanmar got its independence from British colonists in 1948.

An estimation of at least 470,000 IDPs were living in rural eastern Myanmar; Shan state, Karen/Karin state, Kaya/ Kareni state, Mon state, Bagu/Pegu division and Tanintharyi/Tenasserim Division in 2009 (TBBC, November 2009). In Laikha Township, Shan State, SPDC military burnt down more than 500 houses and 30 villages were relocated by August 2009 (TBBC, 31 October 2009). Majority of them were taking refuge

under NGCA under fear and with meager humanitarian assistance. The peace process and ceasefire agreement are on-going, though, there are less armed conflicts in the Eastern Part of Myanmar. As a consequence, the number of armed conflict-induced displaced persons is decreasing gradually, 450,000 IDPs in 2011 (TBBC, 2011) and 400,000 IDPs in 2012 (TBBC, 31 October 2012). Yet, The TBBC estimation excluded at least 31, 7000 IDPs from the northern part of Shan state due to armed conflict involving the Shan State Army North in the mid of 2011 (SWAN, August 2011).

However, it is not clear why displacement population is slowing down every year. Studies show that IDPs are returning back to the original places or resettling in third countries. So far, there has been no government policies targeting humanitarian assistance, proper protection and livelihood guarantees for the IDPs. As a result, the ethnic people in South-eastern start have been facing challenges like land confiscation, development project problems and socioeconomic issues. Moreover, around 100,000 IDPs are living in temporary shelters, enjoying insufficient humanitarian assistance and less protection in Kachin state and northern Shan state in 2013. This proves that Myanmar is not only rich in ethnicity, but also rich in ethnic armed groups. Moreover, Arakan ethnic armed groups at the western part of Myanmar also against with the Myanmar government.

Armed conflict is on and off in the Arakan state that is located on the sea coast in the west part of Myanmar and rich in natural gas, oil and marine products. Since the Arakan

Armed groups are small in size and cannot settle inside the Arakan state due to the geographical limitations, there are not many and serious armed conflicts between Arakanese armed groups and Myanmar government military. Therefore, the information about the armed conflict is available very little. According to the International Displacement Monitoring Center, in 2009, there were around 8,000 IDPs hiding or living in the jungle and mountainous area of Arakan state due to the armed conflict between Arakan Liberation Army and Thatmadaw (Burmese military) in 2007. However, the ethnic or religious violence between Arakanese who Buddhist and Rohingya & Bengali who are Muslims residing in the Arakan state, are frequently occurring. In 2012, inter-communal violence between Arakanese and Rohinja in the new democratic government ruling system was the most serious case of violence. Hundreds of Rohingya & Bengali and Arakanese ended up killing each other. They were also attacked by Thatmadaw (Burmese military) and state police unit as well during the taking security (I. C. Group, 1 October 2013). Many members of Rohingya and Bengali from Arakan state fled to Malaysia, Indonesia, Sri Lanka, Bangladesh and Thailand by boat. On the way to their destination, many of them died because of hunger and storms in the sea. There were 115,000 IDPs in Arakan in October, 2012 (UNOCHA, Dec. 2012). The number of IDPs decreased a little after the violence being purged and UN agencies, NGOs, INGOs proving aid and assistance. However, after some communal violence in mid-2013, IDPs in Arakan state had again increased to 143,000 and 5,000 in central part of Myanmar on November 2013 (UNOCHA, November 2013). This phenomenon is

threatening not only the security of the State but also have vibrant effects to the human security, political & economic stability and development of the whole State.

Armed Conflict in Myanmar

After the three Anglo-Burmese wars (1824–1826, 1852, and 1885) the Burma fell under the rule of the British Empire. After World War II, India was bound to become independent, and Burma would certainly follow (Steinberg, 2010). But what kind of independence, and whether independent Burma would be divided between Burma Proper and a separate minority area was unclear. This resulted to the Aung San–Atlee Agreement of January 27, 1947, calling for independence within one year. On February 12, 1947, in the second Pang Long Conference (the first was in 1946) Kachin, Shan, Chin and Burma (led by Aung San) signed agreement to achieve independence together. The agreement had nine points. The sixth point asserts for is state separation according to the state's will (Rogers, 2012). The Karen (Karen started fighting with government in 1949) were only observers at the conference. At 4:20 a.m., January 4, 1948 Burma got its aspired independence from British but unfortunately Aung San was assassinated on July 19, 1947. Following the assassination of General Aung San, the dark era began to spark in Myanmar under an elite and nationalist regime. After the 1960 election, the passage of legislation making Buddhism to be the state religion forced the ethnic (mostly Christian) to form their own armies. However, after the State Law and Order

Restoration Council (SLORC) in 1988, large numbers of cease-fires were negotiated with most ethnic armed groups. Peace treaties forged were usually verbal agreements under which the ethnic armed groups held certain territories and were able to keep their arms, supposedly until a constitutional process end. The State, Peace and Development Council (SPDC) announced the implementation of the seven-step 'road-map' in August 2003. After the seven-road-map, the national convention was followed. Lieutenant-General Thein Sein was SPDC's Secretary number one and National Convention Convening Commission Chairman. In May 2008, the Myanmar constitution was completed. The constitution guarantees military role in the Parliament and their domination in the Executive by giving 25% of the parliament seats automatically to the military and defense service which has the supreme power to control the entire defense system, security of the nation, and to protect the 2008 constitution. Though the President can appoint the Commander in Chief of defense service, the President has no authority to control defense service. In November 2010 the nationwide election, neglecting 1990 political winner National League for Democracy party (NLD), was started. Lieutenant-General Thein Sein has become the first elected Myanmar President after the 25-year Military regime ruling of Myanmar. The democratic government office was inaugurated on March 2011 and a new armed conflict between Kachin Independent Army (KIA) and Myanmar government military on 9 June 2011 spurred out, breaking the 1994 ceasefire agreement.

Armed Conflict in Kachin

Kachin state has an area of 89,041 km². Its capital, Myitkyina, is located between two giant countries; China in the east, India in the west. Kachin state is geographically connected to India and China by Ledo Road (also known as Stilwell Road), built in during the World War II (WW II).

Jinghpaw (the Kachin a foreign term) scatters across the mountainous land where China, India, Burma, Thailand and Laos meet since WW II (Kachin Research Group). Its estimated population could be around 2 million (K. R. Group, September 2011). Kachin or Jinghpaw which is Mongolian stock/Tibetan-Burman, has five more different sub-ethnic groups namely; Nung/Rawang, Maru/Lhavao, Lachid, Zaiwa/Azi, and Lisu (K. R. Group, September 2011). Each has their own, unique dialect however, they have common culture and language that is Jinghpaw. The Kachins have never been under any other rulers before the arrival of British colonialists. They lived happily in their “No man land” until Kachin patriots plead strong defiance against suppression by British colony. In WW I, about 4000 Kachin soldiers served under the British and went battle to Mesopotamia (K. R. Group, September 2011). During WW II, there were many Kachin soldiers serving in Kachin Levies under British and 101 US Kachin Ranger soldiers fought Fascist Japan in Myanmar until British took over Burma again from the Japanese emperor. The Kachin soldiers were serving not only during WW II but also under Myanmar government in the parliament during its democratic era. However, due to

the ‘Burmanization’³, inequality in political rights, and Buddhism as a national religion, Kachin army separated from Burmese military and formed its own independent army.

Before 1961, there were five Kachin Armies the under Burmese military. Being discriminated and marginalized in the military, the Kachin army started to form their own. In February 5, 1961 Kachin independent Army (KIA)/Kachin Independent Organization (KIO) was established. It was led by Lahpai Naw Seng, Lahtaw Zau Seng (General Officer Commander, Burmese military), Lahtaw Zau Tu and others from Kachin Army under Myanmar military. It has been 52 years long against the marginalization and discrimination of the military regime. Most of Kachin land is filled with natural resources; Hpa Kant jadeite’s mining area, Mali and Nmai River’s abundance of gold and water resources, Ledo or Stilwell road connecting from China to India, are fully under KIA control before 1994 ceasefire agreement (previous failed ceasefire agreements in 1963 and 1980). After the 1994 ceasefire agreement, KIO shared their territories and natural resources extraction with military regime and did participated the National Convention process (Kachin people’s condemned for participation in the drafting 2008 constitution) and submitted 19 points which was rejected by the Myanmar government (Brussel, 12 June 2013). KIO celebrated 2008 constitutional process by holding a public forum in Laiza and Myitkyina, and press release for why

³ Burmanization is one of the tactics of the former military government to be oneness; one language and literature (Burmese), one religion (Buddhism), one culture (Burmese culture) by eliminating all the ethnic language and literature, and religion mostly Christian and culture. Ethnic language, literature and culture are not allowed to teach at school.

and how they took part in the process of Myanmar democracy reform. This lasted until Myanmar government rejected Kachin State Progress Party (KSPP) led by Dr. Manam Tu Ja, ex-KIO. During the ceasefire agreement, many KIO liaison offices were allowed to open in Myitkyina, Kachin State, Mandalay and Yangon as well as Myanmar immigration offices in Laiza area China border in KIA/KIO controlled area. Unfortunately, a 17-year old ceasefire agreement was broken on June 9, 2011 due to the security of Tarpein Dam II(Chinese investment) located under the KIO controlled area near Laiza. The conflict has resulted to thousands of civilians facing displacement, serious human rights violation and war crime cases.

2.3 Forced Migration and Internally Displaced Persons in Kachin

Many people around the world, throughout centuries up to present, have been migrating for a variety of reasons. The five patterns/drivers of migrations that influence the movement in the conceptualization of push and pull factors are a) economic drivers of migration, b) political drivers of migration, c) demographic drivers of migration, d) social drivers of migration and e) environmental drivers of migration (Black et al., 2011). The political driver of migration is most relevant in the Myanmar context and armed conflict in Kachin state.

Political drivers of migration

Inter-state conflict, civil war, communal violence, genocide and government breakdown lead to politically-driven migration (Black et al., 2011). For example, in Middle East at least 2.2 million refugees were recorded in 2009. In 2011 there were an estimated 43.3 million people worldwide are forced displaced by conflict and persecution and number increased to 45.4 million included refugees, asylum seekers, repatriated refugees, IDPs at end of 2011 (UNHCR, 2009).

IDPs in Kachin state in 2011

The term IDPs is really new for Kachin state and has come to exist only during the 2011 Kachin armed conflict. As in other parts of Myanmar, displaced persons faced from armed conflict induced displacement throughout the country. The IDPs in Kachin state particularly are forced to migrate internally and displaced due to the 2011 Kachin armed conflict between KIA and Myanmar government military. The IDPs are in displacement not only due to the armed conflict but also serious human rights violation in their own areas. “At least 25,000 internally civilians fled from their original places into the large town and hiding in the jungle under makeshift tents at the beginning of fighting June 2011 due to the serious Human Rights violation by the Myanmar government military” (KWAT, October 2011). Some of the Kachins located

along the Myanmar-China border ran into China side. However, after some months of refugee in China side, Chinese authority pushed back about 7,000 Kachin refugees into conflict zone Kachin state, on August 2012, though China signed and ratified the Refugee Convention in 1982 (Wong, 23 August 2012). China is not only pushing back the 2011 Kachin refugees but also blocking humanitarian assistance delivery from China to the IDPs camps along the Kachin China border. At the same time, Myanmar government also cuts and prohibits all the international humanitarian assistance deliveries and transportation road inside Myanmar that can access to the IDPs camps along the Kachin China border. Kachin IDPs are not only suffering from the insufficiency of humanitarian supports and human rights abuses but also from the Myanmar government secret agenda of four-cuts policy (cut financial, cut food, cut communication, cut intelligence towards the opposition ethnic armed groups and ethnic civilians who in far remote area. This dogma of four-cut policy has extremely affected the civilians who are defined as part of the in the government targeted group. This has been one of the push factors of forced displacement or forced migration. However, due to the serious insecurity concern, access to statistics in all IDPs locations has been challenging for UN and non-UN agencies. This led to various estimation of IDPs numbers from different organization according to their capability of accession to IDPs camps.

On November 2013, there are over 100,000 IDPs according to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) (OCHA, November 2013), while

Table 3.Number of Kachin IDPs 2013

TARGET POPULATION	
Areas beyond Government control	50,000
Government areas	35,000
IDPs with host families	10,000
Mobile IDPs	5,000
IDPs	100,000
People hosting IDPs	20,000
TOTAL	120,000

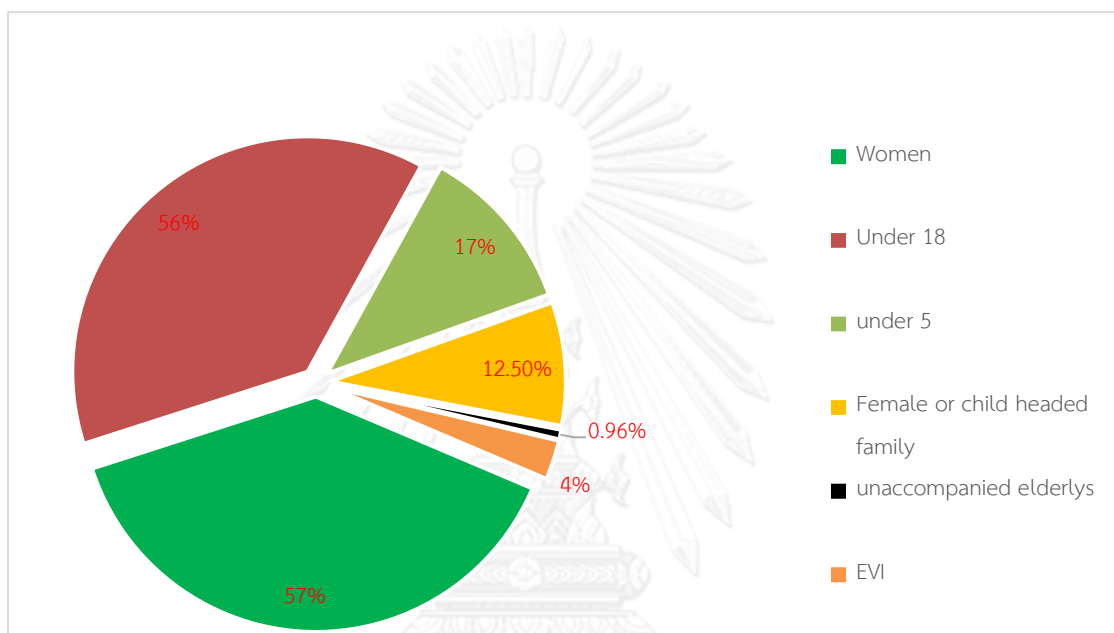
Source: UNOCHA 2013

IDPs and Refugees Relief Committee (IRRC) based in Laiza, figured 97,598 IDPs who are registered as IDPs from 231 villages in both GCA and NGCA in Kachin and northern Shan state on October 2012. However, this does not include over 4,000 IDPs from Mansi Township in due to the late 2013 clashes. IDPs are temporarily sheltered in 129 camps in emergency bamboo shelters in Kachin and northern Shan state. Majority of them are temporarily living along the Myanmar-China border (see Map 2, page 59), Moreover, IDPs residing in the jungle are excluded in the figure. However, it is hard to know the exact IDPs numbers due to difficulties in transportation, communication, and landmine and intense fighting in some areas. Statistics for late 2011 and early 2012 period

indicated the highest displacement and migration into both GCA and NGCA. Many news, documents including UN agencies revealed numbers of over 120,000 IDPs in Kachin and Northern Shan state including 4,000 IDPs from Mansi Township due to late 2013 clashes. Among them around 85,000 IDPs registered, 10,000 with host families, around 5,000 are IDPs move back and forth across the China border. Moreover, about 20,000 civilians have hosting (through homestays) the IDPs and have been needing further supporting for humanitarian assistance (UNOCHA, 28 May 2013). This assessment was done by UNOCHA on September 2011 in “32 camps of five township: Banmaw, Momauk, Khawng Lang Pu, and Waimaw targeting 5,900 IDPs” (UNOCHA, 2012) of which 57% women, 56% age under 18, 17% under five years old, 12.5% female or child headed families, 4% extremely vulnerable individual (EVI), and 0.96% unaccompanied elderly. Humanitarian assistance such as food, non-food items, shelter, water, sanitation and education were the most urgent needs according to the assessment.

IDPs in Kachin state and Northern Shan state were forced to leave their home villages into the safe zone due to the intense conflicts between KIA and Myanmar government military. Some of the IDPs sought refuge in China but were eventually forced to move

Figure 2. Profile of IDPs 2012



Source: UNOCHA 2012

back into the conflict zone. Some of IDPs are still with host families and hiding in the jungle. UN agencies' humanitarian assistance programs could not cover all the IDPs due to the authority prohibition, and security concerns. Non-UN agencies were not capable of giving adequate assistance to IDPs in NGCA. Therefore, IDPs are suffering from inadequate humanitarian assistance, less protection at the front lines of the Kachin state and Northern Shan state.

2.4 Human Security Situation of IDPs in Kachin State

Human security situation of IDPs in Kachin state and northern Shan state is getting worse as the escalation of the armed conflict in every corner of the Kachin state and Shan state. IDPs, located in temporary shelters in the remote, unprotected area, are living in *fear* of atrocity and insufficient humanitarian supplies. Moreover, UN agencies and non-UN agencies could not cover all the IDPs population and places especially IDPs in NGCA and could not give protection. Non-UN agencies were trying hard to reach all the gaps but lack of capacities and funds.

Therefore, “*Free from fear and free from want*” is still a great demand from IDPs in Kachin state. The majority of IDPs were in need of humanitarian aid such as food, medicine, shelters and warm clothes, blankets, and firewood (HRW, March 2012). UN agencies assistances delivered assistance to the IDPs mostly in Myanmar government-controlled area (GCA), assistance is difficult to access in non-governmental controlled area (NCGA) due to the bad transportation, security reasons and restrictions from Myanmar government. However, non-UN agencies have been working on supporting IDPs in some NGCA.

Food Security

In the midst of the conflict, food security of IDPs in Kachin state and northern Shan state is in dire situation.

In August 2011, The World Food Program (WFP) and other UN agencies started provision of basic food items (Kcal 2,100/per person/per day including rice, salt, pulses, oil) to the populated camps under governmental area Myitkyina, Waimaw, Banmaw, Shwegu, Mansi, Momauk in Kachin state. 3,000 IDPs in temporary camps in GCA in northern Shan State were supported either by direct implementation or through cross-mission partners such as Karuna Myanmar Social Services (KMSS), Shalom and World Vision, Metta, Oxfam, Kachin Baptist Church (KBC), Trocare and Wun Pawng Ning Htoi. However, the most hard to reach areas have been omitted by the said agencies. Only few local NGOs could be accessed. Therefore food supplies and non-food items were inadequate and irregularly distributed. In addition, the climate from June to October led damage of road condition, which made it more difficult to deliver assistance. IDPs in NGCA were left out for some period due to these obstructions.

IDPs in KIO controlled areas could get only three caps of rice per person without food supplement items. Local and ad hoc Kachin-led organizations, KIO affiliated organizations, Relief for Action Network for IDPs and Refugees (RANIR) were not able to give full support to the IDPs. Moreover, UN agencies had not been able to send humanitarian assistance to the hot zone in the beginning. Nevertheless, after months

of negotiation with Myanmar government, UN agencies were granted permission to deliver aid and service to the KIA controlled areas.

For the first time, in December 12, 2012, a UN convoy of two trucks carrying basic households and shelters items on the behalf of UN reached the IDPs camps in Laiza. After this, the Myanmar government gave no further permission to UN agencies to deliver assistance into Laiza area (HRW, March 2012). Apart from UN agencies, Kachin State Rescue and Resettlement Committee, a Kachin State member of the Burmese parliament, and Myanmar government Myanmar Red Cross Society delivered humanitarian aid pack which includes rice, clothing and other non-food items. Interestingly, IRRC was rejected due to KIO policy (HRW, March 2012). According to the Protection assessment in Kachin and Northern Shan states, November, 2012, the respondents from 33 IDPSS camps (of which 20 camps in governmental area) both in governmental and non-governmental areas revealed that most camps in GCA enjoyed a 90% level of food security. Though the percentage showed that food supply to the camps is sufficient in Myanmar governmental areas, the majority of IDPSS population in NGCA is still facing insufficiency of food supply. There were some estimation from the local humanitarian groups, saying that almost 60,000 IDPs along the Myanmar-China border received only 4% of food needed (KWAT, October 2011).

Food security in both GCA and NGCA do not match with the demands and international standard of Kcal 2,100/per person/per day. UN agencies and non-UN agencies are

unable to supply according to the needs of the growing IDPSS population in both GCA and NGCA. More international and UN aid programs should provide humanitarian assistance to be able to cater to their needs.

Health

The health issue for all the IDPs in the conflict zone is another challenge for the IDPs and relief workers. Lack of medicine, health facilities and professional are major concerns of IDPs. The RANIR assessment in 22 NGCA camps from May to June 2012 found that the most commonly found disease are seasonal flu, skin disease, malaria, diarrhea additionally depression, psychologically trauma, hypertension. The Myanmar government in partnership with the UN and NGOs supported essential drugs, HIV prevention, malaria control, antenatal care and among others for IDPSS in pre-urban and urban area of Myitkyina, Waimaw, Mansi, Momouk and Banmaw. However, this assistance did not reach to IDPs in the NGCA (UNOCHA, 2012).

As for health care staff, nurses were assigned by the local hospital but there were some obstacles for the IDPs to access the health care service providers in time of emergency serious problems and at night. There was still an insufficient supply of medicine in the camp (Bacchin, November 2012). In this case, IDPs need to seek for health care service outside, paying on their own. Therefore, to access to the hospital

or clinics which are not free of charge is currently a major problem for the IDPs who do not have regular incomes and savings. Though provision of health care system to the camps located in Myanmar governmental area is present, majority of the camps in forest, along the Myanmar-China border are still suffering from inadequate supply of health facilities. Due to septicemia, malnutrition deficiency, dengue hemorrhagic fever, four children died in IDPSS camp in Laiza area, on July 21, 2011 released by KIO Health Department. There are no documents or reports about the health care system and services that IDPs are receiving in NGCA except that of KIO health services in Laiza, KIO headquarters.

Education

Education in Kachin state is separated into two categories. The government supports general education in Kachin state but it cannot cover very rural area especially along the Kachin-China border. The education along the Kachin China border is supported by non-state Kachin armed group, KIO. However, KIO education is not accredited outside their controlled area. Therefore, the education for IDPs is left with two different (and rather weak) education systems.

Since the beginning of the conflict, Kachin state government instructed all the schools to accommodate IDPSS students who are coming into Myanmar government-

controlled area. This is irrespective of whether they are from state run schools or non-state run schools. Some schools located in the remote area that are close to the conflict zone had stopped operating. Some have limited the acceptance of the new students due to the inadequate of school supplies and facilities. The United Nations International Children's Fund (UNICEF) supported about 1,300 IDPSS primary school students in Myitkina and Waimaw Townships with textbooks and essential learning materials through township education offices. However UNICEF have not covered majority of the students; this is due to the limited ways to access remote areas. While UNICEF mainly supports IDPSS students in Myanmar governmental areas, majority of IDPSS students under KIO controlled areas along the Myanmar-China border are taken care by KIO run schools. The IDPSS students who are not covered by KIO run schools also have the chance to learn in temporary shelters with volunteer teachers. This has remained a big concern as regards to acceptance of IDPs by government education system, in particular state-run schools.

KIO education also cannot support to all IDPs in NGCA. Relief Action Network for IDPSS and Refugee (RANIR) assessment, done in January 2012, indicated that nine out of 21 camps in NGCA had no access to education/schools while 8 camps needed additional school materials.

Yet there are many things still needed to fill the gap for better learning environment and quality, accreditation, and further education for IDPs in NGCA. More professionally

trained teachers, school material, infrastructure are needed to fill these needs. Improvement in Quality, accreditation, and access to further higher education in NGCA schools remains a great concern.

Livelihood

The majority of civilians in Kachin state depends on agriculture, shifting cultivation, while few works on gold and jade mining and trading. Most in rural areas are seasonal farmers working in plantations. Their livelihood depends on land and selling forest products such as vegetables, bamboos and so on.

Displacement due to the armed conflict in Kachin state since June 2011 legally IDPs to abandon everything they possess in their original locations. For farmers, it is impossible to return and collect farms, crops lands, farming animals, tools for cultivation that they left since the armed conflict situation had intensified. In fear of being killed, raped, tortured, portered at sight, no IDPs have ever dared to go back and collect the crops (UNOCHA, 2012). United Nations Development Program (UNDP), Metta, KSSM, Solidarity International (SI), Food and Agriculture Organization (FAO), and Local Development Organization (LDO), had already implemented livelihood programs such as income generation, breeding small scale livestock, and small scale trading. They also encouraged Kachin gardening including provision of seeds, fertilizer and capacity

building training in GCA; Myitkyina, Waimaw, Momouk, Shwegu, Banmaw, Mansi, Lashio in 2012 (UNOCHA, 2012). However, there had been no reports on income generation for the IDPs who are in NGCA. For some IDPs who are along the China border, can work as a casual labor inside China. During harvest time, they can work on the field with price of 2000-2500 kyat (Myanmar currency approximately 850 kyats = 1\$) per day while the basic standard rate is 3000 kyat per day. Moreover, IDPs who illegally crossed into China for casual labor have been facing multitude forms of exploitation.

Livelihood of IDPs is obviously affected by the conflict. Some livelihood training programs implemented by both UN agencies and non-UN agencies could not cover the entire IDPs population. IDPs from NGCA suffer the most from this due to the lack of sustainable livelihood programs in GCAs.

2.5 Atrocities suffered by the IDPs

Due to the armed conflict between Burmese military and ethnic armed groups, thousands of IDPs forced to scatter in Eastern Myanmar. Since 1999, more than 3,500 villages and hiding camps were destroyed and the inhabitants were forcibly relocated in eastern part of Myanmar (IDMC, 19 July 2011). In Shan State alone, from 2008-2009, 135,000 IDPs caused by fighting between Shan State Army-South and Burmese military, extortion, confiscation of properties. Forced relocation had resulted to more than 500

houses being burnt down, while 30 villages were relocated in August 2009 by SPDC. Harassment of civilians include loot home and property, beat, rape, torture, burn homes or entire village, extrajudicial killing lay landmine in the civilian villages. These practices have become already become one of the stronger characteristics of Burmese army in ethnic regions (NRC/IDMC, 29 January 2010). Over 150 houses were burnt down between April and May 2005 near the Thanissarim division in suspicion of the house owners supporting the rebels.

Forced conscription of the villagers into military training, arresting community activist arrests, sex abuses against women are common as well. During 2004, a rape of a 19 years Mon girl by SPDC commander and his soldiers was documented by Mon Human Rights groups (NRC/IDMC, 29 January, 2010, p. 86). Due to the intense fighting, on November 28, 2012, about 45 temporary IDPs shelters in northern Shan state were burnt down by Burmese soldiers from Light Infantry Battalion 240 (KWAT, February 2013).

On October 2012, the 77th and 88th Burmese light infantry troops launched mortars and machine-gun attacks KIA camps near by Hpare IDPs camp north of Pang Wa village. A 7 years old IDP was hit in his thigh by shrapnel and was sent to China hospital (KWAT, February 2013). On 6 January 2013, 296 houses in Nam San Yang Township that is located on the way to Myitkyana to Banmaw, were destroyed, by about 300 Myanmar Government military. Moreover, in the morning of 14 January 2013, the Burmese

military launched 105mm into Hka Chyang ward that is the residential area of Laiza of 20,000 residents (half of which are IDPs). A shell hit in front of the house where IDPs were warming themselves near the fireplace. The incident caused three adult and teenager's deaths, and four others injured severely including a mother and two year old boy. These kinds of incident did not only happen in Laiza but also in Maija Yang, one of the KIO controlled area along the Myanmar-China border. Three boys with ages of 11, 12 and 13, died when the bunkers collapsed near the Pa Kahtawng camps hosting 2,456 IDPs, on 15 January 2013. The bunkers were originally made for protection when the Burmese military started shelling the heavy motors into the Laiza since December 2012.

On 6 December 2011, around 200 Burmese soldiers indiscriminately shot 34 villagers including children, elderly, and women who were hiding in the Lung Bum valley in Man Si Township. The rest were able to run but a 38-year-old female with her 24-day-old son and a 25 years female with her four year old daughter, were left behind (KWAT, June 2012). On December 7, 2012, when some returned back, they only found only 24 year old man and 4 year girl sitting next to a dead baby and its mother and a dump clothes of 25-years mother on the track.

It has to be noted that the Myanmar government military has the incumbent duty to protect nation and citizens. But they turned out to be the key human rights violations during the conflict. Shooting everyone at the spot is a blatant act of ethnic cleansing

and characteristic of rebellious armed groups. Looting, rape, atrocity, extra-judicial killing, are happening in the ethnic regions but there have been no concrete measure done to purge these criminal activities. The IDPs in Kachin state have no protection from any organizations and government judicial institutions in Myanmar.

2.6 Protection Mechanism or policy towards the internally displaced persons

Protection of civilians should be rights-based and community based, which means equal individual and community equal access to these protection measures. Right holders are fully entitled to protection engraved in the international law and national law from duty-bearer, which is the State. UNHCR handbook of protection for IDPs, described twelve steps the state should make sure to have effective national protection to the IDPs, some of which are:

- preventing and minimizing effects of displacement;
- raising nationwide awareness of the issues;
- documenting IDPs conditions;
- supporting the training on the rights of IDPs are important to create legal framework; and

develop national policy towards IDPs (UNHCR, June 2010). Moreover, establishing relevant institutions, encouraging national Human Rights institution

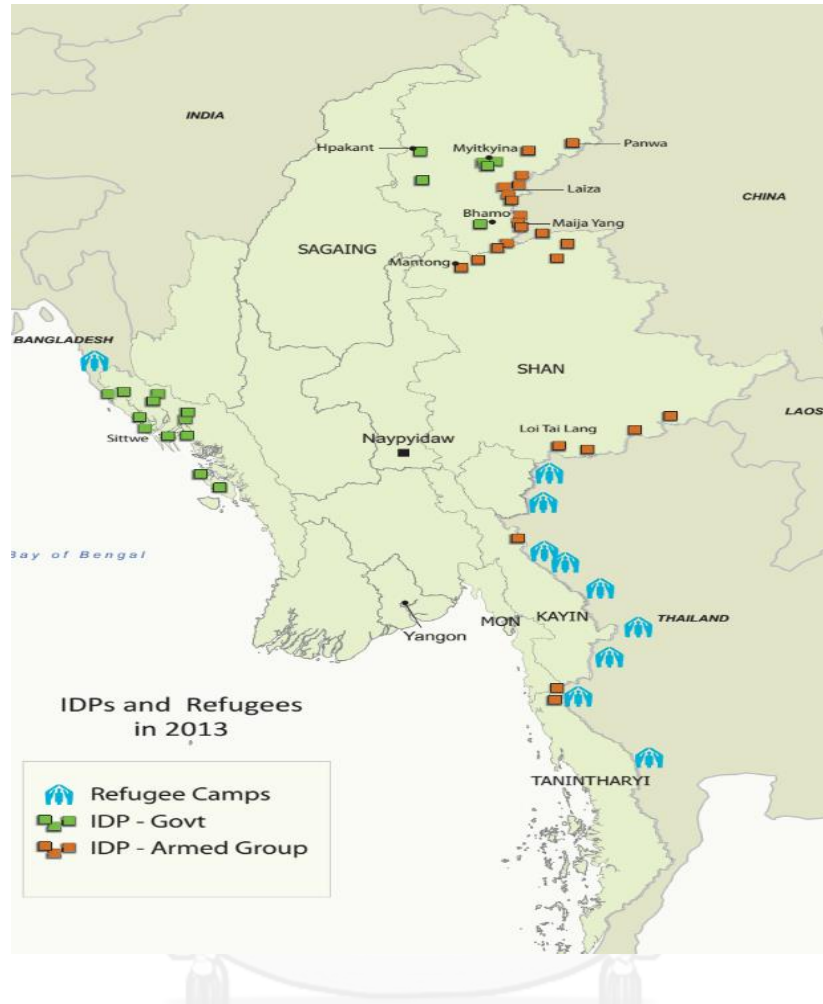
to address the issues, ensuring IDPs in decision making, supporting durable solution, allocating adequate resources, and cooperating with international organization when national capacity is insufficient, are also crucial steps that the host government should take in order to have effective protection and assisting IDPs. The State has the fundamental duty to protect and assist the displaced civilians. National laws, constitution, or judicial institutions are the tools to protect the civilians at any situation. When the state has no capacity or interest to protect the affected civilians, UN agencies and other relevant agencies can reinforce national responsibilities.

There are 11 major ethnic armed groups, which are fighting for autonomous state from the national government. The ceasefire agreement between the central government and ethnic armed groups have been on and off since 1980s. Therefore, over 600,000 armed conflict induced IDPs are in Myanmar. However, Myanmar government has not recognized the IDPs and not adopted any IDP-related policy yet. Nevertheless, there are some protection mechanism for the citizen in chapter (8) 353, 357, 376, 377, 378 in 2008 Myanmar constitution (government, September 2008a). The state has the responsibility to give protection for the privacy and secure home, property; no one shall be violated of their right to life, personal freedom, and no detainment over 24 hours without the remand of a competent magistrate (government, September 2008a).

International and national protection mechanisms to the IDPs in Myanmar are indeed in a dilemma. International organizations that have legal authority to give protection and national government are obviously neglecting the unprotected IDPs in the front lines. However, the 2008 Myanmar Constitution has mandated a protection mechanism for civilians at all times.



Map 2. Kachin IDPs location and population map



Source: Deciphering Myanmar peace process 2013

CHAPTER III

IDPs FLOWS AND CAMPS

The data from this chapter were collected during field research in four IDPS camps in Laiza on the Kachin-China border, Myitkyina in Kachin state and Yangon, from the first week of June to first week of July 2013. The root causes of the 2011 Kachin armed conflict and peace process, displacement patterns, human security and A4 education findings are described in this chapter. In addition, an overview of the camp structure is included.

Overview of Laiza

Laizais situated in the southeast of Kachin state, in particular, on the Kachin-China border. Laiza is surrounded by forests. In the past it was ruled by *Jing Hpaw Duwas* (Kachin Tribal Chieftains) (Awng, 2009). Before Laiza existed, it was Hka Chyang Yang village that existed. Kachin people, affected by armed conflict between the KIA and the Myanmar military, resettled there in 1969. The name Laiza was used only after 1987 and became the Headquarters of KIO/KIA when the KIO General Headquarters and Foreign Liaison office was captured by the Myanmar military (Awng, 2009, p.47). After a ceasefire agreement was signed between KIO and the Myanmar government in 1994, Laiza village was developed into a border trading town. It has hotels, a market, casinos, immigration check points and a bus terminal to connect with the rest of Kachin

state and central parts of Myanmar. However, Laiza is not only a former, small trading town and headquarters of the KIA, but also a safe haven for some IDPs today and in the past.

Laiza had a population of 4,001 in 2008, not including KIA soldiers or KIO staff. It borders with Yunnan province and is the capital city of the KIO controlled area, as well as the location of the KIA military Headquarter before January 2013. It was socially and economically prosperous before the outbreak of conflict in 2011. Laiza, being the location of the KIA Headquarters and the capital of the KIO controlled area was populated with local people, KIO staff, KIA soldiers and migrant workers from every part of the country. Laiza is not only a lucrative trading town but also the home of traders, businessmen, migrants from central and lower Myanmar, Kachin state, and the All Burma Students' Democratic Front (ABSDF). Even during the 2011 armed conflict, some Burmese, Shan, Chinese people stayed without returning to their village, town or city.

Currently, Laiza is the home of around 22,000 people including over 17,075 IDPs, local residents, a few migrants, KIO staff and KIA soldiers. Trading of goods from China, jade, wood, crops and wild animals from Kachin state are temporarily halted for a while because of the blocking all trade routes, as a consequence of the armed conflict.

3.1 The root causes of armed conflict in Kachin state in 2011

The 2011 Kachin armed conflict has been deeply rooted in the political and economic interests of the Myanmar government and Chinese investors in Kachin state. In addition, it is related to hatred stemming for years back and manipulation of elites.

Chinese foreign direct investments (CFDI) in hydropower projects, Jadeite mining and gold mining in Kachin state have been booming since the year 2000. Moreover, Kachin state has geopolitical importance for communication and trade with China and India (Sherman, 2003). In addition, the KIA did not recognize the proposal of Myanmar government to become a Border Guard Force (BGF), which was a policy announced before the 2010 nationwide election and is also one of the driving forces of the conflict. The rich natural resources, geopolitical strategic location and political competition in Kachin state are also the main sources of the war in Kachin state in 2011.

Kachin state, which is located between China and India has an abundance of natural resources. Trade and inter-communication between Kachin and China is not a new phenomenon. Yunan province in China also is home to a large number of Kachin people. Numerous mega Chinese investments have been established in Kachin state ever since before the 1994 ceasefire agreement between KIO and Myanmar government. Major investments from China in Kachin state are energy sector and jade mining (specifically in the western part of Kachin state).

There are a total of 13 hydropower dams with a total installed capacity of 18,814.26 MW across the Kachin state (EarthRights, September 2008) (See Appendix A) plus two hydropower dams namely Laiza hydropower (4,000 KW)⁴ which supplies electricity in Laiza, and Mali Dabak hydropower (2000M)⁵ which provides round-the-clock electricity to Myitkyina, the capital of Kachin state. Among 15 hydropower dams, eight hydropower dams with total capacity of 16,699 MW by China Power Investment Corporation (CPI) are located along the Mali River and Nmai River, which are tributaries of Irrawaddy River (BANCA, October 2009).

Myitsone dam (6000MW), which is temporarily suspended by Myanmar president U Thein Sein due to the public outcry in 2011, It is one of the biggest dams with an estimated cost of USD \$3.6 billion. The majority of the profit will go to China while all the risks are going to the native people and Myanmar citizens. 90% of electricity will go to China while 10% of electricity will be for Kachin state, and as a consequence downstream impacts will be enormous as millions of farmers from downstream are depending on the river. In addition, the environmental degradation will be unforeseeable and eventually, will affect climate change. Moreover, the Myanmar government will be earning USD \$500 million as annual revenue from the project (KDNG, 2007). The project is not only giving negative social and environmental impacts

⁴ Laiza which the headquarter of KIO has 24 hours electricity supply from Laiza hydropower station which is built on Laiza river on 2004 and in 2006 the hydropower state started giving electricity to the whole Laiza and to the government military in Laja Yang and all the villages, rubber plantation in Daw Hpum Yang township.

⁵ Dabak hydropower has 3 turbines with 2000MW each supply 24 hours electricity to the Myitkyina, the capital of the Kachin state and it is run by the KIO. It is located in Dabak village which is under mixed administration area, Waimaw township.

but also political implications to Kachin state. If the dams are fully completed, numerous Myanmar government military will be stationed along the dam sites for sake of dam security. As a result, the clash between KIA and Myanmar government military may spark at any time since all the dams are located in the KIO controlled area. KIO is one of the organizations that strongly oppose the project.

Chinese ambassador to Myanmar Mr. Yong Houlan campaigned to commence the Myitsone hydropower project which CPI gave 60% of the total investment of \$ 3.6 billion to former military regime (Hka, 3 September 2013).

Kachin is not only rich in renewable energy but also in mineral resources. It is the only place in the world where the best quality Jade can be found. Excavation of jade started in 17th century and only native people have had the right of doing this business with very few Chinese traders. However, after 1994 ceasefire in Kachin state and multinational investments, military elite groups, and cronies set up companies in Hpakant region, the jade production is numerously exploited. These elite, cronies groups have been manipulating the resource extraction and export, and the government has been failing to gain revenue from this booming industry. Eventually, the resource revenue have induced greed wherein private profits have been generating rather than public revenue and development. However, it is hard to get every year official jade export amount and incomes as the lucrative trades are done without any official tax and record. Therefore, the richness of renewable energy, gemstones and other natural

resource in Kachin state has been delivering negative impacts to the local people and businessmen at the social, environmental and political levels. Revenue from Jade mining in 2011-12 fiscal year (from March –April) was \$8 billion, which was more than double of gas revenue and nearly a sixth of 2011 GDP (Oo, 28 September 2013). It is over 41% of 2013-14 fiscal year budget that is \$19.49 billion (France-Presse, 6 March 2013) This can purchase a 71 F-35 Fighter Jets, the latest and most advanced technowar aircraft in the world, \$112 million each (Rosen, October 2, 2013). If this two month revenue from jade trading could reach such enormous revenue, one year trading would conceivably harvest 30% of Myanmar's 2011GDP.

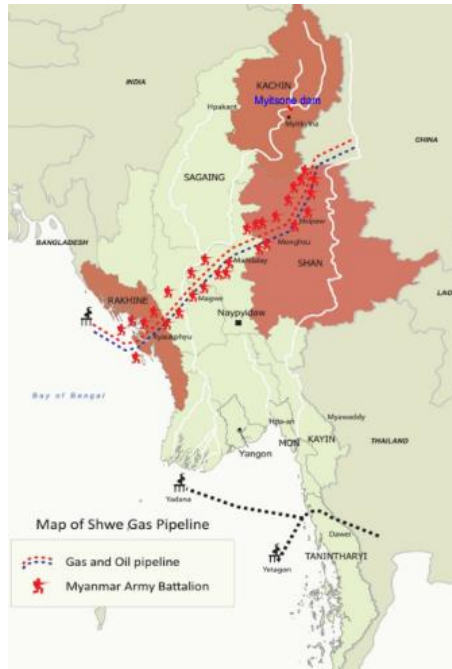
Jade auction is held five times a year in Nay Pyi daw and realizes enormous profits. Still, people from the so-called 'jade land' are living in poverty, immensely using and trafficking illegal drugs, having limited access to infrastructures due to mining. This lucrative economic industry is attracting elites in the regime and cronies has affected the civilian livelihood. Myanmar military elites and cronies want to have complete control of this lucrative jade business for their own interest rather than for the people. China is the only trade partner for exporting the valuably exclusive raw jade as European and Western posted sanction on Myanmar Jade (CONTROL, 20 Aug 2013).

In addition, Shwe Gas', a Chinese energy security project, Memorandum Understanding (MOU) between China and Myanmar military regime was seen as one of the factors of the 2011 Kachin conflict. The Myanmar government is harvesting US \$1.8 billion as an

annual revenue from Shwe Gas project expecting from 20-30 years (Movement, September 2013). Chinese oil and gas collected from Africa, Middle East, and Myanmar are transmitted through Shwe gas dual pipelines from Arakan state(see Map 4, page 67) passing through central part of Myanmar and northern Shan state where one of the KIA brigades which is in the armed conflict zone (see Map 5, page 67) is located, to Kunming, Yunan, China. This pipeline saves risk from Malacca strait, reduces cost and time that the ships need to spend travelling through South China Sea. Moreover, 800 kilometer long high speed railway line is travelling parallel with Shwe gas dual pipelines from Kyauk Hpyu Arakan state to Ruili, China (Watch, March 2012).

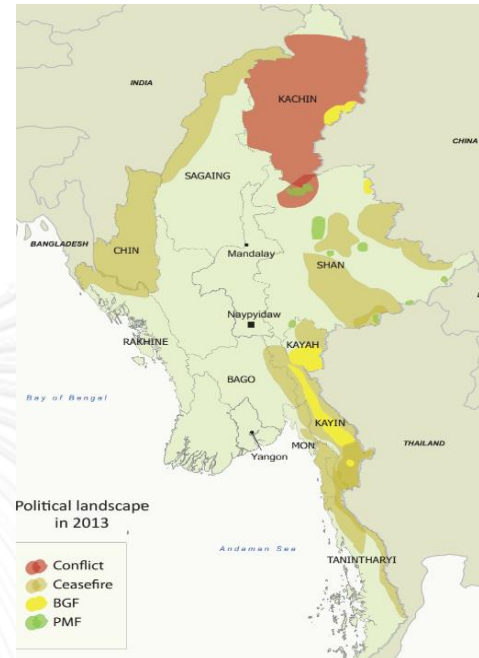
In order to regulate KIO controlled area and to give Chinese mega FDIs, the Myanmar government started open fire with KIA in 2011. Nevertheless, this politico-economic dynamics fuels the armed conflict in the Kachin State.

Map 4. The Map of Shwe gas pipelines



Source: Deciphering Myanmar's peace

Map 3. Armed conflict location



Source: Deciphering Myanmar's peace

Border Guard Force Dilemma

The KIA has been waging war against the Myanmar government military over 52 years for federal state which was instituted in Pang Long agreement with Kachin, Chin and Shan ethnic leaders and General Aung San, the father of Aung San Su Kyi before Burma's independence in 1947. However, in 1994, KIA/KIO took ceasefire agreement with government until the 2011. During the ceasefire agreement period, both parties failed to work on a political solution. It even resulted to economic investments on natural resources extraction and some local development projects. "The ceasefire agreement were backed up the promises of economic development through the

Master Plan for the Development of Border Areas and National Races, was launched in 1989 and upgraded to a ministry in 1994 with the intention of controlling the border trading” (Sherman, 2003). One of Kachin Independent Organization (KIO) Education Department staffs and the leader of current peace negotiation group stated

“Myanmar government didn’t hold any political dialogue with us except inviting to participate in the National Constitutional Process and did some development projects. We just waited for political dialogue in vain for 17 years” (Interview, Slg, 17.6.2013).

Another driver for armed conflict is the BGF scheme which is inscribed in 2008 Myanmar constitution 338, “all the armed forces must be under the Defense Ministry” (Government, September 2008b) Such is ideologically and theoretically acceptable. However, KIO/KIA and all the ethnic armed groups do not accept it because of historically rooted distrust and political distortion still exist in both sides. And in the BGF structure (See Appendix B), ethnic armed group are more in number than Myanmar government military but in terms of position, Myanmar government is more powerful. In the structure of BGF, there are 30 military men from Myanmar government army, and 296 from ethnic armed group. Regiment Commander from ethnic armed group (highest rank in BGF), Deputy Regiment Commander one from each side (second highest rank), third highest ranks; 2IC, Adjutant Officer, Quarter Master, Company Commander are from government military, and the rest 294 from ethnic armed groups

are directly under the third highest rank control. It shows that majority of power is in the hands of appointed government military. The age requirement in the BGF of between 18 to 50 years is one of the challenges to accept it because majority of the high rank in ethnic armed would “possibly be forced to resign due to over age” (Office, June 2010). As there is no academic institute of defense in the KIA, it would be hard to find those with high ranks who are under 50. Ranks are usually awarded based on experience and not by education or qualification. It seems impossible witness high ranking second generation from ethnic armed forces in BGF. This merely catalysis a policy of eradication of ethnic armed groups. Therefore, 1994 ceasefire agreement between KIO and government ended on August 2010 before election date 7 November 2010 and new modernized war blazed out heavily using fighter jets, war helicopter, chemical weapons and heavy weapons on 9 June 2011.

Implication of Ceasefire agreement and peace dialogue, and the role of China

Aside from the BGF scheme, in principle, the 1994 ceasefire agreement asserts that both parties have agreed to have political dialogue. But there is no form of agreement on paper by both side. When the KIO asked to have political dialogue during 1994 ceasefire agreement, Myanmar government ceasefire team easily ignored and handed over the political dialogue to the newly installed civilian government.

“We asked to have political dialogue after 1994 ceasefire agreement but the Ex-General Khin Nyut team just ignored and told us to talk with the coming civilian government. He said that they are soldiers and they don’t have any mandate to discuss about politics which is Myanmar government responsibility. Even up to now, there is no political dialogue with us” (Interview, Mr. Slg, 17 June 2013).

These experience is a big lesson for them not to sign any ceasefire agreement before a political dialogue. The current peace talk after the 2011 breakout has two different dimensions, 1) Myanmar government peace negotiation group wants ceasefire agreement before political dialogue but 2) KIO wants political dialogue before ceasefire agreement. Though two parties keep holding for peace negotiation, allowing third parties like UN, China and the public, they are still in the second phase of peace negotiation; “substantial negotiation” (Guinard, December 2002) as both sides of frontline armed forces withdrawer is in dilemma.

There were 12 formal and informal roundtable peace talks between KIO and government from June 2011 to October 2013. Since the beginning of the clash in June 9, 2011, two levels of peace talk have taken place. After two times of state level peace talk during June to August 2011, the first union peace talk began in Ruili, Yunnan province, China in November 2011. This was initiated by KIO even though government

side wanted to hold the talk in the country. While the Myanmar government peace group keeps pushing to sign ceasefire agreement first and then political dialogue, the KIO peace delegation group continued to demand for political dialogue first before forging any ceasefire agreements and ways towards self-determination of the state. This very contradictory strategic plan can potentially become the biggest hindrance to achieve a lasting ceasefire agreement.

On the other hand, China is using a two-pronged diplomacy tactic in the peace process. China especially the Yunnan government deals with KIO by allowing unofficial humanitarian delivery through China and KIO/KIA men travelling to the third country through China. On the other hand, China also allowed Myanmar military to go into their post to deliver rations through inside the country. Non-interference of neighboring countries' internal affair policy, border trade and political stability along the border are the Beijing government's main concerns. Therefore, China stood silently at the beginning of the conflict but it has been playing secretly on the ground like sending back Kachin refugees located in China to the war conflict zone, restricted transport of goods and granting the Myanmar government military trucks access through Chinese territory to supply the front line where KIA blocked the supply road (in July 2013).

However, after serious attack in Laiza, headquarter of KIA/KIO by Myanmar government war aircrafts, heavy artilleries and seizing some strategic posts around Laiza, Myanmar

government agreed to have US, UK and UN as mediators. China publicly appeared as a moderator in the peace talk after striking some of the artilleries on China border side. China's presence in the peace talk is just simply to intervene Western, European or UN dominance in the peace talks. Furthermore, it aimed to avoid political unrest in Yunnan province where thousands of Kachin are found. On 10 January 2013, thousands of Kachin inside China were processing into Laiza (Kachinland, January 2013). The mob and the border guard Chinese military and police almost clashed due to the cancelled reunion of the IDPs and local relatives in Laiza. Moreover, Mr. Wang Yingfang, Special Envoy for Asian Affairs of the Chinese Foreign Ministry and former Ambassador was appointed to oversee the peace talk (Berger, 23 August 2013). Before the February 2012 talk at Ruili, China and KIO peace delegations met. China asked KIO to stop fighting and sign the ceasefire agreement with Myanmar government. When UN special envoy Mr. Vijay Nambia, majority of ethnic armed group delegation, and local people participated in the peace talk on May 2013, China tried to refuse participation..

“On 26 May 2013, we received a letter from Mr. Wang Ying Fang saying that he could not join the peace talk in Myitkyina. We felt that we lost a third party. However, we have UN representative, and we left for Myitkyina peace talk on 27 May. On 28 May the meeting began at 9.00 am and Myanmar Chinese ambassador rushed into the meeting room around 10.30 am.”

(Interview, Mr. Slg, 17 June 2013).

China sees the dilemma not only in the peace talks but also in the security of the Shwe gas pipelines. The pipelines project was signed by two governments without consideration on possible threats and impacts to ethnic armed groups. When Myanmar government military could not seize KIA controlled area in Kachin and northern Shan state, China became aware of the possible threat to the pipeline security which is somehow under the control of KIA. Therefore, whenever KIA peace delegation initiated peace talks the only thing China keeps asking for is to “*stop fighting, sign ceasefire agreement, and don't blow up the pipeline*” (Interview, Mr. Slg, 17 June, 2013).

The 2011 Kachin conflict is borne out of political and economic interests of governments of Myanmar and China, and political rivalry between Kachin armed group and central government. The Myanmar government is trying to have more access to natural resources extraction and to control all strategic territories under KIA control. This is done by capturing the crucial financial resources. Moreover, insisting on the legitimacy of 2008 Myanmar constitution is more problematic as it creates more deep tensions. Also, China's economic interest largely complicates the conflict. When some part of the Kachin state has halted the battle, northern Shan state where pipeline passing through into China, under KIA control never stopped fighting. Peace talks fail to reach a due to conflicting demands. Therefore, armed conflict will remain long without the right solution.

Picture 1. Peace talk between Ethnic Armed groups and Myanmar government 2012-2013



Source: Karennews.org

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3.2 The root causes of displacement and inflow of IDPs into Laiza area

The patterns of displacement during the time of war in Kachin state is based on political drivers of migration specifically, human rights violations, genocide, inter-state conflict or civil war (Deng, 1998). The armed conflict/inter-state conflict that broke out

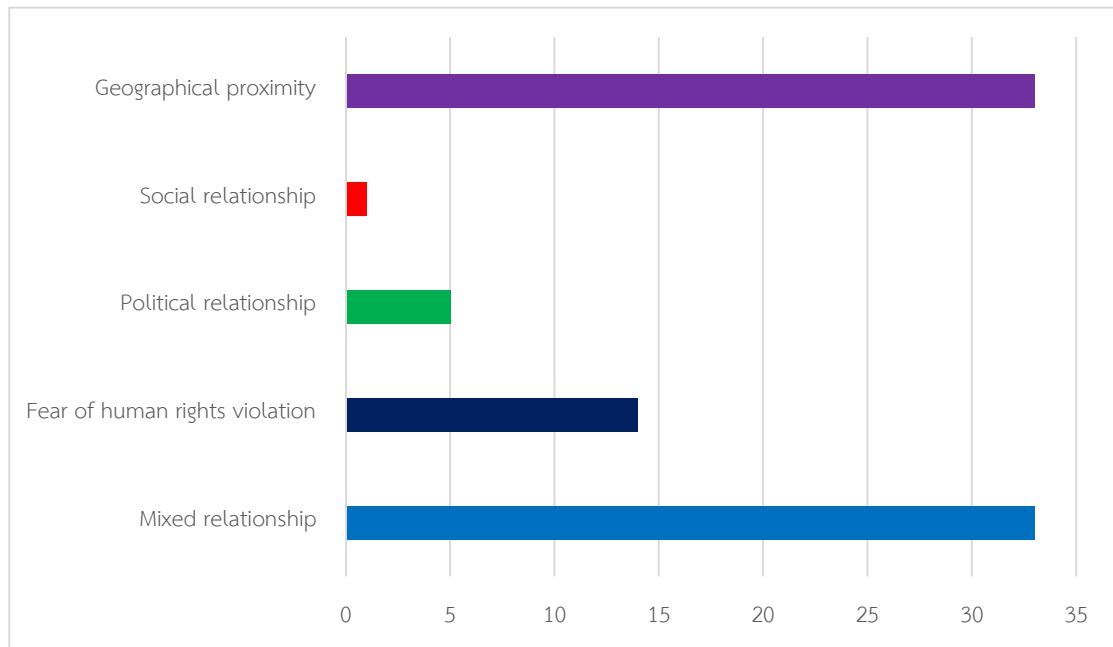
in Kachin on June, 2011 forced the villagers to migrate into two different places where they assumed safety. Some of the IDPs take refuge in GCA while majority of IDPs are in NGCA. The reason why IDPs are taking refuge in Laiza area is that almost all the key informants have geographical proximity, social, and political relationship, with KIA/KIO. In addition, some of them have the past experience of atrocity and human violation during the armed conflict. These contribute to the displacement and flow of IDPs into Laiza area (see Chart 3 page 76).

All 33 key informants ran into Laiza area due to geographical proximity. Some of 212 villages in Daw Hpum Yang, Momawk Township, Banmaw district and Waimaw Township, Myitkyina district, are under mixed administration between government and KIO but some villages are totally under KIO administration ⁶(See Appendix C).



⁶The KIO controlled area is composed of five administrative regions: central administration which is Laiza area, eastern administration that covers Banmaw district, western administration included jadeland area and Stilwell road⁶ or Hugawng valley, northern administration that is up the Ayeyarawaddy confluence and southern administration which is Kutkhai or northern Shan state.

Figure 3. The reasons of IDPs inflows into Laiza area



Source: Field work (June-July 2013)

For example, Galang Ja village is located near the Thalaw Gyi township in Myitkyina district has government provided school but the school teachers are provided by KIO. All the people from Galang Ja have household documents and national identity verification cards from Myanmar government. The 2008 constitution referendum was held there. However, “the school was built by Myanmar government. The school teachers were supported by the KIO” (Interview, KP, June 25, 2013). Moreover, Nam San Yang, which is located on the high way to Myitkyina-Laiza, Myitkyina-Banmaw, was under mix administration as well. The local residents are majority of Kachin decent while are Shan and Chinese. It was once famous for gold mining, logging and trading

with China. The whole village including Christian churches, was burnt down during an attack by Myanmar government military. It has government high schools, police station, military, pagoda and many Burmese, Arakan and Shan migrant workers. Currently, the state high school and pagoda are untouched by both armed groups. Though few Shan, Chinese and majority of Kachin those who do not have home or relatives in Myitkyina, came to Laiza, few local Kachin villagers who had paddy fields⁷ and who did not afford the transportation fee remained there at the beginning of the conflict. One of the family members who remained in Nam San Yang and worked as a day labor at the rice field told their bitter experience at the village and hiding place:

“We have five children and worked on highland swidden agriculture. At the beginning of the conflict, we remained in the village while all the villagers ran away except for a few who remained, those who had rice farms. We wanted to run but we do not have enough bus fees to go to Laiza. We remained to work at the field to earn some money. On the way back into the village from the farm, Myanmar government military who pointed us with their guns, checked my husband and me by a body search. When there was serious fighting in the village, we carried rice, clothes, blanket, mosquito net and five children, and ran into our farm in

⁷ Paddy field is the place where rice grows in the rainy season (June-September) in Myanmar.

the forest. We were hiding in the forest for a month. Finally, around September 2011 when the situation was a bit better, there was some transportation from the village to Mai Sak Pa, which is under KIO controlled and quite near with the village. We went there to take a bus into Laiza. It cost us 3000 Myanmar Kyat each from Nam San Yang to Mai Sak Pa. From there, the free of charge ferry from Laiza fetched us to Woi Chyai camp, Laiza.”(Interview, Mrs. MZM, 22 June 2013).

Some IDPs who moved into the Laiza area live close to the area. They also have a social relationship with the KIO, which brought some of Key formants to take refuge in the NGCA. Majority of the key informants are somehow related to KIO/KIA by means of social and political communication. Those who had no any relationship became voluntary militia during the intense fighting in the Laiza area. Majority of the people from the Ja Pu village, which is located on the half way (around 50 km from Laiza) of Myityina and Laiza, took refuge in Myitkyina. The village was abandoned completely in 2011, while few of the villagers are currently residing in camps based in Laiza area.

One of the key informants' family member took refuge both in NGCA and NGCA. Her first-born son's family moved into Myitkyina in GCA because her niece was pregnant when the conflict first erupted. Her family moved to Laiza on 27 August 2013 because

one of her sons who serves as first lieutenant in KIA asked them to do so. She recounted her experience as;

“At the beginning the conflict, we didn’t go anywhere because we have paddy fields to attend to and we are hoping to stay here until harvest time. Nevertheless, when majority of the villagers moved into Myitkyina, my eldest son’s family moved with them. Because, my daughter-in-law was pregnant and she needed to be where the hospital is available. At the end of August, the Dabak Bridge was destroyed and we could not go to Myitkyina. Our son who is with KIA informed us that the Myitkyina-Laiza road will be blocked very soon therefore we needed to move into Laiza in a hurry. Therefore, only our family, six of us walked on foot to Laiza empty-handed” (Interview, LHN, June 26, 2013).

These social and political relationships are not the only factors that have forced them to move into Laiza area but also the past experiences of atrocity brought by government military forms part of the reason why they want to take refuge in NGCA. KIA is composed of 99% of Kachin ethnic and has been existing for over 52 years, thousands of Kachin people are serving in the KIA/KIO. As a result, whenever, there were conflicts or some issues between KIA and Myanmar government, the latter used to arrest, torture, rape, and kill the Kachin civilians indiscriminately. One of the key female IDP informants, who is over 67 years old and is from Ting Jang village in Daw

Hpum Yang township, used to run away into the forest due to armed conflict between KIA and government military during 1967. But the armed conflict at that time was not as serious as today. In those days, villagers tend to hide in the forest at nighttime, in the early morning they sneaked into the villages, fed the animals, cooked rice for them, and returned into the forest in order to avoid capture. The war also was not as serious, intense, and long lasting like today. In addition, she had lost her husband and son-in-law under this oppressive regime. With a sad, grieving voice and weary face, she shared;

“Soldiers from Na Lung which is very near with Laiza, arrested my husband, and sent him to Banmaw prison in 1967. He and other Kachin from the prison were released and sent to the Mandalay to be Burmese soldier. Again, in 1975, government military from Na Lung asked my son-in-law who was a farmer to send bamboos for the military camp. He went there in the morning and was killed in the evening. On those years, we ran and slept in the forest”

(Interview, LH, June 26, 2013).

The atrocity against Kachin people by government military has been on-going until now. Soon after the outbreak of 2011-armed conflict in Kachin, Lahtaw Brang Shawng (Nyein, 19 July 2013) , one of the IDPs from Jan Mai Kawng IDPSS camp in Myitkyina, and 76 other Kachins in GCA were charged with the unlawful association Act of 17/1 due to suspicion of KIA (Martov, 17 June 2012) on June 17, 2012. A young mother of

one child, Sumlut Roi Ja (age 28) from Hkai Bang village was abducted by government troops and is still missing. At the same time, Mr. Brang Seng (age 30) and Mr. Zau Seng from Tarlawgyi village were arrested under Act of 17/1 (Mizzima, 25 March 2013) by Myanmar government army.

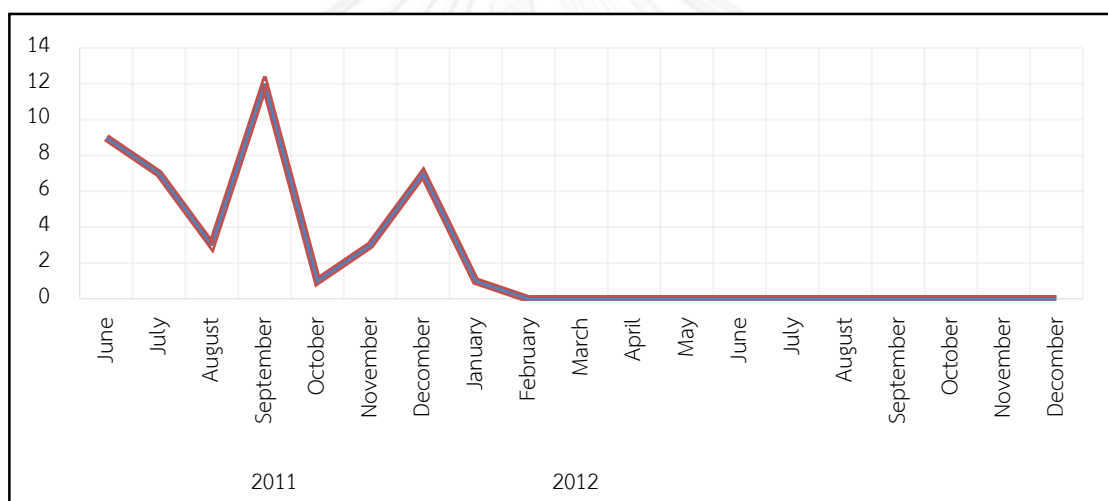
The armed conflict driven atrocity against Kachin civilians by Myanmar government armies is caused by social, political relationship and geographical proximity with KIO/KOA and the Kachin civilians. These have pushed the civilians' internal displacement into the NGCA. Moreover, the Myanmar government troops are inhumanely treated Kachin villagers due to the suspicions of alliance with KIA/KIO. The past experiences of being caught in the war, inhumane treatment, the abduction of the Kachin women and girls, shooting heavy weapons into the rice fields and villages by Myanmar government troops scared civilians to remain in their villages. As Myanmar government's troop action is discourages civilians to take refuge in the GCA, the final choice for majority of the armed conflict affected civilians are to seek refuge in NGCAs. Social, geographical, and political difficulties with KIO/KIA are also main driving factors. Some villagers have relatives in Laiza, and some are informal and ex-KIO/KIA. Nevertheless, forced and voluntary migration are causing IDPs to feel very insecure and enjoy limited protection from international and national agencies and organizations.

3.3 Flows of IDPs in Kachin state

After the 2011 armed conflict in Kachin state, thousands of civilians were forced to move from their original places. Civilians in Laiza and Daw Hpum Yang Townships were the first victims of the clash and became the first displaced persons. As the conflict escalated in Momawk, Banmaw, Wai Maw, the western part and northern parts of Kachin from June to September 2011, the first wave of internal displacement started. When 21,000 IDPs moved to the Kachin-China border, 3,000 IDPs moved into GCA. Numbers of IDPs from the whole Kachin state and northern Shan state were increasing gradually as the conflict went on. The first wave of forced displacement affected 49,000 IDPs in total and reached the highest level of internal migration (see Chart 4, page 83). The majority of displaced persons were in NGCA. In June 2012, the estimation of displacement reached 75,000 IDPs. From November 2012 to January 2013, during a second wave of displacement the number of IDPs was over 35,000. Displacement took place also when there was serious fighting in Hpa Kant, Mogawng, Mohnyin, Putao, Chyi Bwi, Daw Hpum Yang, Momawk, Banmaw and northern Shan states and it was estimated that they resulted to over 100,000 IDPs. The IDPSS flows into Laiza area took place after the June 2011 clashes. During August and September 2011, the Myanmar government negotiated with the KIO to sign a ceasefire agreement. The fighting stopped for a while which allowed IDPs to move into the nearest, safe places. September 2011 witnessed the wave of the greatest numbers of IDPs migrated into

Laiza area. However, some IDPs were hiding in the forest and kept farming at their original places. At this time, the human rights violations and the fighting were not that serious yet. When the Myanmar government sent more troops and war aircrafts to seize Laiza, the KIO headquarters, IDPs could not stay anymore in their hiding and original areas. As a result, a second wave of IDPs flowed into Laiza area from December 2012 to January 2013.

Figure 4. The graphic of displaced person inflow



Source: Field Work (June-July 2013)

3.4 Overview of the camps

There are total of 17,075 IDPs from 217 villages from four townships; Wai Maw, Daw Hpum Yang, Momawk, and Banmaw, in four camps in Laiza area. The four camps are

namely Woi Chyai camp, Masat 3 camp, Je Yang camp and Hpun Lum Yang camp. They are located within and outside Laiza (see Map 1, page 30). Woi Chyai camp and Masat (3) camp within Laiza and the place are so crowded. They are housed under the iron roofed shelters while Je Yang and Hpun Lum Yang are out of Laiza. All camps have 24-hour supply of electricity.

Table 4. IDPs Profile in Laiza area

Camp	Area	Household	Age	M	F	Total	Nursery		Primary		Uni.	Total
							M	F	M	F		
Woi Chyai	Banmaw, Momawk, Waimaw, and Daw Hpum Yang	842		2105	2258	4,363	130	485	NA	NA	3	618
Masat 3		467		823	1217	2040	50	220	NA	NA	3	273
Hpun Lum Yang		433		949	995	2143	130	460	NA	NA		590
Je Yang		1,637		4,025	4,504	8,529			NA	NA		
		> 5		647	592	1239	249	238	750	613		1,850
		5-16		1079	988	2067						
		16-30		1109	1014	2123						
		30-45		736	699	1435						
		45-60		438	500	938						
< 60			211	259	470							

Source: Field Work (June-July 20113)

In four camps, there is no secondary and high school. All the secondary and high school students from four camps moved into Alen Bum which was the KIO headquarter before the 2011 conflict erupted. It was then transformed into IDPs secondary and high

schools. The following table is a list of secondary and high school students from four camps in Laiza area.

Table 5. Profile of secondary and high school IDPs students in Laiza

SECONDARY	M	F	Total
August 2013	634	777	1411
October 2013	561	740	1301
HIGH			
August 2013	153	207	357
October 2013	115	205	320

Source: Field work (June to July 2013)

Woi Chyai camp, which is situated at the north of Laiza, does not have any space for any new building because it is located at the foot of mountain and available space is around 400 meter wide. Therefore, it is full of small buildings. One of the building, which is purposely built for storing the goods from china is big, around 200 square feet wide and around 45 feet in height with zinc roof becomes a home of over 100 IDPs families out of 842 families in Woi Chyai camps. Each family whether big or small acquires a space of 12 square feet wide with a separate private kitchen.

Masat (3) camp also has the same structure with Waoi Chyai Camp. It is located near the bus terminal, secondary school, and near Manau Wang⁸ and the west bank of Laiza River, which stands at the border mark with Kachin and China. The building has an open space, built for daily grocery market. When all the communication to Laiza were blocked, the building became a shelter for IDPs. It is 200 feet wide, around 300 long and around 30 feet high with zinc roof. That building accommodated 467 families from 30 villages. It has a separate kitchen. The building is not safe for those who reside at the edge. The daily weather is very hot on sunny day and very wet on rainy day. The space each family can get is around 9 square feet. Moreover, ten toilets for 2,040 population are located near the camp.

Je Yang camp, Je Yang camp, which is a 40 minutes- drive from Laiza, is located on the west bank of Je Yang River, at the borderline between Kachin state, Myanmar and Yunnan, China, It is the biggest camp in Laiza area under NGCA. It is populated with 1,637 families and 8,529 IDPs from 68 villages. There are three kinds of shelters; the first shelters provided by IRRC were built with bamboos floor and wall with plastic roves, second shelter provided by Metta with plywood wall and bamboo floor with zinc roves and third, blue zinc roof, plain wood wall and bamboo floor by KMSS (Banmaw). One house is 30 feet in length, around 15 feet in height was separated into

⁸ "Manau Wang" means Jing Hpaw (kachin) traditional dancing ground and celebrated every year for reunion.

three rooms for three families. Each family enjoys private kitchen, which is located close to the sleeping place. There are 368 toilets and 22 water tanks for 1,637 families.

Hpum Lum Yang camp, which is the second earliest built camps in Laiza area, is located in the small valley between two mountains in China and Kachin. 377 shelters for 2,143 IDPs from 48 villages are crowded with IDPs. The wall and flooring are covered with plywood and zinc blue and white zinc roves and per family belong 20 square feet including private kitchen. It has 7 wells, 2 water tanks, and 57 toilets.

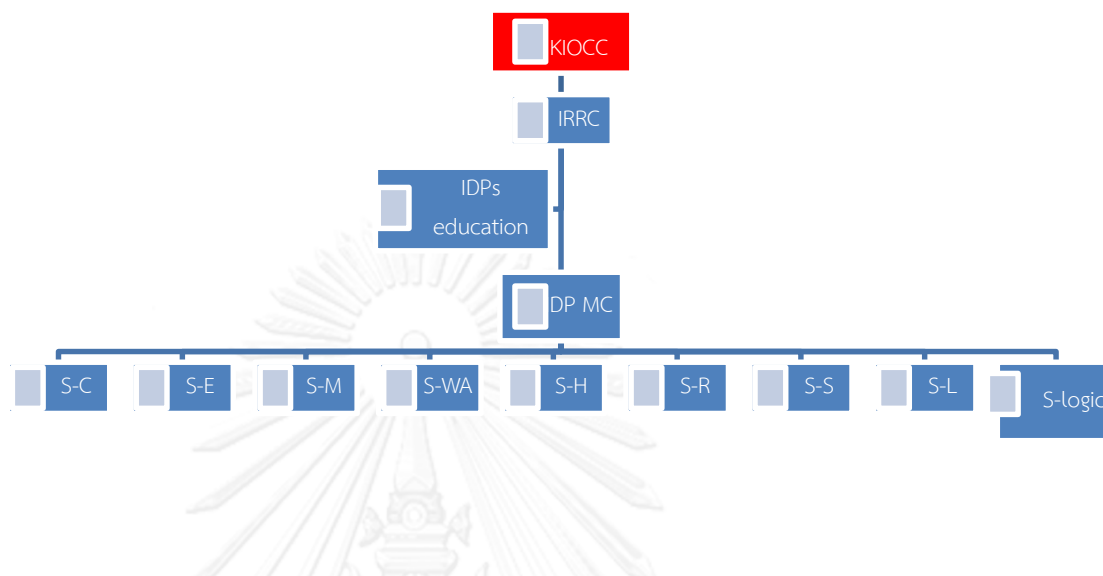
Every camp has clinics that can be accessed 24 hours with full time nurses and doctors. Since Woi Chyai camp is near the Laiza hospital, it does not have clinic. Masat 3 camp has 2 nurses and 2 midwives. Je Yang has two Obstetrics and gynecology (O&G), a Laboratorians or lab-technician, and eight nurses including four voluntary nurses from main land China. The clinic in the camp is also the biggest, provides more services, and has an available range of facilities. It has ten beds, an oxygen tank, and a separate Outpatient department (OPD). The clinic provides normal baby delivery, blood test, minor surgery however, for major surgery for pregnant women and other patients, they have to be are transferred to the Laiza hospital; a reference letter should be provided. And lastly, Hpun Lum Yang has a clinic with four nurses for ordinal issues but when the case is serious, the clinic sends patients to the Je Yang clinic.

Camp administrative structure

The camps have four tiers of administration (see Chart 5. page 90). All camps are under IRRC with control of KIOCC. Every camp has a camp committee, which is composed of IDPs and KIO staffs from administrative departments, and health department directly appointed by KIO, is under IRRC. All the camps committees are under IRRC management. There are two committee structures in the camp; main committees are composed of mainly KIO staffs and oversee the whole camp, and subcommittee which is mainly with IDPs, consists of seven sub-committees; Education, health, culture, camp media, camp security, religion, logistic, livelihood, and women affairs (see Table 3, page 41). All subcommittees have to be widely presenting the camps. For example, culture committee oversees marriage issues and social problems like committing adultery while women committee monitors human trafficking within the camp and other woman issues. Health committee is led by KIO health staffs and giving awareness of basic personal hygiene and seasonal disease awareness while religious committee which consists of all religious leaders from the camp, take care all religious matter.

Registration process is under the control of camp's main committee control and accepts everyone who arrives in the camps. But if some IDPs need to move to other IDPs camps due to limited space, the main committee has to deal with the IRRC. The IRRC will contact other camp committees to transfer the IDPs.

Figure 5. KIO Administration and IDPs camp administration



Source: Field work (June-July 2013)

Table 6. Responsibilities of Camp Committees

Types Committee	Membership	Responsibilities
Main Committee	DGA & IDPs	Oversee the entire camps
Types of Sub-committees		
Culture (S-C)	IDPs	Work as Judicial institute and Marriage
Education (S-E)	IDPs	Organize for educational activities
Media (S-M)	IDPs	Records all news in camp and report
Woman affair (S-WA)	IDPs	Oversee women issue, trafficking,..

Health (S-H)	KIO&IDPs	Camp sanitation and family hygiene
Religion (S-R)	IDPs	Organize and see religious affairs
Security (S-S)	IDPs	Control drug, alcohol, social tension
Livelihood (S-L)	IDPs, KIO,& Metta	Lead and compliment livelihood program
Logistic (S-Logistic)	IDPs	Take care for logistic when humanitarians aids comes

Source: Field Work (June-July 2013)

Exposure to landmines

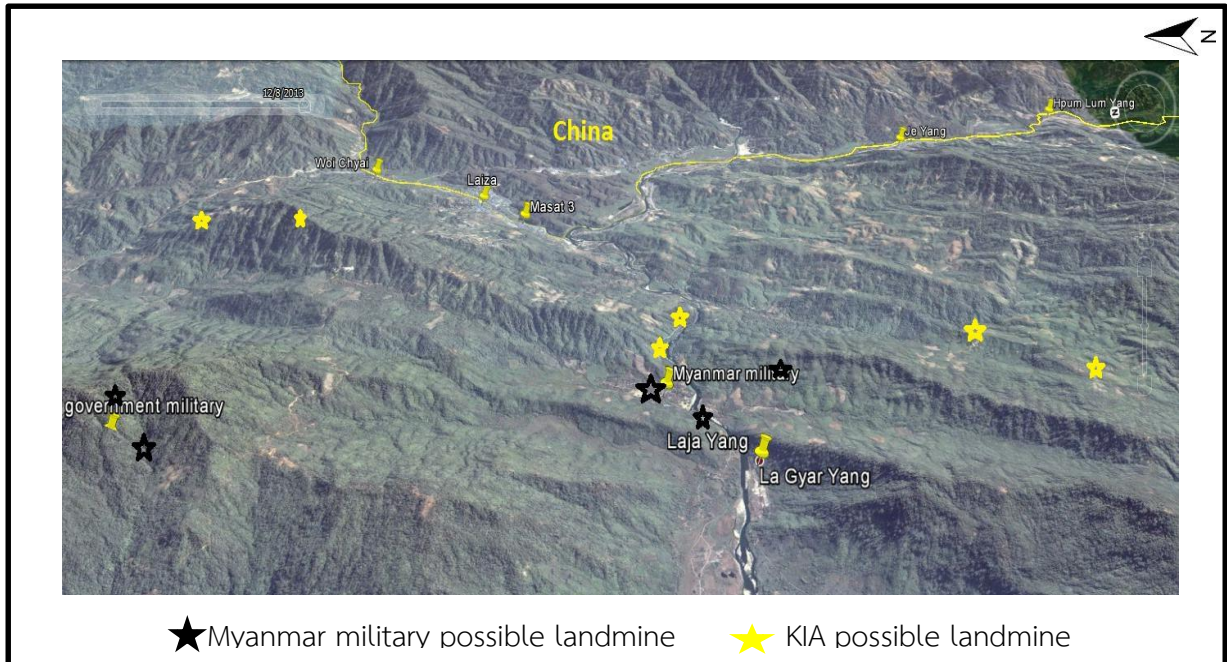
As 1 October 2012, 160 countries have ratified to the Mine Ban Treaty but Myanmar is not one of them. It remains as the only country whose armed forces use regularly anti-personal landmines (Moser-Puangsuwan, 2012). Myanmar is also one of the three countries in the world which still strongly uses anti-personal landmine (HRW, March 2012). Thirty-four out of 325 townships of Myanmar are affected by the landmines especially Thai-Myanmar border, Bangladesh border, some towns along the China-Myanmar border, and ethnic area where ethnic armed groups controlled partially (Action, 2011). There were over 3000 landmine affected amputees in Myanmar especially in the eastern and southern part of Myanmar. In 2011, 84 people were killed

and 297 injured by landmines in Myanmar (Weng, 25 January 2013). However, it hasn't mentioned statistics about amputee at Kachin state. Since the early 1970s, both Myanmar government army and KIA have used anti-personal landmine in the Kachin state. However, there were very few incidences of landmine or anti-personal landmine in Kachin state. After the 2011 Kachin armed conflict, the landmine amputees are mostly IDPs and KIA soldiers.

There is no international support or local aids for amputees in NGCA at Kachin state. KIO service is the only one that provides treatment for the amputee, irrespective if they are from KIA or civilians. The KIO hospital in Laiza and Mai Ja Yang provides artificial legs or other supportive materials which are normally not available in KIO hospital and other areas. KIO purchases the artificial legs and materials from China and provides to the amputees.

Myanmar government military has seized the KIA's strategic post four miles from Laiza in the southwest. Posts and beyond the posts of both armed forces have laid landmines. All four camps have become hot spot zones for landmines. IDPs go out four miles of the camps to the southwest, which is transportation road to access to the original places. In terms of location, Masat 3 camp has the closest proximity to landmine places. However, everyone is in danger of if they go out of the camp without the guidance from KIA soldier (See Map 3. Page 93).

Map 5. Possible landmine places around the camps in Laiza



Source: From the field work (June-July 2013)

3.5 Conclusion

Armed conflict between the KIA and the Myanmar government military which erupted in June 2011 has causing human rights violations, and has rendered thousands of IDPs homeless. This has threatened the human security of IDPs in Laiza area, on the Myanmar-China border in Kachin state. The armed conflict is basically depending by political economic interest and political disagreement between the two parties. The Kachin state is rich in natural resources, especially in renewable energy resources, valuable gemstones and Chinese FDIs. On top of that, the area is of strategic and

geopolitical importance as it is situated between two giant countries; China and India. Moreover, Kachin state will be one of the most important trading area for China, Myanmar and India in the future. Therefore, retrieving these areas KIA control has become crucial for the government. Moreover, Chinese FDI in energy sectors is one the key reasons why the 17-yearceasefire agreement between the KIA and the government has failed. Due to the Tarpain Dam II (Chinese backed) security, the government military tried by force to move a KIA post near the dam, which triggered the conflict. Moreover, the Shwe gas pipelines, a Chinese energy security project, come from the Arakan coast and runs all the way to Kunming, Yunnan in China. It passes through one of the KIA controlled areas in northern Shan state and is a major factor for the 2011 armed conflict. China is not the key actor to blame for the conflict but it has somehow taken the responsibility to stand in the middle of two conflict parties for the safety of the project, even though it is an internal conflict. Nevertheless, China stands with only the government with whom it has negotiated all FDI contracts. Also the political disagreement between the two warring parties are a reason for the outbreak of the 2011 conflict.

According to the 2008 constitution, all the armed groups in Myanmar must be under the defense ministry. They have to release impossible demands and orders to all the ethnic armed groups to be able to accept the border guard force scheme. The Myanmar government has responded with force to the ethnic armed groups that did

not accept the border-guard force proposal. This led to the breakdown of every ceasefire agreement and sustainable peace. As a result, it has created thousands of armed conflicted induced IDPs along the Myanmar-China border and in Kachin state.

This huge number of displacement in Kachin state is caused by the 2011 conflict. During the conflict, Myanmar government troops have burnt down villages and committed atrocities against civilians. These are the main reasons for civilians to run into a safe place. That the majority of the IDPs are taking refuge in the NGCA shows that the public is afraid of the Myanmar government troops. However, some IDPs who have a direct or indirect relationship due to geographic, political, social or another reason go to NGCA for that reason. The public has been suffering from social, economic and political insecurity, due to living in between two armed groups.

Both armed conflict parties need to hold political dialogue to create peace and stability in the state. Also, China needs to become involved by allowing the UN and non-UN agencies to pass through Chinese territory in order to access the conflict zone. The Myanmar government and the KIO should be more mindful of legal and social protection for civilians.

CHAPTER IV

IDPs PROTECTION AND HUMAN SECURITY

4.1 UN guiding principles on Internally Displaced Persons and Others Protection Mechanisms

This section will analyze the protection mechanism on how national and international agencies are working to protect IDPs in Kachin state during the time of war. The protection function of national agencies and international bodies have the most responsibility to give protection to IDPs during the armed conflict (Phuong, 2004). International bodies such as UNHCR and ICRC carry these mandates to protect the rights of IDPs during armed conflicts. They intervene when Myanmar government fails to perform its duties.

National agencies refer to the public organizations inside the country. They are also working to provide assistance to civilians during the armed conflict. It includes Myanmar government, Myanmar Red Cross society. It also covers the opposition-armed combatant group of Myanmar government, KIA/KIO who receives majority of the IDPs population, and works with NGOs or civil societies. The UN guiding principles' protection standard, 4th Geneva Convention and Chapter (8) Citizens and fundamental rights and duties of the citizens stated in the 2008 Myanmar constitution must be employed in analyzing the protection for IDPs during the displacement in time of war.

International Level Protection Mechanisms

UN Guiding Principles and 4th Geneva Convention prescribe the protection of IDPs from Human Rights violation during the displacement. ICRC and UNHCR possess responsibility to provide protection to the vulnerable IDPs when the national government fails to do so. “The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance” (ICRC, March 2005). ICRC has the clearest mandate to protect and provide humanitarian aid to civilians such as IDPs and victims of armed conflict. Moreover, ICRC has the important role of assisting Myanmar government and non-state actors when Human Rights and International Humanitarian Laws (IHLs) are violated (IDMC, September 2002).

The UN guiding principles, specifically Section III relating to the protection of IDPs during the displacement section, Articles 10 and 4th Geneva Convention 70- *describes protection by law from arbitrarily deprivation of lives.* In the case of Myanmar, these articles have been greatly violated. For instance, there were more than seven IDPs from Ja Pu village killed by Myanmar government troops in December 2012. As Myanmar government blocked all the UN and non-UN humanitarian assistances to the Laiza area, the IDPs do not enjoy sufficient humanitarian assistance. Some of the IDPs who working in fruit plantations went back to the village to harvest oranges for sale.

Five of them were killed by Myanmar government troops on 25 December 2012. One of the IDPs from Ja Pu village who returned home to take the shift-cultivation utilities and blankets had to run back to the camps when the fighting erupted. She told her experience:

“Five IDPs who returned to the JA Pu village to collect the oranges for selling, were killed with the suspicion of KIA within one day in 25 December, 2011 by Myanmar government troops that took position in the village. I dare not to enter to village and come back to the camp. My home was also burnt down by Myanmar military. We left all the properties behind. Now, I have nothing”

(Interview, Mrs. KR, 25.6.2013).

UN guiding principle 12- (4) and 4th Geneva Convention 34 state that *internally displaced persons should in no case be taken hostage* but one of the IDPs from Galang Ja village which is under joint ministration, was taken hostage for three days and two nights by the government military. On 30 August 2011, Myanmar government military troops arrived at the village where he and other four friends remained to look after their farms. In the evening, KIA came and started shooting each other until dawn of the next morning. Five of the villagers were kept hostage but were able to escape from the village however, the Christian Pastor who was the captain could not run away. The pastor was caught in the shooting. His house was gravely damaged. When Myanmar government troops left the village the next morning, the pastor was asked to come

with the captain to Pan Dawng village. There was guarantee that he will be saved if the shooting resumes.

UN guiding principles 21 and 4th Geneva Convention 53- illustrates that *protection for IDPs properties left behind from destruction, arbitrary or illegal appropriation, occupation or use*, however, the troops 141 and 142 that took position in the villagers' homes, started looting the whole village including the pastor's personal belongings including his money and mobile phone. Without asking permission, they shot the livestock, took and drank the Kachin traditional black sticky rice wine that he stored. He was even told by the captain to find rice for the troops. All his properties were scattered on the floor and could not find even his national identity card. He asked the captain to find it for him and the captain asked the soldiers to search it for him. Five of his buffaloes were shot dead. The incident is not unique to Galang Ja village. IDPs' villages Nam San Yang located on the way from Myitkyina to Laiza, Ding Ga village located on the way from Banmaw to Laiza were also burnt down by Myanmar government military. Moreover, some of the Kachin IDPs' homes in La Ja Yang village which is very close to Laiza as well as government military station police station, and immigration office, were looted and destroyed.

Though the serious human rights violation is happening on the ground, the international protection remains elusive for IDPs. Neither UNHCR nor ICRC in Yangon took action to protect the vulnerable IDPs in the front line, though they have the

fundamental duty to respond while the host government fails to do so. Not only have there been some obstacles for both UNHCR and ICRC to give protection and humanitarian aids but also they have been limited cooperation with local organizations and NGOs on the ground. They tend to rather focus on building a strong alliance with Myanmar government office. One of the big local NGOs described that there were many restrictions and obligations to work with the UN agencies therefore. This has hindered the full implementation of UNHCR humanitarian aid programs for the Laiza case. Due to this attitude, UNHCR and ICRC are viewed as one of Myanmar government departments rather than as impartial and independent agencies/organizations. They always sought for permission from the government even on issues that require urgent action.

National Level Protection Mechanisms

At the national level, three different types of actors will be analyzed in terms of their means and ways to protect IDPs; firstly, government actors who are the most responsible to protect IDPs, secondly KIO/KIA who is the major receiver of IDPs in their control area and thirdly, MRCS, local NGOs and CBOs.

Though the Myanmar government has not adopted any policy or law for IDPs protection, the recent Myanmar Constitution has some mandated a number of protection mechanisms for its citizens. In Chapter VIII, 2008 constitution 353 states that

no one's life should be determined by anyone except the existing law (government, September 2008a) Sadly, in reality, but the civilians in the conflict zones are enjoying this constitutional right. The killing of five civilians by the Myanmar government in Ja Pu village obviously proves that the IDPs are not legally protected by the law or government. Not only killing civilians is happening on the ground, but also the burning of some of the IDP village, pillaging the properties and illegally appropriating occurred during the war have occurred. It is totally against *Article 357: "the Union's fundamental duty to protect the privacy and properties of the citizens"* (government, September 2008a). The Myanmar constitution is guarded by the Myanmar defense ministry but the articles in the constitution do not give protection to the IDPs who are displaced by the conflict between Myanmar government military and ethnic armed groups. Therefore, IDPs are facing further human rights violations. Myanmar Red Cross Society (MRCS) stands on the principles of ICRC's code of conduct and mainly works on disaster relief. Though MRCS focus is on disaster management, it has been attempting to provide humanitarian aid to the Kachin IDPs. However, due to the limit of funds and weak government policies, it is unable to cover all camps. While MRCS reached to the Arakan state where sectarian violence took place for relief, majority of IDPs in Kachin were omitted. Therefore, it is hard to believe that MRCS stands for neutrality and supports every disaster victim in the country. The Myanmar government and MRCS are not the ones to blame but also the KIA has to carry a portion of that responsibility in

protecting for the IDPs or civilians as they have received the majority of the IDPSS population in their areas.

The KIA/KIO, the KIO peace delegation group, the IRRC or other CBOs and NGOs do not have any legal protection mechanisms for the IDPs. As KIO is not a legal organization, it does not have any judicial and enforcement mandate. Moreover, human rights violation were committed by the KIA/KIO because during the intense fighting. The IDPs need to take responsibility to deliver foods and other rations to KIA soldiers at the frontlines. It still needs to be investigated if all the IDPs, who worked for KIA during the conflict, did it by force or voluntarily. However, KIO/IRRC is the main humanitarian provider for the IDPs at the beginning of the conflict and filling the gaps up to now. For example, they provide clinic, basic rice and salt and a safe place for the IDPSS camps.

Nevertheless, the caretaker role of IRRC/KIO for all the IDPs along the China border is unclear. Moreover, the KIO peace group focused mainly on armed forces resettlement at the frontlines and on political dialogue. The KIO peace group began to negotiate about IDPs issues, but “the Myanmar government peace group did not want to discuss about the IDPs issues” (Interview, Mr. SLG, and 17 June 2013). Nevertheless, KIO peace group did not push the government about IDPs issues and human rights violations done by the government army. KIO/KIA declares that they stand for the public in Kachin state, and issues several statements that are mostly for KIO/KIA organization.

There is no KIO's statement on defending for human rights abuses nor Kachin political prisoners though there are many accusation of violating 17/1 unlawful association. Moreover, neither IRRC nor other humanitarian supporters, local NGOs and CBOs are handling issues related to legal protection. Kachin customary law or norm is the only form of legal protection that IDPs in the camp enjoy. However, the customary protection could not address crimes, abuses, or any case that take place outside of the camp. The Kachin traditional judiciary currently resolves issues related to the family such as adultery. The counseling for victims do not exist. Therefore, this system used in the camps can solve only solve cases temporarily, there is no legally binding solution yet society tend to respect such decisions.

The international and national protections do not exist for the Kachin IDPs who have displaced due to the armed conflict and have suffered human rights violations. UNHCR and ICRC themselves cannot implement their mandates in Myanmar. Even delivering humanitarian assistance to the IDPs camps is prohibited by the Myanmar government. National judicial institutions stand aloof from the serious human rights violation in the front line. IDPs have no one to help for their physical and mental security in far and remote rural areas along the Myanmar China border; on top of insufficient humanitarian aids. However, the Kachin traditional judicial system employed in the camps functions not more than a social norm and cannot protect IDPs from the human rights violation

and provide psychosocially counseling to victims. Therefore, IDPs are insecure physically, mentally, and legally.

Impacts of 2011 Kachin armed conflict on IDPs and the failure of protection

Monopolization of the political economy, Chinese FDIs and political distortion have caused the 2011 Kachin armed conflict between the KIA and the Myanmar central government. It has affected thousands of Kachin civilians and forced them to migrate into the border area. The reasons identified in this research are mainly related to human rights violations and atrocities committed against the civilians by the government, bitter experience of the past, and the geographic location. Therefore, the 2011 Kachin conflict has caused huge displacement and has enormous impacts on the social economic resulting from the quandary of future resettlement/reconstruction of thousands of IDPs' lives.

Right after the armed conflict, the flow of IDPs into the NGCA and GCA began, while some tried to remain in their native villages. The researcher found that displacement is the political driver of migration, which is a result of the armed conflict, atrocities and, human rights violations experienced by IDPs in their original areas. The burning of villages, arbitrary arrest, detention, extra-judicial killings of civilians by the Myanmar government troops are the major push factors to migrate in the NGCA. Moreover, UN

guiding principles 10 “Every IDPs should be protected by law from any forms killings and enforced disappearance”(Deng, 1998), and the Fourth Geneva convention 70 “Protect persons shall not be arrested, persecuted or convicted” (ICRC, 12 August 1949) have seemingly been ignored by the Myanmar government. The Myanmar government has the fundamental duty to protect its civilians and their properties in time of conflict. However, the Myanmar government is weakly complying with those responsibilities. Instead, they are denying access to judicial institutions, which is one of the factors that pushes the IDPs to remain in the NGCA even though they do not get full humanitarian aid support from the UN agencies and non-UN agencies there. Moreover, arbitrary arrest and conviction of IDPs in GCA to prison terms based on the suspicion of attacking the 17/1 law, though IDPs are just civilians and taking refuge in the GCA with their families, is also one factor that forces IPDs to migrate into the NGCA. It is obvious that the Myanmar government is targeting civilians, as the government has a four cut policy⁹ towards the ethnic armed groups. This acts as a political game in this 2011 Kachin conflict. In addition, some pull factors for migrating into the NGCA are the geographical, political, and social relationships of the IDPs with the KIA/O. Approximately, around 25% of the IDPs’ villages are located in the NGCA while around 70% of the IDPs’ villages are in mix-administrative area, and 5% of the IDPs are from

⁹ Four cut policies was developed and practiced during the military regime Gen. New Win.

1. Cut the financial supplies (by invade and seized the natural resources place in ethnic armed groups controlled area)
2. Cut Food supply (burning down the ethnic villagers’ rice stores and houses)
3. Cut intelligence (undeveloped education and economic and transportation sectors ethnic people region)
4. Cut recruitment (announcing ethnic armed group must not recruited the young generation)

GCA (See (Appendix D)). Among the IDPs, few of them are directly connected with KIA/O while some are related in terms of social relationship with KIA/O. Some of the elder IDPs have been facing the same situation of atrocity by the Myanmar government military, running and hiding from the armed conflict. Nevertheless, the majority of IDPs share the belief that the KIO is the only organization they can rely on. These are the reasons that the majority of the displaced persons are migrating into NGCA.

Due to in the displacement and lack of job opportunities in the camps, IDPs are suffering from economic deprivation. Some local organizations have set up backyard gardening and livestock breeding in the camps. However, there are many obstacles in implementing the programs. The programs have not covered the entire IDPSS population in the four camps and do not have enough space for backyard gardening for each family, or the soil is rocky. Vacant space is available outside of the camp area but there are still mines and clashes could begin at any time since two sides' armed forces are located very closely, around 6 miles, from the camps. Though the camps are located along the China border, it is hard to find a job inside China because the border town does not have a market now due to serious fighting and the transportation road from the border to the capital of Kachin state is blocked. A few IDPs managed to find seasonal work in pepper and coffee plantations inside China and in the Chinese run banana plantations near Laiza in the area under KIO control, but they have been facing labor exploitation. Moreover, IDPs cannot travel inside China for work because

they do not have any official documents like passports or identity cards. Also, there is a language barrier and the camp regulations say that no one is allowed to leave from the camp for a long period. To find a job in the big city inside the country is impossible since there are not many job opportunities and thousands of Burmese people are migrating into Kachin state for social economic reasons. The Myanmar government has the fundamental duty to protect and support the IDPs but due to the lack of policy towards IDPs, there is no solution for the IDPs' socio-economic problems. Therefore, IDPs end up in the camps without jobs. After getting up in the morning, IDPs have not many things to do as they did in their original places, except cooking meals, taking care of the children, staying in the shelters or visiting neighbors. Moreover, the food, vegetables, fish or meat that they used to have in their original places of residence are not available in the camps, they only have some food items given to them by the donor agencies. IDPs above middle age who do not have a plantation which can give them a long term income in their original place of residence are most worried for their uncertain future.

“Now I am almost forty years and my husband is over 40 who spent most of his life in KIA. We have two children who under 15 and we don't have any plantation that can give us income in the village. Whenever, I am thing about the future, I could not sleep, eat. It makes me worry very much” (Interview, Mrs. SJI, 23 June 2013).

IDPs are not only suffering from economic exploitation and deprivation but also their properties left behind were destroyed, even though UN guiding principles Article 21/3 and 4th Geneva Article 53 say that IDPs' properties left behind shall be protected from destruction. However, 4th Geneva Convention Article 53 states that it is allowed to destroy IDPs' properties in some cases, saying that *“except where such destruction is rendered absolutely necessary by military”*. The 4th Geneva article 53 is not applicable to the 2011 Kachin armed conflict because it allows the government military to *destruct the civilians' properties in condition*. IDPs still own land in their original places but the peace process is still fragile, landmines are hidden in the area and the government military is still present in the area, which are the biggest hurdles for IDPs to return and begin a new life in their old place.

During the armed conflict, the central government military operations target civilians, which is the main factor that forces the large IDPSS population to migrate into the NGCA. In addition, past bitter experiences of atrocities, social, geographical, and political relationships with the KIO are the pull factors to take refuge in areas under KIO control. Due to the 2011 Kachin conflict, the socioeconomic situation of the civilians and the border trade between China and Kachin state is enormously affected. Consequently, it is very difficult for IDPs and local workers to find jobs in the region. Furthermore, the future of the IDPs depends on the political dialogue between KIO

and central government. Therefore, IDPs are in a dark moment for returning, resettlement, and reintegration process.

4.3 Protection through Human Security for Internally Displaced Persons

This section will highlight the human security concern with 17,075 IDPs in four camps in Laiza from 217 villages from four townships. How the humanitarian aids workers, organizations and the human security situation including A4 education, functioned during the conflict in Laiza area will be discussed more below.

There are several NGOs, local groups, INGOs, social and religious groups, and IRRC is helping the IDPs in Laiza area (see Chart 6. page 112). Before any international assistance arrives the IRRC that is founded in 2 September 2009 after Kokong conflict took the responsibility of providing humanitarian aid for IDPs in Laiza area. Soon after the conflict June 9, 2011, the IDPs from different places started arriving into Laiza from 13 June 2011 onwards and IRRC started helping IDPs with 3 million kyat (US \$ 2,900) fund from KIO headquarter. The Kachin people from China, Oversea Kachin and non-Kachin in Myanmar donated rice, clothes, non-food items and some Chinese Yuan cash to IDPs through IRRC during 2011. Some local NGOs, which provided the aids to the IDPs camps and bases in Laiza such as Kachin Development Group (KDG), RANIR, Metta, Kachin Women Association (KWA), Kachin Relief and Development Committee (KRDC),

are doing humanitarian work since late 2011. They deliver mainly basic food items and education facilities and infrastructure. In addition, faith based organizations from Myitkyina, Banmaw, and other social groups around Myanmar came to provide humanitarian assistance especially rice and shelters from mid-2012 to 2013 onwards. Nevertheless, all these NGOs, faith based organizations and social groups cannot give immediate and adequate assistance to the IDPs.

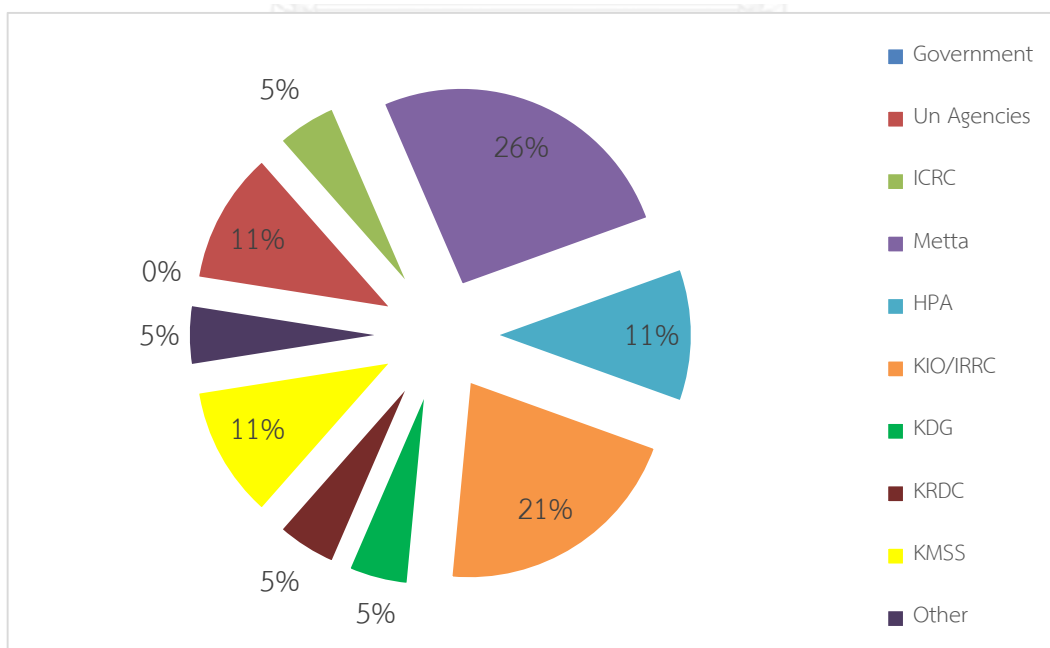
The first international organization that reached out, by distributing non-food items, to the IDPs is the Health Poverty Action (HPA) (formerly Unlimited (HU)) from UK; which is based in China. HU/HPA has been injecting enormous funds, health care services and facilities, and building medical workers' capacity in the KIO area since 1995. HPA provided some basic medicine and non-food items covering four camps in Laiza at the beginning of the 2011 conflict but when other humanitarian aid arrived in Laiza area, HPA withdrew its presence in four IDP camps in Laiza area.

There also some UN agencies that provide some basic needs to the IDPs. UN aid convoys (seven trucks) together with officers from UNHCR, UNOCHA, UNICEF and WFP were able to reach Laiza for the first time in KIO controlled area. However, four trucks, which were run by the government, were not accepted by IRRC due to the KIO policy. As KIO has no mandates to receive humanitarian assistance from the Myanmar government, no government assistance has reached the IDPs. The second round visit by UN with 17 trucks of aids was on 7 September 2013. It distributed food items,

nutrition packs and non-food items to only 3 camps except Phun Lum Yang camp after first round on December 2011. The IDPs received 13.5 Kilos of rice, 1.8 Kilos of split chickpea, 0.9 Kilo of oil, 0.15 Kilo of salt, and 1.9 Kilos of nutrition cream and estimated to last about a month. The UN confirms no future delivery yet (K. N. Group, 18 September, 2013).

Metta provides 26% of total humanitarian assistance which consists of infrastructure, basic needs, livelihood programs and IRRC/KIO takes 21% of aids which are to provide safe shelters for IDPs, camp administration, health care services and staffs, education, and infrastructures. Finally, there have been very few UN aids and no government assistance for IDPs in that camp.

Figure 6. Humanitarian Assistance chart by Organizations



Source: Field Work (June-July 2013)

Education

Camp education is run by the KIO education system (See Appendix E) and the Myanmar government sanctioned education program is not available. 4,296 students, excluding 797 nursery students, are studying under the KIO education program. Though the A4 education indicator is used to analyze the data, this section will not go into the matter very deeply because the camps have only existed for just over 2 years. The first A4 indicator 'Availability' will analyze the availability of education services and programs such as basic education, post-secondary education, vocational training, teacher retention and recruitment, adequacy of school infrastructure, supplies and equipment. The second A4 indicator 'Accessibility' will be used to analyze the obstacles in accessing education based on economic status, gender, ethnicity, religion and language. The third indicator 'Acceptability' will examine the quality of teachers, learning standards and accreditation. Lastly, the fourth indicator 'Adaptability' will analyze the flexibility of the environment and structure and relevance of education to the reality of the IDPs' lives.

KIO education is not affiliated with any government educational institutions and no government education is available in the area under KIO control. Though education being provided is not affiliated with the Myanmar government education institution, the education system and textbooks are adopted from the national education program. The KIO education department is not a totally new education system, it is

just simply filling the gaps in education in rural areas where the Myanmar government cannot cover. However, the KIO education system runs by bilingual basis--Kachin and Burmese. Also, Kachin literature and history is added as an additional subject.

Before the 2011 conflict, the KIO education department¹⁰ had some agreement with the state education institution. The students from KIO schools can join any education institution run by the government institutions however, they can sit for the entrance exam. The state policy on education towards the KIO education department is unclear. Therefore, the KIO is reforming its education policy so that they can access some accredited education institutions in Myanmar and in neighboring countries, especially China.

The KIO education department, KRDC, Metta foundation, Kachin Development Group (KDG), and Kachin Women Association (KWA) have been supporting the education of IDPs. The KIO education department is the first to support education for the 3,287 IDPSS students. They built temporary bamboo schools and assigned 53 teachers in Je Yang and Hpun Lum Yang camps in 2011 fiscal year, while IDPs students from Woi Chyai and Masat (3) IDPs students attended the Laiza High school and Secondary school run by the KIO education department. The storm in April 2012 swept away the IDPSS bamboo schools from Je Yang and Hpun Lum Yang camps. Metta and copartner

local organization Kachin Relief Development Committee (KRDC) built eight schools for the two storm affected camps and KDG supported a small library at the Je Yang camp school. The KIO education department has no policy to support a nursery school, however, KWA is taking care of all the nursery schools with a total of 797 students and 62 teachers in four camps.

Availability

Only nursery and primary education are available in every camp. 1,768 students of secondary and high school level from four camps with 107 teachers are moved into Alen Bum, which is the former KIA headquarters on 9 August 2013 because there was no space to build secondary and high schools in the camp area. The school started in August 2013 but only 1,621 students of secondary and high school are currently attending as of October 2013. Within 3 months, about 147 students dropped out of school due to the economic difficulties, lack of interest, and inability to perform in school. Education is free of charge for every IDPs. For nursery education though, the IDPs need to pay around 3,000 Kyat (\$4) per month. Students do need to buy reading and writing materials especially in areas where materials are not freely provided. As the IDPs situation is still in the interval between emergency and post-conflict, no vocational training, formal or non-formal education for adults and the disabled are available yet. Nevertheless, after passing KIO high school, students can join the Kachin Theology College in Myitkyina and Kunming University in Kunming, Yunnan, China.

Whether KIO students can join the state educational institution depends on government policies and decision. There is no clear announcement or education policy towards the Education system in NGCA, though IDPs students in the GCA are accepted in state run schools.

As the camps are located in the serious conflict zone in NGCA, very few qualified teachers and volunteers are well-trained and come from government educational institutes. However, the KIO teachers were trained for one year in the KIO Teacher Training College (TTC), which is in Mai Ja Yang. TTC provides certificates after completing the courses but the institution is not accredited. All the volunteer teachers are from religious based organizations and trained within their organization in short time. Therefore, accreditation and quality is still a big question for the education system of the KIO.

Though the student population, infrastructure and school materials are good enough, there is still a lack of education facilities such as a library, computer and internet access. Also the future of the students is still obscure, it is not sure where they will be able to continue their higher education.

Accessibility

Education is free for all IDPSS students regardless of ethnicity, gender, religion, language and economic status. Kachin and Burmese language are used in the schools, therefore,

every IDPSS can attend the school. All students can access the schools easily and in a short time because all the schools are located within the camps. Secondary and high school students are living in one campus in which dormitories, hostels, food, and education facilities are provided

Acceptability

All teachers from KIO education departments and volunteer teachers are not well-trained. Few of them have graduated from Myanmar Government University. Many of the volunteer teachers are still young and possess limited teaching experience. Moreover, the backgrounds of the 107 teachers teaching at Alen Bum are quite diverse. Some are trained teachers from the KIO education department while some are the staffs from agricultural department and KIO nurses who do not have teaching experience or knowledge on teaching pedagogies. To keep the teachers, they need to provide a salary which can cover all the teacher expenses and provide mechanisms for saving as well. If not, there will always be an inadequate number of teachers in the schools. In order to be able to provide all the teaching staff, the KIO needs to invest more of its budget to education and find partner institutions that can support sustainable programs.

Adaptability

The new IDPSS schools' infrastructures quality is good enough for a standard learning environment but there is a lack of data bases such as a library, computers and other teaching aid and student aid. This might push students to be less and less interested in learning. However, accreditation is one of the key requirements for advanced education.

The permanent KIO teachers and examination board at the schools issue education certificates after passing the final examination. The teachers award education certificates to their students. There is no collaboration with accredited organizations or UNICEF or other international institutes as they are situated far out of reach from those communities and in the serious armed conflict zones. They also practice a closed door policy. Therefore, any certificates from KIO education departments or schools are ineligible outside the camps or KIO education environment. The KIO education department needs to find eligible partner institutes or organizations from outside of their area in order to enhance the education system and provide students opportunities for further higher education.

Right to education

UN guiding principle article 23/1 says that “*every human being has the right to education*”, 23/2 IDPs should get “*free and compulsory education at the primary level from the authority*” (Deng, 1998), 4th Geneva Convention article 50 “*Occupied power shall cooperate with national or local authority to have education for the children in the education institution*” (ICRC, 12 August 1949). As the research area is completely under KIO controlled area, the KIO education department provides education for all IDPs students. Myanmar government education is nonexistent in this area since the conflict erupted. Education in the camp is free for all the IDPSS students from primary to high school. School infrastructures are adequate for the student population. However, there are some limitations in adult education. There is no literacy program, vocational training schools for adults IDPs. As the majority of IDPs are from rural area and farmers, vocational education would be the best education for the IDPs population. It will help them acquire knowledge on livelihood and means for rural development. Moreover, when they become skilled labors, it will be easy to find a job in China or other parts of Myanmar. Students who pass high school education from the KIO education system face a higher education dilemma. Whether they will be able to join Myanmar government higher education institutes depends on government policy. The Myanmar government is still practicing its “*four-cut policy*”, thus the IDPs and KIO students may not have the opportunity to study in Myanmar government run

educational institutions. Some institutions that are affiliated with KIO education department are not professionally accredited. The Kachin Theology College in Myitkyina and Kunming University, Kunming, Yunan, China accept KIO students for higher education, but qualifications exists as a problem.

The students can join the KIO defense service army school and education, nursing, and civil administration departments and get a job in the KIO governing area. Nevertheless, they will not become professionals because the KIO cannot afford to pay regular salary to their staffs. Kachin Theology College basically provider religious education, about teaching Christian Bible and background history of the Christianity and less secular education is provided. But the programs are run by bilingual Kachin and English. The students can study some English and social or religious subjects. In the long run, it is not appropriate for the IDPs as there are diverse Christian groups among them. It might create some religious issues in the community. What Kunming University can offer for the IDPs' higher education students is Chinese language, basic computer skills and some social science. After graduation it will still be rather impossible to get a job in China, however, their Chinese language skills will be very useful for translating or to do business in China, find cheap labor in China, and be a teacher in KIO schools.

As not all the teachers are trained in professional institutes, the quality of teaching and education is undoubtedly poor. Though the infrastructures are adequate for students, there is poor equipment of educational materials and teaching staffs do not have

accredited qualifications. Some teachers only passed Myanmar government high school education and only some have graduated. Therefore, the students may become less interested in pursuing school education. Any certificates from KIO education departments or schools are useless outside of the camps or KIO education environment. The KIO education department needs to negotiate with the government and find eligible partner institutes or organizations from outside of their area in order to have more accreditation in education and for the students' further higher education for their professional lives.

Human security

This section will only focus on Food security, Economic security, Health security, Environmental security, and Personal security and Community security and Political security will be left due to the very limited data and very short time visit to the camps during the data collection process.

Food Security

Food security in the NGCA camps is not stable because UN agencies, international and national humanitarian aid groups are faced with restrictions for delivering aids to the NGCA. Moreover, some local NGOs and aid workers have very limited funds to support

standardized food items. All the 33 interviewees mention that it was very rare to get good quality rice and other nutritious food, therefore, some IDPs had stomach problems as a consequence of the bad quality of the rice. The rice is hard and tasteless, easily to digest and cannot be eaten without other good food items. Moreover, it is hard to eat rice when it is cool because it becomes very hard. It is almost impossible to buy good food in the camps and outside of the camps because majority of the IDPs do not have any income. Nevertheless, all the registered IDPs can access the food that is on the distribution list.

Therefore, the quality of food does not match the UNHCR standard. Moreover, the The UN guiding principles article (18) *“every IDPs has the right to an adequate standard of living, government should make sure safe access to essential food and potable water, basic shelter, appropriate clothes and essential medical services (Deng, 1998) and sanitation and food, medical care should not be hinder to the protected persons” (ICRC, 12 August 1949).* According to the principles and Geneva Convention, the Myanmar government has the responsibility to make sure all the IDPs enjoy a good living standard and access to needed aid. In Kachin state, however, the Myanmar government is the key actor that violate those laws and principles. In addition, the KIO also lacks responsibility to support an adequate living standard and food and shelters.

Availability of food

Since the Myanmar government blocks international humanitarian assistance and UN convoys to access the NGCA, IDPs do not receive nutritious food supplies. In four IDPs camps in Laiza area, rice and salt is basically available but most of nutritious food items such as processed cereals, blended food, dairy products, meat and fish, oil and fat, pulses and miscellaneous are not always available.

Some local NGOs and HPA can sometimes provide cash money, oil, noodle packages, beans and other kitchen ingredients but the support cannot cover the entire population of all four camps every month. Moreover, IDPs need to find fuel for cooking by themselves in the forest though the electricity is available in the camp 24 hours. This electricity can only be used though for entertainment and light in the evening.

Table 7. Food and non-food items assistance structure

Duration	Camps	Organization	Beneficiary	Amount	Items	Energy
Oct. 2011 to now	4	Metta	Every one	2 cups of milk	White Rice	360
fill the gap till	4	IRRC	Every one	2 cups of milk		
Nov.2012-Jan.	4	Metta	Every one	165 ¥	Cash	
March-May 013	4	KDG	Pregnant	50 ¥		
Nov.2012-Jan.		KMSS (BM)		7,000 kyat		
Nov.2012-Jan.	4	Metta	Per family	1.5 kg	Salt	
fill the gap till		IRRC				
Late 2011		HPA				
Nov.2012-Jun.	4	Metta	Per family	8 liters		900
Late 2011		HPA			Beans	350
Nov.2012-Jan.		KMSS (BM)				
Nov.2012-Jan.		Metta		3 kg		
Late 2011		HPA			Instant	
Nov.2012-Jan.		Metta	ECCD			
Nov.2012-Jan.		Metta				
Late 2011		HPA		Detergent,	Non-food	
Total						1610

Source: Field Work (June-July 2013)

Accessibility of food

Each camp has its own storeroom and logistic sub-committee that helps the donor agencies to distribute aid items to the IDPs. All the registered IDPs are eligible to access humanitarian assistance in the camps. IDPs need to bring household documents given

by the camp committee when IDPs come to collect the supplies. However, not all the aid items are available at each camp storeroom. Every last week of the month, donors deliver aid items to the camps and all the aid items are not always instantly available for IDPs. It depends on the donor. Nevertheless, food and salt are basic available items for IDPs in each camp. Moreover, there are many grocery and vegetable shops within the camps and outside of the camps but they are available only for those who can afford to buy.

Quality of Nutrition

As all the four target camps are located in NGCA and the Myanmar government still does not allow UN agencies and non-UN agencies to give humanitarian assistance, the quality of nutrition is below the UNHCR minimum standard of 2100 kcal/person/day (UNHCR, 2007, p. 546). Each IDPSS can consume 1610 Kcal per day, which does not match the UNHCR food standard. However, not all the IDPs can get 1610 Kcal per day due to the lack of humanitarian support.

“I have five children. The rice and salt can get every month. Sometimes oil included in the distribution. But now we cannot get oil anymore. Only rice and salt. I could go for work as a day labor at China side and earn around 30 Chinese Yuan. But sometimes, I could not find work. When I do not get job, our family just eat plain rice without any supplementary food items. But when

I can get work and earn a bit, I could buy other things like noodle, egg, oil, onion.” (Interview, Mrs. BK, 22 June 2013).

Since the IRRC is the main responsible organization for IDPs in Laiza area it handles just mainly administration. IRRC oversees all IDPs issues and fills the gaps when the local NGOs and social groups cannot reach the IDPs food supply standards but does not meet with the UNHCR minimum food standard as well. IRRC does not assume the role of fundraiser. Therefore, it receives insufficient financial support.

In terms of quality of rice, it depends on the donor. Before October 2012, there were very few local NGOs, religious groups and INGOs, so IRRC had to take care of all items for the IDPs. Rice and salt was the only thing that IRRC could provide. As the rice quality is poor, most IDPs usually endure stomachache problems. Moreover, IDPs who do not have any income could not buy other nutritious food.

“We could not eat the rice after cold because the rice become so hard and tasteless and I do not have any money to buy other things. Sometimes, we had rice only with salt. Most of us have stomachache problems because of the rice” (Interview, Mrs. JR, 22 June 2013).

Oil, beans, and other instant noodles are not regularly included in the distribution list. Most IDPs could not buy processed cereals, blended food, dairy products, meat and fish, oil and fat, and pulses except garlic, onion, instant noodle, eggs, and vegetable.

Food Security in the four camps in Laiza area does not match with the minimum standard food consumption of the UNHCR. UN agencies and NGOs cannot provide the minimum standard of food supplies. Nutritious food is available in private shops within the camps and in China, but IDPs cannot afford to buy it since they do not have regular incomes. To meet the standard food requirements, more humanitarian aid, vocational training and livelihood projects are needed.

Economic Security

As the camps are isolated from the urban area, IDPs are facing difficulties to find a temporary or permanent job. A UN aid program merely exists. Help from local NGOs, donations from overseas Kachin and Kachin in China is the only aid flowing into the camps. This aid is just for survival. The rice, other food and medical treatment are main support provided to the IDPs. Other things like non-food items, firewood and nutritious food items the IDPs need to handle by themselves. Vocational trainings or other forms of livelihood programs are almost nonexistent in the camps. Therefore, IDPs are economically suffering in the camps.

The Myanmar government has no policy to support and protect IDPs thus IDPs are more suffering from a lack of economic access. There is no vocational training available from any organization except micro-finance provided by Metta foundation. However,

it does not cover all IDPs due to limited funding. Thus, it cannot sufficiently help the IDPs' livelihood and job security because the micro-finance program is supporting not more than USD 200\$, which is not enough to run any business except for buying some pigs and other livestock. Some of the IDPs run a grocery shop in the camps but it is not running well because they do not have enough regular customers. IDPs are granted *the right to seek freely job opportunity and employment* (UN guiding principles 22/c and 4th Geneva Convention 39) by the camps authorities but jobs are very limited and hard to find regularly. The KIO who has the major responsibility to take care of the IDPs cannot create any jobs opportunities for IDPs. They cannot even control labor exploitation issues in the area under their control. However, some seasonal work is available along the China border.

They can go for work in the Kachin-China border area but the jobs are seasonal and the majority of the IDPs cannot work due to the limited job availability. Moreover, they are faced with labor exploitation by Chinese businesspersons because they are unable to communicate and they lack official travel documents or a passport. As mentioned in chapter III, the 2011 Kachin conflict is partially related with Chinese foreign direct investments and the Chinese government does not accept any refugees and humanitarian aid to flow through China officially. Therefore, to find regular jobs in China is impossible for the IDPs. Nevertheless, some of the IDPs, who have no kids in the family and who are in good health and have no young children to take care of, have

gone to China for day labor work at coffee s or pepper plantations. Some worked on the banana plantation run by Chinese businesspersons around the Laiza area. However, all the jobs are seasonal and not permanent. Though they could find work, there has been labor exploitation. The actual day labor rate inside China is 100 Chinese Yuan per day but the IDPSS workers only receive an average of 20-50 Chinese Yuan per day. In some working sites, they have no time for lunch and need to work overtime but IDPs did not get any overtime wages. One of the IDPs from Masat (3) camp, Laiza said

“I have only low quality of rice, salt, sometimes, bean, oil are included in distribution, the rest I need spend my own. Therefore, I need do any piece of work no matter how much I get because I need to buy oil, onion, garlic, vegetables, and so on by myself. I worked at the banana plantation another side of Laiza. There was no rest time except for lunch. Actual working time is 8 hours but we need to work overtime but we did not get overtime wages. We do not get what should get” (Interview, Mr. JN, 22 June 2013).

However, the percentage of IDPs who can find work is very little. Only 19% of 33 interviewees could find a seasonal job while 13 who are camp committee members and religious leaders have a regular income which is less than USD 50\$. 8% of interviewed IDPs can get a cash grant (micro finance) and 3% can do small trade

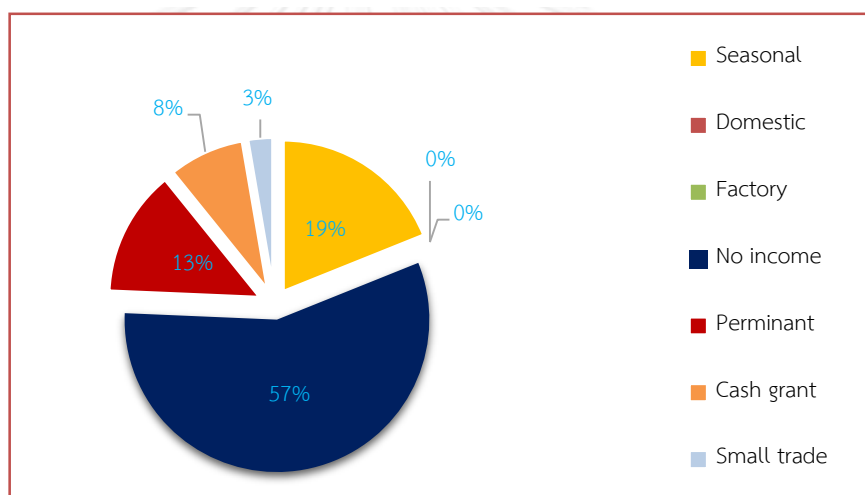
business. 57% are jobless. Lack of job opportunity and insecurity of job and income will have a huge impact on the IDPs' social economic life (see Chart 7. page 130).

A minimum standard of food and lack of income will affect the health situation and psychology especially of babies, lactating mothers and the elderly who need special care and more nutritious food than ordinary persons do. Although education is free, parents need to spend money on school education materials which NGOs cannot cover for the students,. As a result, 147 students from secondary and high schools dropped out due to the lack of interest and financial support from August to October 2013. Moreover, it has led them to engage in some illegal businesses such as drug trafficking, human trafficking and prostitution. Some social issues like human trafficking and inter-marriage between Kachin and Chinese people inside China still exist. Over 15 cases of inter-marriage with Kachin in China and Chinese from China occurred during 2011 and early 2012. Two mothers abandoned their children in the camps and have ran away to China. The cultural committee and IRRC are working on the marriage issue to make sure that the marriage is authenticated. However, no one is following up after getting married and had gone into China, and no one knows if they are still living together or sold to others. This has always been the case arranged marriages brokered by the Chinese.

KIO cannot control labor exploitation and could not create job opportunities for the IDPs. Moreover, no one is taking responsibility effectively for the economic status of the IDPs. In the long run, lack of opportunities, job and income insecurity and the lack of livelihood for IDPs will have more social and economic impacts on the entire IDPSS population and Kachin community.



Figure 7. Livelihood status of Kachin IDPs



Source: Field Work (June-July 2013)

จุฬาลงกรณ์มหาวิทยาลัย
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Health Security

In terms of access to the clinic, there is no requirement from any camp committee since all the people in the camps are IDPs and the camp itself is located in a remote place from the Laiza where local people and IDPs live in an interrelated way. All the

services available in the clinic are free for all IDPs can be accessed round-the-clock. In terms of quality of medical treatment, it cannot compare with government services due to the lack of well-educated staff in the medical field and some advanced medicine and facilities. Therefore, they cannot handle very complicated diseases and extreme serious health issues such as heavy Tuberculosis, HIV/AIDS and kidney and heart diseases, for which surgery or a transplant is needed.

Availability

In four camps in Laiza area, the KIO health department has set up its own clinic with full time nurses, midwives, technicians for the laboratory. Obstetrics and Gynecology (O&G) specialists who were trained in KIO medical schools and Baoshan medical institutes in Yunnan province, China are also available. In some camps, nurses from Mainland China are voluntarily working and provide medical supplies to the camps. They are from Christian religious organizations inside China. The KIO health department is a major supporter for the camp clinic. They provide human resources, facilities and medicine. HPA provides some basic medicine for the clinic and does health awareness campaigns. There is one big clinic which has two Obstetrics and gynecology (O&G) specialists, a Laboratorian or lab-technician and eight nurses including four volunteer nurses from main land China at the Je Yang camp. The clinic has ten beds, an oxygen tank and a separate Outpatient department (OPD). The clinic provides normal baby delivery services, blood testing and minor surgery. However, major surgery for pregnant

women and other patients are usually referred to Laiza hospital.. The other two camps have access to Laiza hospital, as they are located inside Laiza. However, medicine sufficiency and availability cannot keep up with health issues within the camps. For example, HIV/AIDS or Tuberculosis treatment is not available in the camp clinic, Artsen Zonder Grenzen (AZG) clinic in Laiza takes care of these issues. All HIV/AIDS or Tuberculosis patients from IDPSS camps are transferred to the AZG clinic in Laiza.

Accessibility

Since the camp is near the public hospital, the IDPs can access the hospital at any time, free of charge. IDPs can access clinics in the camps 24 hours a day but when IDPs need to access the Laiza hospital a reference letter from the camp committee is required but it is not a strict requirement. However, IDPs who are in Laiza can access the central Laiza hospital more quickly than IDPs who are staying outside of Laiza. Without the recommendation, IDPs can access the Laiza hospital as well. Nevertheless, from June to October 2011 IDPs suffered from malaria, Influenza, Dengue fever, Dengue Haemorrhagic Fever, diarrhea, and Tuberculosis. The diseases were spreading and causing serious health issues and 107 deaths. It occurred because the shelters are too crowded and IDPs live under extreme heat under the zinc roof. Also, they live in an unfamiliar environment and less attention in the beginning by the health staffs. After the incident, the health department and local organizations put more effort towards health awareness about personal hygiene. Currently, the situation of health of IDPs is

much better than at the beginning. However, some of the IDPs who can afford medical treatment used to go to clinics in Laiza or in China. It shows that the quality and sufficiency of medical treatment has somehow not met with the camp health needs.

Prevention and Treatment

Though the four camps are located in two different places, the procedure of prevention and treatment is not different. The health committees found in the camps, local organizations and nurses in the camp clinics have different roles in the prevention and treatment processes.

The main health committee in every camp is composed of IDPs and led by KIO health department staff. According to the size of the IDPSS population, sub-committees of health were formed under the main health committee. The main health committee and HPA give a short basic health care workshop to the sub-health committee in order to be able to reach every IDPSS in the camp and practice personal hygiene and keep the environment clean. The responsibility of the health committees are to monitor the whole camps' sanitary facilities such as toilet cleanness, rubbish keeping system, the kitchen cleanness, using mosquito net while sleeping and to register any new born babies and cases of death. However, the number of toilets, water tanks and the space of the kitchens do not match the camp population in all camps. It is one of the challenges to control the camp to be a healthy environment and it is hard to say that the IDPs receive good support for creating a healthy environment. Additionally, to

control the mosquito population, the health committee sprays dichlorodiphenyltrichloroethane (DDT) around the camps in order to prevent malaria. On the other hand, using DDT in the overcrowded camps might affect the IDPs health and environment because DDT has toxic chemical elements and causes numerous diseases to mice and human beings. Therefore, the world has banned using DDT which causes the decrease of some species and millions of deaths to human beings (Obama, 5 January 2010). Aside from the health committees, there is a local organization called Kachin Development Group based in Laiza. It had provided basic health awareness trainings two times, basically focusing on women aged from 13-45 years. The training was about personal hygiene, family planning, and maternal and child health. However, *“there are 30 to 40 IDPs who come to clinic for malaria and diarrhea every day”* (Interviewed, Nurse Brang Mai, June 26, 2013). The clinic can provide only some basic medicine to the IDPs and no vaccination is available in camp clinics.

Most IDPs are from rural areas and lack health awareness and knowledge about personal hygiene. On top of that there is a lack of quality of food for IDPs and they are suffering from malaria, the flue and stomachache problems. All the interviewees said that they could access the clinic 24 hours a day without charge and that the clinics are good at taking care of the patient. Somehow, the camp clinic cannot address some IDPs' health issues. There is still a lack of professionally trained medical staff, medical services and supply.

Environmental Security

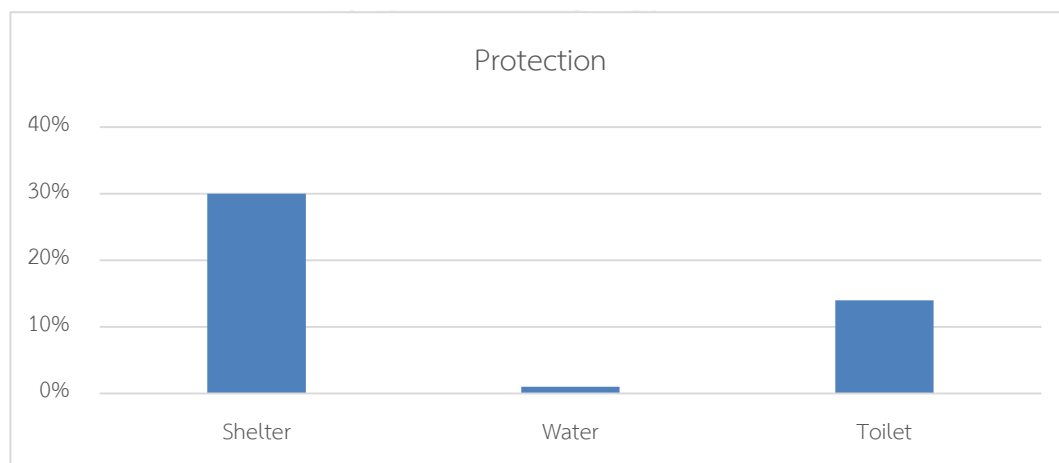
The camps are located in the forest, near the river, and on the China border and have a rather similar environmental situation. Water supply and camp sanitary facilities are the main issues for the camp's environmental security, rather than deforestation, air pollution, and man-made and natural disasters.

In every camp, water supply and camp sanitary facilities are the most urgent needs that should be solved. The water supply system does not match with the camp population. There are 3,379 households with seven wells, 26 water tanks, and 4-tube water supply in four camps. 1% of the water supply is extremely inadequate supply for such a big population. All four camps are near small rivers but they are so polluted and cannot be used. Laiza River is the most polluted with rubbish by local people. Therefore, the Laiza River is not useable though it is supposed to be. However, Je Yang River which passes two camps Je Yang and Hpun Lum Yang can be used for washing clothes and taking a bath but not for drinking and cooking because it is also polluted with rubbish by people in China. Therefore, the current water supply is insufficient for the camp population. Along with the insufficient water supply, there are not enough toilets in the camps as well. There are 472 water-closed toilets for a population of 17, 075 IDPs, which give only 14% of the need and all toilets are located very close with shelters. Due to insufficiency of water supply, inadequate amount of toilets and

common use, it is hard to keep the toilets and the camp to be hygienic. Moreover, only 30% of the needed shelters are available for the 17,057 IDPs, which means IDPs are living crammed together (see Chart 8. page 137). Moreover, there is no proper drainage system and the IDPs are raising livestock in the over-crowded camps. This is certainly affecting the camp sanitary and has caused other related health issues such as diarrhea, malaria, skin diseases and so on. For the camp is located in an empty valley, the air is fresh and clean. But during the intense fighting in December 2012 to January 2013, there was air pollution in Je Yang camp and Hpun Lum Yang camp due to the use of the Myanmar government war aircrafts and chemical weapons (DVB, 10 January 2013). The camps are located within four miles from the place where intense fighting occurred and war aircrafts were flying over the camps every time they came to shot the KIA posts. During those days, rain with yellow substance fell on the IDPSS shelters' roofs and on the leaves. Some children and the elders suffered from nausea, diarrhea and a feeling of discomfort. The clinic had a difficult time addressing the case however the IDPs "*drank boiled green tea water as a general drinking water, ate garlic and soybean paste that relieved the suffering*" (Interview, Mr. GL, June 25, 2913). Even KIA soldiers at the front line used the method with the IDPs for solving chemical smoke problems.

IDPs greatly depend on wood for cooking fuel and some shelter. This huge population's dependence on firewood and shelters is undoubtedly affecting the forest. At the beginning of being in the camp, IDPs could still find firewood nearby easily but currently, it is more difficult to find firewood. Even bamboo is becoming rare in the forest around the camp and a three to four hours walk need to collect firewood and other forest materials for shelters. It is significantly showing that deforestation is emerging quickly. Inevitably, in the long run, over-reliance on the forest for cooking fuel for the huge IDPSS population and deforestation will have an impact on ground water scarcity.

Figure 8. Wash protection



Source: Field Work (June-July 2013)

Personal security

Each camp in Laiza area has well-organized main committees and sub-committees to oversee the camp situations. Camp protection is good and well managed. The camp security sub-committee takes care of the security within the camp, for example, violent conflict between IDPs, checking if anyone breaks the camp rules, fire, drug issues, alcohol issues, and any teenage couples or adultery couples dating that might causes unnecessary issues. The woman affair sub-committee looks after human trafficking and other women related issues. When adultery is committed, the cultural committee and main committee resolve the issues rather than accessing the official judicial system, which is not available in the Laiza area. The following indicators show the protection mechanism in the camps.

1. *fear of violence, level of crime*

The research found two perspectives of protection inside the camps and outside of the camps. The IDPs from this camp are from both GCA, NGCA and mixed administrative areas. Inside the camp, there is no fear of violence and crime as the camp committees are formed of IDPs themselves and KIO administration staff who were quite well trained inside the KIO administration department. Therefore, violence or crime inside the camp can be discovered easily and quickly. However, there are adultery and human trafficking issues in this camp. The cultural committee and main committee members solved the adultery cases. In Je Yang camp, a young woman was trafficked by her

boyfriend from China side and he sold to her to a Chinese man from the southern part of China. With the help of the camp committee and the Chinese police, the young woman was rescued after 2 months in china. Apart from trafficking and adultery issues, no crime or violence occurred so far. Nevertheless, 11% of 33 interviewees feel unsecure being the camp because all camps are located in the hot spot zone and clashes may begin any time since the Myanmar government troops have surrounded Laiza. However, 18% of 33 interviewees feel safe being in the camp while 72% feel unsafe outside of the camps, because there are possibly landmines beyond 4 miles of the camps (Map 5. Page 93). No organization has been conducting a landmine awareness program yet.

2. Efficiency of legal and judicial institutions

As the camps are located in the NGCA, there are no legal and judicial institutions except the camp committees. However, the camp committee and the cultural sub-committee, which is led by Kachin culture experts selected from the IDPs, have become a legal and judicial institution for IDPs in the camps. All adultery issues, crime or any other social issues that occur within the camp are solved by the cultural committee. However, the solving procedure is really satisfactory for the victims, remains unclear and any social counselling for the victims is not provided by either cultural committee or NGOs.

There are several restriction and obstacles to gain access to the Myanmar government judicial institution for the IDPs in Laiza area. The first reason, IDPs do not have any financial support for their travel. Secondly, the IDPs are unable to reach the Myanmar government judicial institution because the major road to Myitkyina is still not open and there are over 20 government military checkpoints on the way to Myitkyina. Thirdly, there is no other legal aid program from any organizations for the IDPs. Even IDPs from GCA are arrested on suspicion of being associated with the KIA/KIO. These are the main obstacles for IDPs to access the Myanmar governmental judicial institutions.

3. Prevention of harassment, sexual and gender-based violence, domestic violence and child labor

As the targeted camps are in NGCA, the protection and prevention system is run by the camp committees. Both the main committee and sub-committees are responsible for prevention of harassment, sexual and gender-based violence, gender-based violence, domestic violence and child labor. The woman sub-committee, security sub-committee and media sub-committee have the main responsibility for keeping watch over the camp members and strangers who are coming into the camps. If someone or an IDPSS's relative wants to stay in the camp overnight, they need to inform the camp committee.

Are these committees really effective to prevent those issues? Apart from the camp committees, there are no other organizations that resolve prevention issues. Concerning labor issues, the availability of information is very limited. Child labor information is not available. For a child it is not possible to find a job or to be appointed as a domestic worker since the area has no functioning on trading business.

4. prevention of being recruited to be a soldier, freedom of movement and locating a new residential place

The prevention-soldier recruitment of IDPs is a difficult issue, because it is hard to say that the forced recruitment is taking place or not. Nevertheless, some IDPs have become volunteers in the KIA military after the 2011 conflict and have gone out into the front line of the battlefield, while some remain at the camp for emergency security in case war breaks out around the camp.

IDPs have the freedom of movement and are free to relocate but they have no choice except to stay in the camp. China is just a stone's throw away but the Chinese government does not allow any refugees from Kachin to enter China, though China ratified the refugee convention on 24 September 1982. For the IDPs returning back to their original places of residence is impossible, as there is no ceasefire agreement. In addition, landmines still could be everywhere in the fighting area and the Myanmar government military is still taking position in some of the villages. Nine KIA soldiers got injured by landmines and mortar shells on the front line during December 2012 are

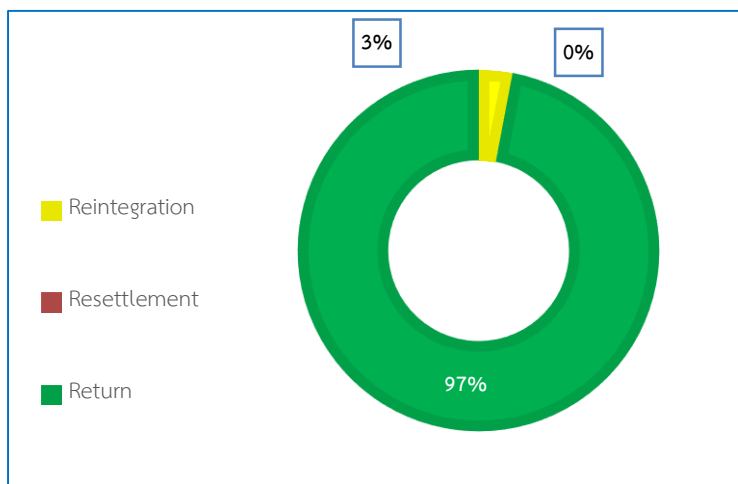
kept near the Je Yang camp which under 5 Brigade. One of them was 27 years old. He lost his left hand and his eyes were injured. He was sent to Mangshi hospital in Yunan province, China. He is taken care of by the KIO but supported with very little help; 50 kilo of rice, 20,000 Kyat (around 25\$) per month and no other supports are available so far. He has a wife and two children. He “*wants to retire from KIA and go back home*” but the KIO did not allow him because he becomes disabled. There is no guarantee that the KIO will continue support to those who have become disabled. On 17 June 2013, one of the IDPs went back to the village to look after his paddy field. While he was cleaning the grass in the field, unexpectedly, he hit an unexploded mortar shell with his knife and it exploded. He died on the spot. However, no one is taking responsibility for this case, except taking record. The victim’s family is neglected and does not receive mental or social support.

Returning, reintegration, and resettlement are great issues for the IDPs. Landmines will be all around the Kachin state where the fights have taken place. However, both warring parties have no clear map of where they place the landmines and sometimes even they themselves step on their own landmines. Landmines need to be cleared from Daw Hpum Yang township, Waimaw township and Momawk township where intense fighting took place and around numerous KIA strategic posts and where the Myanmar government military is located (see Appendix F). IDPs from the townships mentioned above want to return immediately when the political situation is safe. Also,

IDPs need to go around 7 miles outside of the camp to find firewood, so landmines should be cleared from those areas. Now, danger of landmines and unexploded ordnance is threatening the IDPs who are collecting firewood. According to the research, only 3% out of 33 interviewees want to reintegrate in their new area. The remaining 97% wants to go back to their places of origin as soon as possible. No one wants to resettle (see Chart 9. page 144).

Therefore, the IDPs inside the camp or within the area of Laiza are safe and do not fear for violence. But if the IDPs go out beyond the KIO controlled area they may face violence or crime. Yet, there are no legal institutions or legal access and the KIO does not get involved in the camp affairs or legal protection directly. However, the culture committee acts as the judicial and legal institution in the camp. If big crimes will eventually reach the KIO judicial department. Providing legal and social protection has become the responsibility of the camp committees rather than KIO and Myanmar government. Even though there is no gender based violence, crime or child labor, the voluntary and involuntary recruitment of soldiers is taking place and the IDPs are aware of the risk posed by landmines.

Figure 9. The possibility of return, reintegrate, and resettlement



Source: Field Work (June-July 2013)

4.5 Conclusion

International and national protection for the IDPs does not exist for those affected by the 2011 conflict in Kachin state. The 4th Geneva Convention that the Myanmar government signed and ratified is not respected and followed by the Myanmar government itself. The KIO has received the majority of the IDPs in NGCA but is incapable of giving legal protection, though it supports some humanitarian assistance and camp protection. All the humanitarian assistance organizations are focusing only on supporting humanitarian assistance.

Moreover, education and human security for IDPs is big issue and concern for the future of the IDPs. Education in the camps is free for all IDPSS students from nursery to high school education but some are not able to attend school due to a lack of interest or financial problems in the family. Also, the camp education is not accredited because it is not run by the Myanmar government and there does not seem to have a way to continue higher education or international education for the IDPs students who pass the high school education from the KIO education institutes. The school infrastructure is good enough and sufficient with the student numbers but data bases, information, teacher quality, teaching facilities and school facilities are poorly equipped. In addition, seven dimensions of human security are also insecure. Food does not meet with the minimum international standard. Traditional food is totally not available in the camps because someone cannot go into the forest to collect forest products and there is no sufficient space for cultivation in the camps. Although some food items are available in the camp market, IDPs cannot afford to buy because they do not have a job and regular income. Consequently, there is malnutrition among elderly people and some children and it affects their health. Though IDPs can access the clinic in the camps, the quality of treatment is not met and there is a medicine shortage. Personal hygiene and environmental hazards are an issue in the camps, therefore, over 30 people are regular customer to the clinic to get medicine for malaria, diarrhea and seasonal fever. Also the judicial system and access to legal institutions does not exist. Furthermore, it is not sure if the 2014 national census program will cover all the NGCA and so is political

participation for the coming 2015 election. Political rights depend on the peace talks and the political settlement between the government and the KIO.

IDPs' properties are destroyed and they cannot go back even though there is no sound of guns and motors. No IDPs dare to go back to their villages because both armed forces are present in some of the villages and clashes may begin at any time. Landmines and the KIO ceasefire agreement are the fundamental points to determine whether it will be safe for IDPs to go back. Therefore, IDPs are locked up the crowded camps with fear, without hope for their future.

CHAPTER V

CONCLUSION, DISCUSSION AND RECOMMENDATIONS

5.1 Conclusion

This study was set out to explore the concept of armed conflict, human security and protection of the internally displaced persons during domestic armed conflicts in Kachin state, Myanmar. Moreover, the study has identified the root causes of the armed conflict and displacement, the situation of IDPs' situation in the perspective of sufficiency of humanitarian assistance, and national and international protection. The study sought to know the political economic implication of the armed conflict, the impact of the armed conflict on IDPs, and the gap of the protection mechanisms and practices towards the IDPs. The study answered these three research questions: 1) how does armed conflict affected displacement? 2) how do international, national, and local community response for protection?, and 3) how UN Guiding Principles functions as a protection mechanism and lead to the human security?

Before answering the first research question, the study explored the causes of the armed conflict, which are implicated with the political economic incentives, geopolitics and the struggle for equal political rights in Kachin state, have been existing for over 2 years of fighting between KIA and Myanmar government militaries in Kachin state. Because of the 2011 Kachin armed conflict, thousands of civilians have been displaced

in Kachin state and Northern Shan state. Majority of the IDPs have sought refuge especially along the China border in NGCA. 17,057 IDPs from four camps in Laiza area are from 217 villages located in four townships in Kachin state. These IDPs have been suffering from serious human rights violations, lack of livelihood, economic exploitation, and insufficiency of humanitarian assistance from UN and non-UN agencies.

Second, legal protection does not exist for the armed conflict induced victims. The displacement in the four camps in Laiza area comes from the attempt of the IDPs to avoid the effects of armed conflict and human right violation. None of the displaced persons moved because of socioeconomic reasons, *man-made or natural disasters*, and development projects and land confiscation. Some IDPs had experienced atrocities; their villages burnt down and extra-judicial killings were committed by the Myanmar government military. Amidst these crises, no international or national attention or protection was received for procurement.

The camp committees in the four camps in the Laiza area have been well established. However, no committee member ever received any protection training from UN and/or non-UN agencies. The camp committee administration is weak though it is composed of KIO staffs from the Administration department and IDPs.

Human trafficking issues, adultery crime and some other social issues are not solved properly. Moreover, intermarriages between with Kachins and Chinese men in China

are happening in the camps. Further documentation and monitoring of this issue has never materialized.

The majority of IDPs do not know what their rights are and who the duty bearers to give protection are, or where they can claim their rights. All they know is that they want to return to their village as soon as possible, whether they will get any rehabilitation support from any organization or not. In addition, there are no hints of IDPs participation in political and peace processes, coming 2015 Election, and 2014 Census.

IDPs face big problems with regards to receiving legal protection. The State is incumbent to prevent displacement, minimize the diverse effects, raise national awareness of the problem, document the data and condition, create a legal framework, develop a national policy, support training on rights and durable solutions, encourage national human rights institutions to address the issues, and cooperating with international institutions when national capacity is insufficient.

Thirdly, Myanmar government does not recognize IDPs officially. Moreover, it has become the key violator human rights. A lack of policy or national legal protection framework for IDPs makes IDPs more vulnerable. In December 2012, five IDPs who went back their village to pluck oranges were killed by Myanmar government troops. This is against article 70 of the Fourth Geneva Convention saying that *“Protected persons shall not be arrested or persecuted or convicted,”*(ICRC, 12 August 1949) which,

Myanmar signed the convention and ratified it in 1992 as well as its own 2008 constitutional rights for civilians. The IDPs from Laiza area do not receive protection from the UN guiding principles for IDPs and the Fourth Geneva Convention. UN Guiding Principles for IDPs have not been applied for Kachin case. The host government and KIO, the opposite armed group, and even for the UNHCR and ICRC who have the clearest mandate to give protection to the IDPs during the armed conflict when the host country authority fail to implement and enforce these principles to do. UNHCR and ICRC are paralyzed in attempts to provide even humanitarian assistance and for visiting Laiza due to government prohibition. Local organizations are also incapable of working on legal protection and can only support insufficient humanitarian assistance. Moreover, KIO, the most responsible organization, has not acted to provide legal protection. Even cases of labor exploitation in the area under their control has been ignored.

Based on UN guiding principle, which include: cloth, shelter, food, health and basic education, the study found that education of IDPs is in dilemma due to the lack of accredited education institutions in the KIO controlled area however, the students can join KIO institution on administration, education and defense service. If Myanmar government is still upholding “four cut policy”, there will be no hope for the IDPs student in NGCA to be able to access government education institution and to find a job in the government controlled area. In the midst of emerging lack of jobs, income

and livelihood trainings, IDPs population in Kachin state will become more vulnerable. IDPs could only find seasonal jobs at the China border. They are facing with labor exploitation. In contrast, return, reintegration, and resettlement have still a long way to go because there is no ceasefire agreements and landmines are scattered around the fighting area where most of IDPs' homes are located. Therefore, a safe return home for the IDPs cannot be secured because no mechanisms for return, reintegration or resettlement has been developed yet. In order to have durable solutions for Kachin IDPs, the government and KIO should signed ceasefire agreement as soon as possible, and the Myanmar government should allow UN and non-UN agencies to deliver humanitarian aids into the NGCA, clear landmines and unexclusive ordnances in the IDPs original places, secure IDPs land properties to be able to return with dignity.

Moreover, seven dimensions of human security condition of IDPs is not secure. Out of seven dimensions, community security and political security is excluded due to the limitation of the limitation time. IDPs have basic food assistance but it is out of international standard because the government prohibited the humanitarian assistance groups to deliver the assistance. In addition, there is no vocational trainings and regular income. The seasonal work in China side is the only job that IDPs can get however, all the IDPs could not get the job due to the very few chances and IDPs are facing with the labor exploitation. As a consequence, human trafficking cases happened in the camps. Therefore, the researcher found that there was no economic security for the

IDPs. Health care service is available to all the IDPs round the clock but serious health issues such as heart disease, major operations cannot be done in the camp clinics as well as Laiza hospital. All the serious patients need to go the hospital in china side with their own expenses which impossible for IDPs. There is no air pollution or disasters but due to the camps are over crowded, insufficiency of water supply, toilet that are near the camps, the camps have a problem with the camp hygiene. The researcher found that there was no domestic violence, child labor, sexual violence or communal violence in the camps except adultery crime. Moreover, there is no proper counselling to the victims and no government judicial solution for any crimes to the IDPs. The camp cultural committee act as a Kachin traditional judicial system in the camps. Therefore, is it a big question whether is there really no domestic violence, what are the responses of the victims? Furthermore, IDPs in NGCA are facing with education dilemma because they have to take KIO education, which is only one choice in NGCA and is not accredited out of KIO schools, and no vocational schools or trainings are available. And there is no announcement from the government that IDPs in NGCA can join the government education institution. Therefore, it is essentially needed to provide accredited education, vocational trainings, which are relevant with IDPs, and delandmining for their safe future return. Though the study has distributed the valuable perspective of the root causes of armed conflict, human security situation and protection gaps to the IDPs, and conducted in the rural and sensitive area to visit, there are some limitations concerning the access to other relevant informants such as

government offices, and military officers who are so to blame for human rights violation.

UN guiding principles and international and national communities function actively to give protection to the IDPs socially and legally in some conflicted countries. However, in the Kachin case, UN Guiding Principles, international and national are jeopardized to function in protecting IDPs. In the long run, the government's neglect to the right solution to the armed conflict and displacement, it will create more negative impacts to the development of the country, social, economic, and political stability.

5.2 Discussion

The armed conflict in Myanmar is different with the armed conflict from the neighboring countries in Southeast Asia. As Myanmar is rich in ethnicity, the armed conflict in Myanmar is between the government, majority of the Burmese ethnic and other ethnic minority armed groups. 2011 Kachin armed conflict happened between minority, Kachin armed groups and the government military ethnic armed due to the “ancient hatred” and “identity politics” (Oberschall, 2010). The ethnic in Myanmar have been discriminated in terms of culture, literature, resource and power sharing since before Burma independent 1948. Therefore, 2011 Kachin armed conflict is one of the root causes of ancient hatred and identity politics because the armed conflict

was irrupted on the incentives of political economics, geopolitics and foreign investments. Due to the armed conflict over 100,000 IDPs are in displacement *“to flee to avoid the effect of armed conflict, violations of human rights or natural or man-made disaster, and who have not crossed an international recognized state border”* (Deng, 1998). During the displacement, IDPs in NGCA suffered with some human rights violation and insufficiency of humanitarian assistance.

UN Guiding Principles 10 said that *“everyone shall be protected by law and IDPs shall be protected from the summary or arbitrary execution”* (Deng, 1998) however, IDPs were not protected by the law. Five of the IDPs from Ja Pu village were killed within one day of December 2012 by the Myanmar government military due to the suspicion of KIA. Those victims got no protection by the law from the arbitrary execution. Furthermore, one of the IDPs' home at Laja yang near Laiza was struck by the weapon and destroyed some part of the newly built wooden home, and other properties were looted. Nam San Yang was burnt down wholly though UN Guiding Principles 21 mention *“ IDPs' properties left behind shall not be pillaged, direct or indiscriminate attacks and being destroyed as a form of collective punishment”* (Deng, 1998). The IDPs are not only protected by the law but also facing with insufficiency of humanitarian assistance. Non-government groups including UN agencies provided basic shelters, water, appropriate clothing and essential medical services and sanitation but the camps are over populated, inadequate of water supply and toilets. As UN agencies

and non-UN agencies could not access to the IDPs camps easily due to the Myanmar government prohibition, IDPs do not get standardized food items and non-food items. Local NGOs are the main humanitarian supporters for the IDPs while KIO support security, camp administration, health care, education, and some infrastructure. It is hard to say that UN Guiding Principles 23, right to education is existing for the IDPs because the education is not accredited out of the KIO controlled area. And Myanmar government and international educational institutions do not recognize it. It is still a big question whether the government educational institutions will accept the students from schools from KIO run schools. There is no Myanmar government education institutions are existed in KIO controlled area.

Out of seven dimensions of human security, economic security and food security is the most important. As chapter IV mentioned 57% of IDPs have no job and humanitarian assistance does not meet with the international standard. Due to the lack of standard food supply, 30-40 IDPs become regular customer for camp the clinic and a human trafficking case, two mothers abandoned their young children in the camp and gone from the camp, and intermarried with Chinese men from China and Kachin in China is happening. No one has done followed up after marriage whether they are still as husband and wife.

5.3 Recommendations

- Based on the findings, IDPs do not get basic humanitarian assistance, legal protection therefore, the Myanmar government should officially recognize the IDPs, create and develop a legal protection framework, encourage the national human rights institutions and activists to address the IDP issues at the national level and the international level. Moreover, the Myanmar government should allow UN and non-UN agencies to provide humanitarian assistance to all the conflict areas.
- And KIO should cooperate with the Myanmar government in providing humanitarian assistance, education and legal protection.
- The UN agencies and non-UN agencies have more cooperation in assisting and protection to the vulnerable IDPs.
- Further Studies Should carry out impacts of the armed conflict to the civilians and foreign involvement in the conflict and peace capitalism in the Myanmar in which many foreign donor agencies have injected Millions of US dollar.

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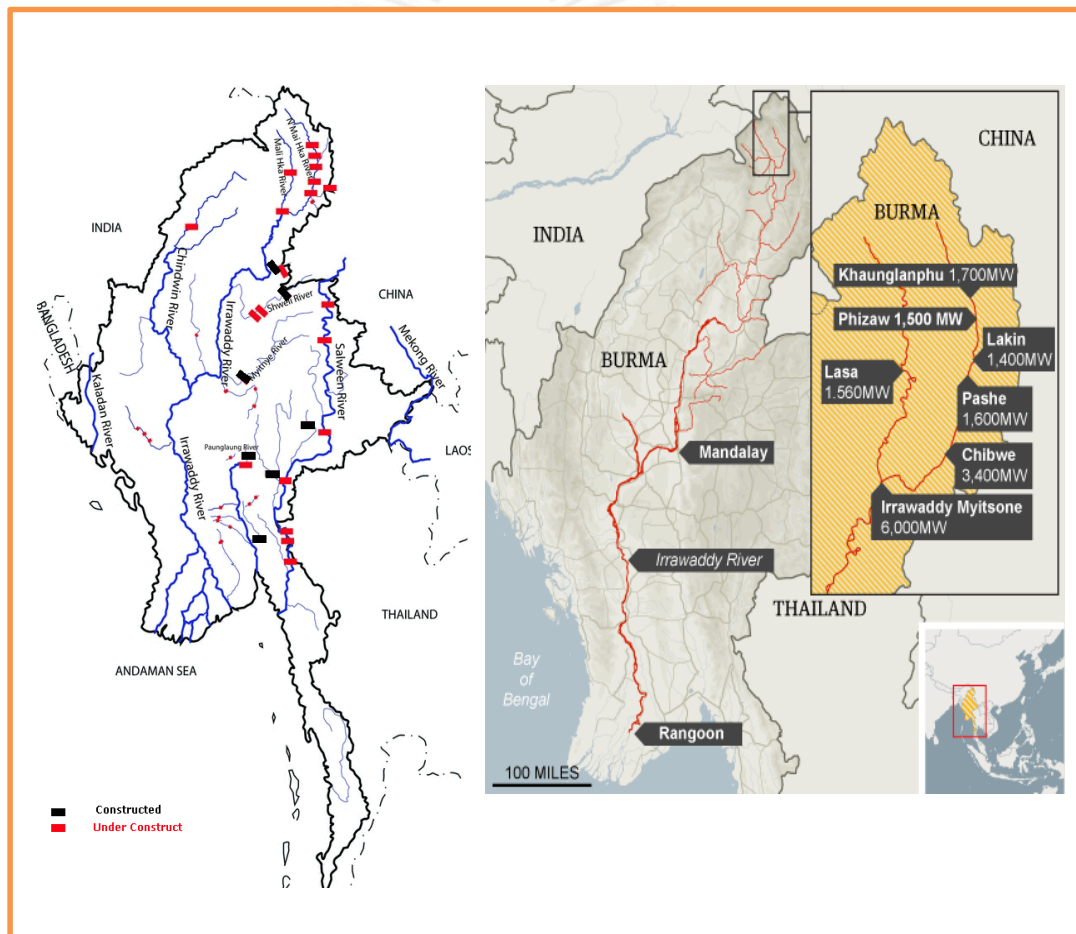
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APPENDIX

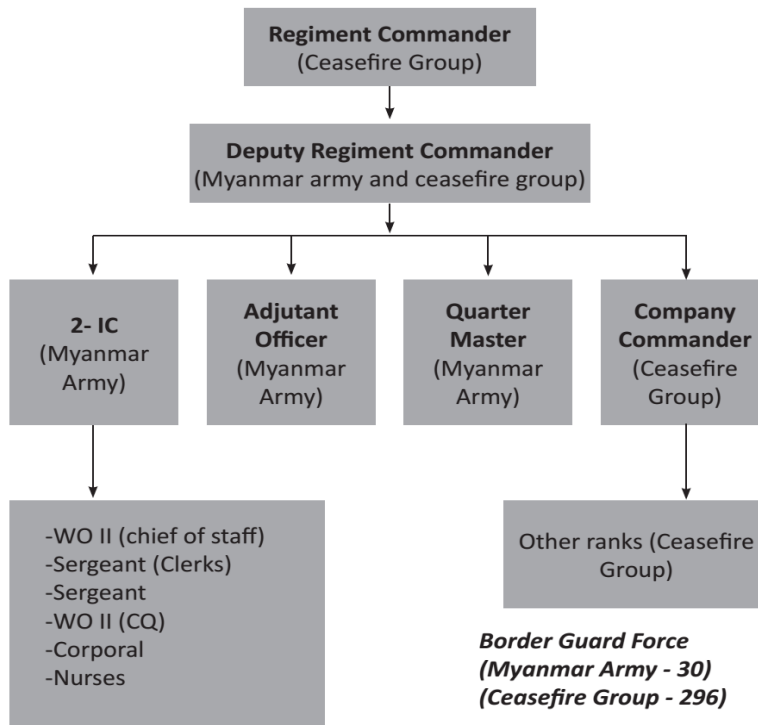
จุฬาลงกรณ์มหาวิทยาลัย
CHULALONGKORN UNIVERSITY

APPENDIX A. DAMS IN MYANMAR AND KACHIN STATE



Source: Earth Rights International

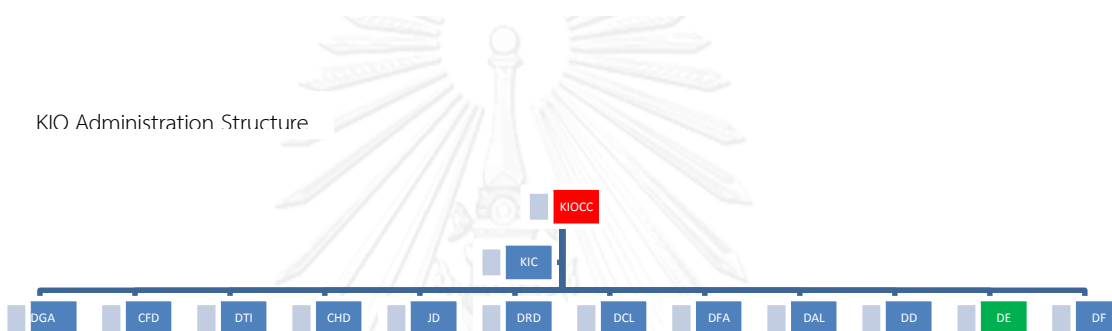
APPENDIX B: MYANMAR GOVERNMENT BORDER GUARD FORCE COMPOSITION



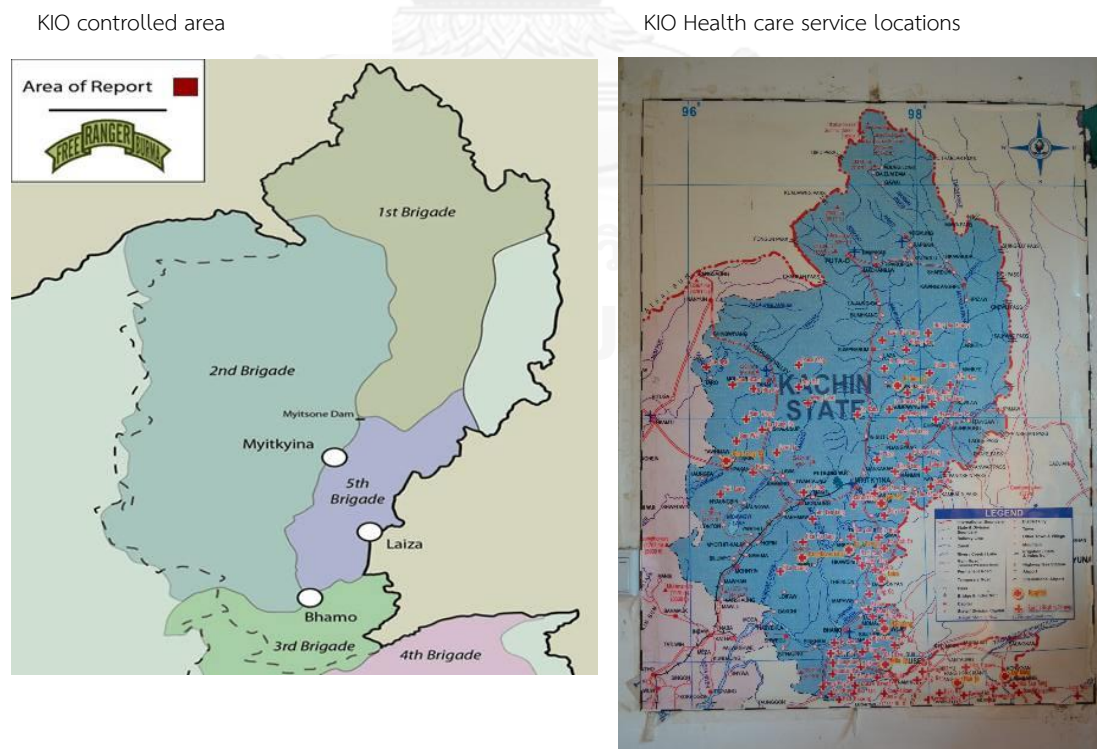
Source: Deciphering Myanmar's Peace Process



APPENDIX C: KIO ADMINISTRATION STRUCTURE AND CONTROLLED AREA

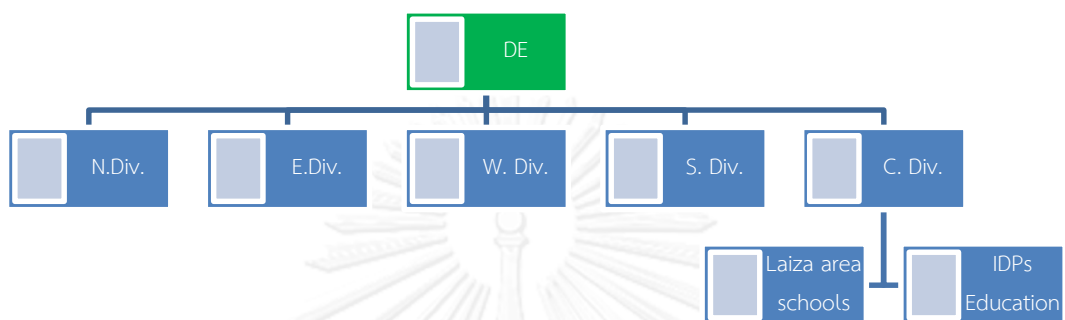


Source: Field Work (June-July 2013)



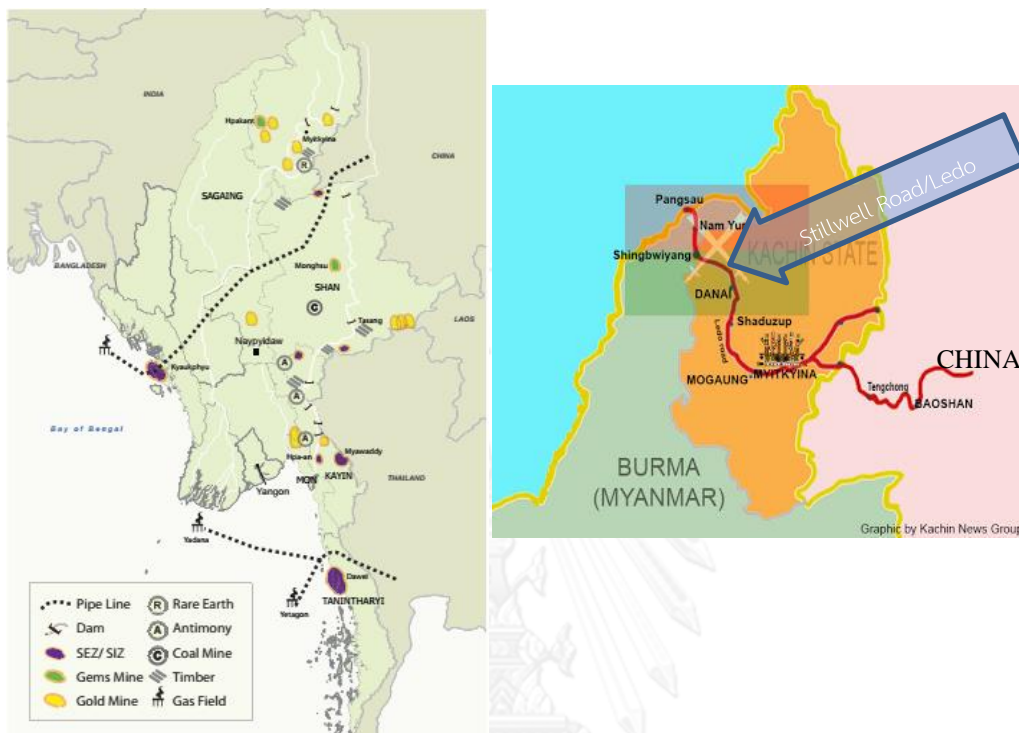
Source: Field Work (June-July 2013)

APPENDIX E: KIO EDUCATION STRUCTURE AND AREA



Source: Field Work (June-July 2013)

APPENDIX F. NATURAL RESOURCES IN ETHNIC STATES AND LEDO/STILLWELL ROAD IN KACHIN STATE



APPENDIX G: LIST OF INTERVIEW: KEY INFORMANTS

No.	Name	Organization	Address
1	Mr. MM	Myanmar Red Cross Society, Yangon	Yangon
2	Mr. GM	Myanmar Red Cross Society, Myitkyina	Myitkyina
3	Mr. B	ICRC	Yangon
4	Ms. R	UNHCR, Yangon	Yangon
5	Ms. SP	UNHCR, Myitkyina	Myitkyina
6	Mr. SL	KIO education department and delegate of peace group	Laiza
7	Mr. LP	Relief Action Network for IDPs and Refugees	Laiza
8	Mr. BH	Kachin Development Group	Laiza
9	Mr. DS	IDPs and Refugees Relief committee	Laiza
10	Mrs. HR	Kachi Women Association, Laiza	Laiza
11	Mr. ZN	Metta, Laiza	Laiza
12	Dr. JL	Metta, Myitkyina	Laiza
13	Mr. LR	Health, Poverty Action	Laiza
14	Mr. ZS	Woi Chyai Camp In charge	Laiza
15	Mr. BL	Woi Chyai Camp In charge	Laiza
16	Mr. NL	Je Yang camp in charge	Laiza
17	Mr. TR	Je Yang Camp in charge	Laiza
18	Mr. LS	Heal in charge in Je Yang Camp	Laiza
19	Dr. TA	Je Yang Camp clinic	Laiza
20	Chinese Nurse	Je Yang Camp clinic	Laiza
21	Mr. AM	Teacher in Ye Yang Camp	Laiza
22	Mr. BA	Hpun Lum Yang Camp in charge	Laiza
23	Mrs. HJ	Nurse in Hpum Lum Yang clinic	Laiza
24	Ms. SJ	Teacher in Hpun Lum Yang IDPS school	Laiza
25	Mrs. SM	Teacher in laiza Middle school	Laiza

APPENDIX H: LIST OF INTERVIEW: TARGET POPULATION

No.	Name	Camps	Address
1	Mr. NH	Je Yang Camp	Laiza
2	Mr. LJ	Je Yang Camp	Laiza
3	Mr. TK	Je Yang Camp	Laiza
4	Mr. LM	Je Yang Camp	Laiza
5	Mr. GL	Je Yang Camp	Laiza
6	Mrs. BM	Je Yang Camp	Laiza
7	Mrs. HR	Je Yang Camp	Laiza
8	Mrs. SP	Je Yang Camp	Laiza
9	Ms. Ami	Je Yang Camp	Laiza
10	Mis RS	Je Yang Camp	Laiza
11	Mis JN	Hpun Lum Yang Camp	Laiza
12	Mrs. SR	Hpun Lum Yang Camp	Laiza
13	Mrs. NI	Hpun Lum Yang Camp	Laiza
14	Mr. GM	Hpun Lum Yang Camp	Laiza
15	Mr. BM	Hpun Lum Yang Camp	Laiza
16	Mr. NS	Hpun Lum Yang Camp	Laiza
17	Mr. TS	Hpun Lum Yang Camp	Laiza
18	Mrs. HI	Hpun Lum Yang Camp	Laiza
19	Mrs. HH	Hpun Lum Yang Camp	Laiza
20	Mrs. HM	Hpun Lum Yang Camp	Laiza
21	Mr. LN	No. 3 Market Camp	Laiza
22	Mis SJ	No. 3 Market Camp	Laiza
23	Mrs. BJ	No. 3 Market Camp	Laiza

24	Mrs. SJI	No. 3 Market Camp	Laiza
25	Mr. SAM	No. 3 Market Camp	Laiza
26	Mr. GL	Woi Chyai Camp	Laiza
27	Mr. ND	Woi Chyai Camp	Laiza
28	Mrs. LLB	Woi Chyai Camp	Laiza
29	Mrs. LK	Woi Chyai Camp	Laiza
30	Mrs. JR	Woi Chyai Camp	Laiza
31	Mrs. NKL	Woi Chyai Camp	Laiza
32	Ms. LJ	Woi Chyai Camp	Laiza
33	Mr. LT	Woi Chyai Camp	Laiza

APPENDIX I: QUESTIONNAIRES FOR TARGETED KEY INFORMANTS

Part 1: Background/personal information

1. Gender

 Male Female

2. Age

 6 – 12 years 13 – 18 years 19 – 29 years 30 – 39 years 40 – 49 years 50 – 59 years 60 years and above

3. Ethnicity

 Burmese Kachin Shan

Others.....

4. Education level

 Primary School Secondary School High School Certificate/Diploma

Bachelor Degree Master Degree PhD**Economic status before displacement**

5. Occupation

 Student Farmer Businessman

Househusband

 Gold Mining worker Housewife Jobless

6. Income (per month)

 Less than \$ 50 \$ 50 - \$ 200 \$ 200 - \$ 500 \$ 500 - \$ 1000 Over \$ 1000

7. Where are you from? (Village, town, township, state)

8. Why did you take refuge here?

9. How did you come here?

10. How long have you been in the camp?

Part 2: Armed conflict

1. Did you face any deliberate violence during the displacement or fighting?

2. Did you encounter violent situations that force you to move?
3. Did people use arms in the violence?
4. Were there fighting or battle?
5. The opposing groups have political objectives in the conflict or not?
6. Was Myanmar government a part of actors in the conflict?

Part 3: Internally displacement

1. Do you consider your displacement was by armed conflict?
2. In the place where you used to live, were there land occupation of government military and development project?
3. Will your livelihood affected by armed conflict?

Part IV: Protection Mechanisms

1. Who are in charge of Kachin IDPs?
2. What are major types of protection?
3. What are major laws used in protection?

UN Guiding Principles for IDPs, the Fourth Geneva Convention and IHL

1. Do you get the basic needs (food, medicine, water, clothes)?

Where, from whom, how?

2. Is there any shortage of basic needs (food, medicine, water, clothes)? When?

Why?

3. Have you ever been used as raped, forced labor, pottering, tortured, shield in the front line, anti-personal landmines or any atrocity? If yes, by whom?

Where, Why?

4. Can your children access to school? Yes No Where, How and which school?

5. Does your property left behind still remain or being destroyed? If yes, by whom and how?

Shelter and clothing

1. Who build the camps for you?
2. Who provide the building materials for the camps?
3. Where do you get the building materials?
4. Do you feel safe and strong to live in shelter? Why?
5. How many times do you get the appropriate clothes? From Where and by Whom?

Part V: Human Security

1. Economic Security

7. Do you have job?

8. How much do you earn per day/per month now?

2. Education

1. Do you have school/class in the camp? Yes No

2. Can you access to school in the camp? Yes No

3. Can you afford for study? Yes No

4. Does the class/study good for you? Yes No How.....?

3. Food and Water (Environmental Security)

1. Do you have enough food to eat per day? Yes No

2. How and where do you get food?

3. Can you afford to buy food?

4. What kind of food you get?

5. How many times do you have meals per day?

6. Does the food nutrient for your health? Yes No

7. Do you get sufficient and clean water (drinking, cooking)? Yes No

4. Health

1. Do you have clinic/nurses/doctors in your camp? Yes No

2. Can you access the clinic/nurses/doctors? Yes No

3. Have you ever get personal hygiene knowledge? Yes No

4. What kinds of diseases are occurred in the camps?

5. Are clinic are free of charge? Yes No

6. Can you affordable for your health?

7. Who provide you clinic?

5. Personal Security

1. Is there any violence within the camps and outside of the camps?

2. Have you ever faced any kinds of violence within the camp and outside of the camp?

Yes No By whom?

3. How often do you face the violence?

4. Do you get protection from legal and judicial institution while you face domestic violence, harassment, sexual and gender-based violence within the camp or out of the camp or while you were hiding place?

6. Community Security

1. Do you feel safe in the camp? Yes No Why?

7. Political Security

1. Do you get basic Human Rights?

Semi-structure Interview Questions

1. The name of Organization.
2. How long have you been working here?
3. What are the challenges in providing basic needs and protection to the IDPs?
4. What are the challenges with the camps and IDPs?
5. How do you raise fund for the IDPS?
6. How and where do you access to buy basic needs during the UN agencies and INGOs and NGOs?
7. What are your protection mechanisms and how do you give protection to the IDPs in Laiza during the conflict?

UNHCR, ICCRC, MMRC

1. What are the policies towards the IDPs in Kachin in terms of giving humanitarian aids and protection?
2. What are the obstacles when you implementing the protection and humanitarian aids towards the IDPs in Kachin?



APPENDIX J: IDPs CAMPS AND IDPs PICTURES IN LIAZA AREA

Woi Chvai Camp



Masat 3 Camp



Ye Yang Camp



Je Yang Clinic

Houn Lum Yang camp



IDPs women carrying firewood from the forest



Gateway to china

VITA

Zaw Lut (Zau Lawt) is the first born of the family and he has 5 younger brothers and a sister. He was born in Lung Tung, Indagawgyi Lake, Mohnyin Township, Kachin state, Myanmar.

He graduated with Bachelor of Art majoring in English literature in the year of 2012 from Myitkyina University, Kachin state. He worked as a volunteer teacher in Laiza, Kachin-China border for years then continued as a freelance social activist mainly focus on anti-myitsone dam movement and running civic education training for the Kachin youths in Kachin state and Shan state. He took the role of initiating and organizing other civil societies, which are non-kachin and kachin organizations, Kachin in China for anti-Myitsone dam movement. In addition, advocate the social impacts from the dam to the neighboring countries especially Thailand, Laos, and Cambodia with the help of American Friends Service Committee and Thai Volunteer Foundation, Bangkok, Thailand.

Currently he is doing his Master of Art in International Development studies under Faculty of Political Science, Chulalongkorn University, Bangkok, Thailand.