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MYANMAR: PROTECTING MINORITY RIGHTS IS NON-NEGOTIABLE

In its rush to normalize relations with Myanmar, the international community – particularly the United Nations – must not ignore the increase in abuses being committed against ethnic minorities in Rakhine and Kachin States, and it must take a stronger stance in defense of the human rights of affected populations. Ten months after violence forced them into displacement camps in central Rakhine State, Rohingyas are living in fear of multiple dangers: flooding and disease caused by the rainy season, indefinite periods of displacement and segregation and the consolidation of ethnic cleansing, arbitrary arrests, being forced by officials to sign away their rights to citizenship, and a lack of protection from further attacks. Meanwhile, in Kachin State, a peace agreement remains out of reach almost two years after conflict there resumed. Roughly 100,000 people are stuck in displacement camps, and international humanitarian agencies are being denied access to the tens of thousands living in non-government controlled areas.

POLICY RECOMMENDATIONS

The Government of Myanmar must:

- Facilitate unimpeded humanitarian access to everyone affected by conflict. In Kachin State this must include areas held by the Kachin Independence Organisation (KIO). In Rakhine State this must include those populations affected by movement restrictions;
- Fully operationalize the Emergency Coordination Center in Rakhine State, and take action against any groups or individuals that threaten humanitarian agencies;
- Deploy an appropriate security presence that guarantees the safety of Rohingya communities, enables an end to the movement restrictions, and allows for voluntary returns;
- Review the 1982 Citizenship Act, restore citizenship rights to all people born in or with genuine links to Myanmar, and end discriminatory practices against Rohingyas.

The international community must:

- Insist on the protection of minority rights, including the right to nationality, as a prerequisite to full

normalization of relations with Myanmar;

- Pressure the Government of Myanmar to present its plans for promoting reconciliation, ending the segregation policy and movement restrictions, and enabling voluntary returns in Rakhine State; and to deliver on its stated commitment to full humanitarian access in Kachin State;
- Pressure the Government of Myanmar to allow the establishment of an office of the UN High Commission for Human Rights;
- Pressure the UN to prioritize the defense of human rights in Myanmar – including the right to nationality – over preserving its tenuous relationship with the government;
- Request that the UN establish a Deputy Humanitarian Coordinator for Myanmar, and that WHO deploy senior staff with emergency experience to Rakhine State;
- Encourage more international non-governmental organizations to work in Rakhine and Kachin States and actively support community-based organizations operating in KIO-held areas.

UN COUNTRY TEAM MUST TAKE A STRONGER RIGHTS-BASED STANCE

The UN Country Team must change its current, overly-cautious approach to its advocacy with the government. Since Myanmar's reform project began in 2011, the UN Country Team has prioritized the preservation of its tenuous relationship with the government, despite the fact that so many agreements it has made with them have not been honored. As a result, it has not spoken out forcefully about the key issues that are affecting Rohingyas (such as segregation, discrimination, and statelessness), nor has it addressed the government's broken promises of humanitarian access to parts of Kachin State held by the Kachin Independence Organisation (KIO). For example, the Resident Coordinator/Humanitarian Coordinator's (RC/HC) office issued a press release this month which welcomed the government-ordered Rakhine Investigation Commission report without expressing any reservations about parts of the report that could worsen the situation. The UN leadership must learn from past situations where it has not spoken out and later regretted its inaction, as in Sri Lanka.

The UN Country Team is headed by an RC/HC who has to combine both development and humanitarian roles, which require very different approaches, and he has not been able to prioritize humanitarian concerns. The March Inter-Agency Standing Committee report on Myanmar expressed concerns about inadequate humanitarian needs analysis and coordination by the UN, as well as the lack of any overall communication and advocacy strategy. Often, the lack of information from the UN has hampered effective advocacy by UN officials, donor governments, and non-governmental partners.

Only three clusters are in place in the country, and many of them lack senior leadership in Rakhine and Kachin States. Additionally, the overstretched UN Humanitarian Country Team is reported to spend more than 75 percent of its time focused on issues in Rakhine State. The fact that recent high-level UN delegations have routinely traveled to Rakhine, and not Kachin, reflects these priorities and has left Kachin communities feeling neglected.

The multiple humanitarian challenges facing Myanmar – including Rakhine and Kachin States, the southeast, and new sites of anti-Muslim violence – require a change in the UN leadership structure. Refugees International (RI) has received information that a new RC/HC will be appointed. However, even if this individual has exceptional humanitarian credentials, RI believes that a Deputy HC is necessary to ensure that humanitarian issues are not sidelined by competing priorities.

RAKHINE STATE

The June 2012 inter-communal violence in Rakhine State between Rohingya and Rakhine communities – in which Rohingya suffered disproportionate deaths, injuries, and destruction of property – was followed by a wave of state-sponsored violence, including arbitrary arrests of hundreds of Rohingya men and boys (many of whom have been tortured in detention) and acts of sexual violence against Rohingya women. Subsequent attacks in October 2012 targeted both the Rohingya and Kaman Muslim communities.

These outbreaks of violence, and the resulting mass displacement and ethnic cleansing, have consumed most of the attention of the international community. But these acts were not isolated explosions; rather, they took place against the backdrop of decades of discrimination against the Rohingya community, including the 1982 Citizenship Act that effectively stripped most Rohingyas of their Myanmar citizenship and rendered them stateless.

An RI team travelled to central Rakhine State and visited Rohingya, Kaman, and Rakhine displacement sites. The RI team did not visit northern Rakhine State (NRS).

Humanitarian Crisis Looming as Monsoons Approach

The current dire living conditions of the Rohingyas in central Rakhine State will greatly deteriorate during the monsoon season, which begins at the end of May. However, at the time of RI's visit, there were no clear plans for relocating the 69,000 displaced people who could be underwater within weeks. UN agencies and local residents expect that it will take two or three months to construct the necessary temporary shelters, which would leave tens of thousands of people in flooded, inadequate shelters for several weeks and could lead to infectious disease epidemics. The government has partially activated an Emergency Coordination Center, but this is not fully operationalized. Clearly, the government has permitted the situation to drift into a looming humanitarian crisis, and the UN's humanitarian leadership has also failed to avert this. The lateness of the flood response, the absence of clear plans, and the lack of consultation and communication with affected communities is, sadly, characteristic of the way both the government and the UN have handled this displacement crisis since it began in June.

The majority of the displaced communities with whom RI spoke – both Rohingya and Rakhine – did not know what would happen to them during the rains. Many displaced Rohingyas initially refused to be evacuated when Cyclone Mahasen threatened to strike, demonstrating the serious lack of

trust between them and government officials. The government did finally step up to evacuate displaced people on an emergency short-term basis in the lead-up to Cyclone Mahasen, but this does not provide a longer-term solution: most of the evacuees have now been returned to their camps, and the monsoon season is set to continue until October.

Protracted Displacement and Segregation: Inadequate Responses Putting Lives at Risk

As of the end of April, the total displaced population in Rakhine State was estimated to be 140,000, with the vast majority being Rohingyas. Conditions in the officially-recognized displacement camps that were established after the June violence have marginally improved over the past few months, with some advances in shelter provision and water and sanitation. Malnutrition rates have fallen, but are still alarmingly high and close to the emergency level of 15 percent global acute malnutrition. Severe movement restrictions on Rohingyas continue, which has left the population dependent on outside assistance. Furthermore, some 15,000 people who were displaced later than June have been refused access to the officially-recognized camps and are living in makeshift sites alongside them. The conditions in these makeshift sites are deplorable, with no access to water and sanitation, and no food distributions apart from occasional deliveries by local Islamic charities. RI found that the people in these sites also had the least information about plans for the rainy season.

Many of the camps that were established after the October violence are located in remote areas like Pauk Taw and Myebon, and even the most basic assistance (such as drinking water) must be delivered by boat. These camps lack basic amenities and living conditions are extremely poor. It seems that humanitarian agencies initially decided not to improve these camps in the hope that the government would move them to more suitable locations. The government, however, did not do so, and therefore conditions remain unacceptable.

RI was informed by health care providers that internally displaced people (IDPs) in Rakhine State are seeking assistance primarily for illnesses resulting from poor living conditions, such as diarrhea, skin diseases, respiratory tract infections, and malnutrition. In most camps, primary health care services are only provided for a few hours each week. Outside of these hours, the community has to call for assistance and an NGO might respond if they have the resources. In the remote Pauk Taw and Myebon camps, getting a response to an emergency at night is not possible. If a patient needs referral for secondary care, the only place where they can currently be treated is Sittwe hospital, which has only 12 segregated beds for Rohingya patients. The other township hospitals now re-

fuse to accept Rohingya patients because they received threats from Rakhine communities when they did so in the past. The government does not permit foreign doctors to provide secondary health care, and Rohingya patients die unnecessarily as a result.

There is a serious lack of humanitarian leadership in the area of health. The World Health Organization (WHO) leads the health cluster but does not have any staff deployed in Rakhine State, and RI's team heard many agencies express serious concerns about WHO's lack of humanitarian leadership. WHO must immediately deploy staff with emergency experience to Rakhine State, arrange for the mapping and analysis of current health services and gaps, and play their role in advocating for the filling of those gaps. These changes are made even more urgent by the arrival of the monsoon season, which could bring disease outbreaks.

There are no schools available in the Rohingya camps. As a result, many displaced Rohingya children have missed a year of schooling and only receive Islamic education from community-organized madrassas.

Since Union Borders Minister Thein Htay was abruptly replaced in February, any progress towards improved humanitarian access and planning for returns has stopped. The work of humanitarian agencies is still being hampered by the slow processing of travel authorizations by the government. In addition to these bureaucratic impediments, the work of humanitarian agencies is being obstructed by certain Rakhine political and religious leaders, who have encouraged communities to protest any assistance being given to Rohingya communities. The government has failed to take action against individuals and groups who threaten or intimidate humanitarian workers, making it difficult for agencies to find staff willing to serve in the region. Additionally, the authorities have arrested humanitarian agency staff and subjected them to court proceedings without due process. Many international NGOs have declined to work in Rakhine State, deterred by the difficult working environment and fearing that they could jeopardize their other projects in the country. There is, however, a humanitarian imperative for these NGOs to reconsider and to engage in work in Rakhine State – particularly in areas such as protection that have almost no coverage.

Humanitarian funding is still insufficient, with a shortfall of nearly 30 percent (\$19.4 million) for the revised UN Rakhine Response Plan and a further \$13.6 million urgently needed for the monsoon season preparedness/contingency plan, as well as funds needed for assistance in NRS. NRS is where most Rohingyas reside and where they have suffered the most severe persecution for decades. Many donors are still

reluctant to fund activities in central Rakhine State that could create parallel services and consolidate segregation, which means that displaced people are left in increasingly poor conditions as their displacement becomes prolonged. These funding shortfalls are particularly distressing given that a number of Muslim countries have offered considerable donations which the government has refused. It is critical that these countries direct some of their funding through the UN so that their resources reach people in need.

Living in Fear, Drifting Into an Uncertain Future

To prevent further violence, the Rakhine Investigation Commission report recommends doubling the number of security personnel present in Rakhine State. There are members of the security services who actively participated in attacks on the Rohingya during the June and October violence and others who stood by and took no action to protect them. Increasing the presence of these sectors of the security services does not enhance the security of the Rohingya population, but rather increases their vulnerability. Of particular concern is the Myanmar Border Patrol (NaSaKa), which has perpetrated countless abuses against Rohingyas in NRS, and it is of great concern that they have been deployed beyond the border into central Rakhine State. The government must urgently regularize the NaSaKa, clarify its command and control structure, and investigate and suspend any members who have committed abuses. While some members of the Myanmar army (Tatmadaw) also participated in the recent violence, other units did provide protection to the Rohingya. Indeed, Rohingya communities told RI that they would only return to their homes if the government provided them with protection, and they expressed greater trust in the Tatmadaw than the NaSaKa or police.

Formerly self-sufficient Rohingya communities in central Rakhine State have now been trapped in segregated settlements for ten months and they cannot move without permission. Local orders – which have been implemented more strictly in NRS than in other parts of Rakhine State – are still in force, requiring Rohingyas to seek permits for activities such as travel (even inside townships), marriage, and repair of houses and religious buildings, and they regularly suffer extortion, forced labor, land confiscation, and arbitrary arrest. Since the June 2012 violence, abuses against Rohingyas in NRS have increased significantly.

The government maintains that it cannot move forward with plans to relax movement restrictions or facilitate returns because of concerns about violence between the communities. However, there is a need to establish context-specific projects that promote peaceful co-existence and build on the pockets

of interaction that do exist between communities in some areas. There should be a particular focus on livelihood projects that build on mutually beneficial trading relationships. In most areas, displaced people are still too fearful to return, but in others some small-scale returns are taking place, which demonstrates that the situation is not uniform and that plans must be made at the community level. Many Rohingyas told RI that the government will never allow them to return to certain areas, thus consolidating ethnic cleansing and segregation.

Unfortunately, the government's attempts to forge a sustainable solution for Rakhine State have all fallen short. A joint UN/government-led workshop on the way forward for Rakhine State, which took place in September, was supposed to lead to further sessions that could have tackled reconciliation and returns. But unfortunately, this has not occurred. The Rakhine Investigation Commission's report also does not include plans for promoting reconciliation or ending the current segregation scheme. And while the government has established a Central Committee for the Stability and Development of Rakhine State, it has yet to issue any proposals on reconciliation.

Citizenship Remains Central to Any Solution

Many displaced Rohingyas told RI that they would only enjoy meaningful protection once the Myanmar government restores their citizenship and recognizes their Rohingya identity. While RI was visiting Rakhine State, tensions were running particularly high because of a controversial "verification" exercise. On April 26, government verification teams who were counting family sizes were requiring Rohingya to sign forms that identified them as "Bengalis". The UN Refugee Agency (UNHCR) had initially understood this to be a simple nationwide updating of "family lists", but Rohingya and Rakhine communities understood that it was linked to a process to determine citizenship and was only focused on the Rohingya. Rohingyas, understandably, refused to participate, fearing that signing these papers would jeopardize their right to citizenship. Rohingya children lined up and chanted "Rohingya, Rohingya, Rohingya," in the Thetkyepyin camp. Stones were allegedly thrown in two camps, prompting security forces to fire shots overhead, injuring at least two children. The verification process was then suspended and arrests were made. Rohingyas told RI that any members of their community who had spoken out publicly against abuses – no matter how long ago – were now at risk of being swept up in this new wave of arrests. RI was told of many Rohingya men who were now forced to sleep in different places each night for fear of arbitrary arrest.

Following the April 26 confrontation, local Muslim charities were refused access to many of the non-displaced Rohingya around the state capital, Sittwe, who have lost their livelihoods due to the movement restrictions. Even the limited trading activities that were taking place between Rohingyas and Rakhines were halted by the authorities. Rohingya communities believed that the government would soon restart its controversial verification process, and that these restrictions were imposed to force them to participate.

More broadly, communities in Rakhine State have received disturbingly little information about the process of determining citizenship, and about the rights conferred by different forms of citizenship under Myanmar law. The Rakhine Investigation Commission's report states that the 1982 Citizenship Act should be applied to the Rohingya. Many in the UN and international donor community assume this means that Rohingyas who have lived in the country for at least three generations (which would include a large percentage of the Rohingya population) would be granted naturalized citizenship. However, it is not clear that these Rohingyas would have the documents necessary to prove their ancestry (such as birth and death certificates, or deeds to property), nor is it certain that the government will interpret the Act as permitting even naturalized citizenship for the Rohingya.

Naturalized citizenship is supported by the UN and many major donors as a first step towards full nationality rights. However, when RI raised this option with Rohingyas, most rejected it, stating that they would only accept full citizenship and recognition of their Rohingya identity. It should be noted that in Myanmar, naturalized citizenship does not provide all of the same rights as full citizenship: naturalized citizens are barred from practicing several professions, and they cannot stand for elected office. Additionally, under Myanmar law, naturalized citizenship can be revoked for a number of reasons, including "showing disaffection or disloyalty to the State" and "committing an offence involving moral turpitude." Rohingyas also told RI that they believed naturalized citizens could not own property, but this could not be verified.

Wider Anti-Muslim Violence: A Wake-Up Call

Even though the Rohingyas' lack of citizenship is central to the crisis in Rakhine State, it is not the only factor. In October, Kaman Muslims (who are full citizens) were also attacked and displaced. Kamans are now living in the same appalling conditions and facing the same restrictions on movement as the Rohingya community. Since then, anti-Muslim violence has spread to the city of Meikhtila and to Bago Region in March, to the town of Oakkan in April, and to

Kachin and northern Shan States in May. At the time of RI's visit, there were still 12,000 Muslims displaced from the March violence in Meikhtila, and they remained locked into displacement sites and unable to move. In Meikhtila, the army stood by and took no action for three days while Muslim communities were attacked. It took President Thein Sein five days to publicly address the violence. When the government finally decided to act, the violence rapidly subsided. This shows that, similar to the anti-Rohingya violence, the government must demonstrate that it has the political will to swiftly investigate and prosecute those responsible for inciting and perpetrating anti-Muslim attacks.

KACHIN STATE

Peace Talks at a Standstill

Following the breakdown of a 17-year truce in June 2011, escalating conflict between the Myanmar military and the Kachin Independence Army (KIA) has now created an estimated 100,000 IDPs, up from 85,000 in September 2012. During the conflict, civilians have been displaced, injured, and lost property. Kachin women have suffered sexual violence at the hands of Myanmar security forces, while men and boys have been subjected to arbitrary arrests and tortured while in detention. Despite their many attempts at peace talks since the violence began, the Kachin Independence Organisation and the government have not yet reached an agreement. Kachin State residents to whom RI spoke did not believe that the talks would lead to lasting peace, citing increased troop deployments, the digging of trenches and bomb shelters, and continued fighting in northern Shan State.

Following two rounds of talks in Ruili, China earlier this year, the next round is now underway in Myitkyina, the capital of Kachin State. Local civil society organizations have reported that eight of Myanmar's armed ethnic groups will send representatives, with a Chinese delegation serving as mediator, and UN Special Envoy on Myanmar Vijay Nambiar participating as an observer alongside Kachin civil society representatives. Civil society groups claim that the Chinese authorities have barred Western observers (including the U.S. and the UK) from these talks – a claim that the Chinese Embassy in Myanmar denies. Kachin civil society groups believe that China has "a big role" to play in the peace talks, but they also want the U.S., UK, the European Union, or the UN to act as mediators, assist with monitoring, and hold both parties accountable should a ceasefire be reached. They also object to the fact that women are not represented in the peace talks. Furthermore, they feel that unless there is an internationally

brokered peace deal, the IDPs will not be returning home for many years. After the 1994 ceasefire agreement, the IDPs did not begin returning home until 2000-2003.

IDP Camps in Government-Controlled Areas: A Protracted Displacement Crisis

Two years after fighting resumed, Kachin State continues to be treated as an emergency when it is in fact a protracted displacement crisis. RI's team visited several IDP camps around Myitkyina and Waingmaw, and it is clear that donors there have been reluctant to invest in medium- to longer-term activities (such as livelihood programming) that would make the region's IDPs more self-sufficient and less donor-dependent. Indeed, livelihoods remain one of the biggest unmet needs, with female-headed households disproportionately affected. IDPs told RI's team that they wanted to be trained in petty trades such as weaving, sewing, carpentry, growing produce, and animal husbandry. While feasibility studies must be conducted before these programs begin, it appears that the UN Development Program could take the lead on creating livelihood projects in camps, in consultation with the IDPs and the local community-based organizations (CBOs). Donors like the U.S. Agency for International Development and the UK Department for International Development should advocate for and generously support livelihood programming.

Camps in government-controlled areas (GCA) currently house 35,000 people, and they are slowly growing as IDPs leave host families in remote areas or towns who can no longer support them. Some IDPs who remain with host families are reluctant to register at a camp because they fear they will be detained by the military over their links to family members within the KIA or in non-government controlled areas (NGCA). Since the government does not recognize them, host families are not provided with any assistance.

Recently, camp security in the GCA has improved. Regular camp visits by the military and arbitrary arrests of men and boys are no longer a common occurrence. However, two cases of arbitrary arrests of men from the camps are currently pending – almost a year after they occurred. Additionally, a few IDP men who secured employment at a mining project outside the camps were arrested by the military for engaging in illegal mining activities. They are currently in custody. There have been one or two cases of trafficking from the GCA camps across the border into China, but the issue is not as prevalent there as in NGCA. Young displaced people in the GCA have increasingly resorted to drug abuse and have clashed with the local community. This demonstrates the great need for psychosocial work and trauma counseling

among IDPs. It is very encouraging that in April UNHCR deployed a dedicated protection officer based in Myitkyina.

The IDP camps in the GCA are provided with shelter, food, water and sanitation, and physical security. The IDPs are also able to access government services such as health care and local schools, although IDPs face some discrimination from local teachers and students. The IDPs' freedom of movement is not restricted. Water and sanitation projects in some camps are underfunded and should be improved, including provision of separated bathing facilities for women and men.

Food rations delivered by the World Food Program (WFP) were not being distributed to partners in a timely manner, so CBOs have had to fill in those gaps by cutting other services. WFP should consider supplementing its food distribution program with vouchers and income-generation programs, as it has done in other countries.

Non-Government Controlled Areas: A Crisis in Waiting

More than 50 percent of Kachin IDPs are located in the NGCA, settled in camps scattered along the rebel-controlled border with China. Accessing many of these camps is very difficult because of their remoteness and altitude. The International Committee of the Red Cross (ICRC) delivery of humanitarian aid to Laiza in late February was the first time in almost nine months that an international organization had provided assistance in the NGCA. The UN has not entered the NGCA since July 2012, and a comprehensive needs assessment has not been conducted there. During the rainy season, the roads become almost impassable, and a storm during the first weekend in May seriously damaged four IDP camps on the China-Myanmar border.

According to Kachin CBOs, IDPs in the NGCA lack proper shelter, adequate food, water and sanitation, access to education, and protection. The CBOs report that shelters are overcrowded following the refoulement of thousands of Kachin refugees by China in August 2012. In addition, the decrease in fighting in some areas has allowed IDPs to leave their hiding places in jungles and remote areas for the safety of the camps. These camps are not up to international standards and there are food shortages on a regular basis. Proper water supplies and latrines are urgently needed.

Unlike their counterparts in the GCA, IDPs in the NGCA have no access to government education or health care. Similar to Rakhine State, the WHO is not operational in Kachin. Many displaced Kachin children have missed almost two years of schooling. Those camps that have schools draw in children from other camps and nearby villages, thus induc-

ing family separations. The school kits provided to CBOs by donor agencies are inadequate for the number of children attending. Local clinics address basic medical needs, but since there is no access to government hospitals, emergency cases are taken to China.

There are very limited opportunities to make a living – especially on the border – and the lack of livelihood projects compels IDPs to make desperate decisions, such as working illegally in China, selling girls as child brides, or giving children to the KIA as child soldiers. Human trafficking in KIO-held areas has increased since the conflict resumed, with many Kachin women and girls being smuggled and sold across the Chinese border. IDPs in the NGCA face a more insecure environment than those in the GCA, with random shots being fired outside the camps by the military and occasional abductions. Given the more complex protection issues prevalent in the NGCA, there is an urgent need for dedicated UNHCR protection officers to be working in the area.

Through its Humanitarian Multi-Stakeholder Fund (HMSF), the UN Office for the Coordination of Humanitarian Affairs (OCHA) has provided urgent humanitarian assistance to people living in remote areas of Kachin State through CBOs. It has also provided funds for CBO capacity-building. The HMSF is a positive example of how the UN and donors can have an impact within the KIO-controlled areas despite being unable to send in aid convoys. But with only \$744,122 disbursed in 2012, the fund's potential impact remains limited.

Some major donors and agencies, including the U.S. government, have decided to wait until UN convoys are given access to the area, instead of channeling aid through local groups operating in the NGCA. These donors claim that CBOs lack the capacity, transparency, and accountability to deliver aid. But instead of using this as an excuse for inaction, they should instead invest in CBO capacity-building and operate in the NGCA through local staff. International NGOs not currently present in Kachin State – and very few are currently present – should consider engaging in work there and offering technical capacity-building support to the CBOs.

Return Prospects Bleak

Groups of displaced people coming from both the GCA and NGCA have visited their villages of origin only to find their homes destroyed and lands occupied by the Myanmar military or corporations. Indeed, there is a real concern that IDPs may not be able to return to their villages of origin and may be settled elsewhere. Thus, there is an urgent need for village mapping exercises that will facilitate returns and potentially avoid land issues in the future. RI received information sug-

gesting that the government has begun allowing companies to mine gold in some villages where IDPs from the GCA used to live. These villages are likely to be destroyed by mining activities, leaving IDPs with no homes to return to. The government has proposed that these IDPs be settled in “new villages” within the GCA, which are far from their original homes and in inconvenient locations. Any planned relocations must be discussed ahead of time and coordinated with the relevant communities, and carried out in line with international standards. Relocation strategies should minimize the loss of property and livelihoods, while allowing IDPs to participate fully and equally in public affairs at all levels and access public services.

Most IDPs with whom the RI team spoke expressed a desire to return home to their original villages but acknowledged that they will not be able to do so for years. Conditions for return that IDPs cited include a lasting peace in the region, the removal of landmines, and the provision of comprehensive return packages that include financial assistance to help restart their lives. An increase in the number of landmine victims has been reported as IDPs attempt to visit their original homes and villages. Currently, UNHCR does not have any plans in place for IDP returns. Given how long it took for IDPs to return following the 1994 ceasefire, it is unlikely that IDPs will be returning home in the next year or two. Therefore, there is a need for the international community to engage in medium- to longer-term livelihood projects which will enable IDPs to become more self-sufficient and less reliant on donors for their every need.

Child Soldiers Still a Problem

Both the Myanmar military and the KIA are accused of enlisting children. The national army is reported to have over 2,000 child soldiers in its ranks. In June 2012, the Myanmar government and the UN signed an action plan to prevent the recruitment and use of children by the armed forces, and to allow for the release of underage recruits. After the signing of this plan, the Myanmar military released a total of 60 child soldiers in 2012 and 20 child soldiers in January 2013. However, following the lifting of sanctions by the European Union – specifically, the restrictions on military-related technical assistance and travel bans on high-level military officials – the national army now claims that they no longer have child soldiers within their ranks. This is but one example of the adverse impact of prematurely lifting sanctions on Myanmar.

The KIA is also known for forcibly recruiting child soldiers and using forced laborers as porters, cooks, and landmine sweepers. Some IDP families are reported to have allowed their children to join the KIA in return for some financial as-

sistance or benefits – such as the ability to leave the camps for extended periods to seek employment. With fighting decreasing in certain areas, CBOs are witnessing child soldiers visiting their families in IDP camps. When the fighting intensifies, however, some recruitment from within the camps has been reported. If UN agencies were able to operate unfettered in the KIO-controlled areas, a program similar to the joint action plan with the Myanmar forces could be established with the KIA to prevent the recruitment and use of child soldiers.

Flexibility Needed for Assisting IDPs in Greatest Need

Within Kachin State, there is an unacceptable disparity in the delivery of humanitarian assistance to IDPs in the GCA and NGCA. The UN received \$31 million of the \$36 million it requested for the Kachin emergency in March 2012. The funds were largely spent in the GCA, where the UN has access and a smaller share of IDPs reside, but the larger number of IDPs who live in the NGCA (and the CBOs who operate there) have almost no access to this funding outside the HMSF. The UN's 2013 Kachin Response Plan requests \$50.9 million for over 120,000 individuals across Kachin (100,000 displaced and a further 20,000 people hosting IDPs) who will require humanitarian assistance until the end of the year at least. Indeed, the needs could be even greater, since a comprehensive humanitarian needs assessment has not been conducted in both the GCA and NGCA.

The UN must hold the Myanmar government to its promises of access to the NGCA. Its failure to do so not only neglects a community in crisis, but also hinders others' ability to assist. On the eve of U.S. President Barack Obama's visit to Rangoon, the Myanmar government promised to "expedite its negotiations with the ICRC and other international humanitarian organizations for broader access to conflict affected areas." Again, in February 2013, both government and KIA forces pledged to give UN convoys access to camps in the NGCA, but the government has not honored those pledges to date. The UN and the international donor community should recognize that giving one ICRC relief convoy access to Laiza does not fulfill the government's pledges or meet the humanitarian needs of IDPs in the NGCA. Moreover, the prospect of UN convoys bringing much needed supplies to the NGCA has led local organizations to shift their limited funds from immediate priorities like food assistance to other needs. When the convoys do not arrive, this creates a gap in basic assistance for the IDPs, and also disrupts the CBOs' ability to effectively fundraise. Donors must support those CBOs who have found ways of getting assistance to the IDPs in NGCA.

Without the remarkable work being carried out by these CBOs, Kachin State truly would be witnessing a humanitarian emergency right now.

Melanie Teff and Sushetha Gopallawa assessed the humanitarian situation in Rakhine and Kachin States in April 2013.

Refugees International referred to Myanmar as Burma until May 2013. In recognition of the country's ongoing political reforms and its multiethnic character, RI will now use the term Myanmar.