



# A dangerous refuge

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**Ongoing child recruitment by  
the Kachin Independence Army**

**CHILD SOLDIERS**  
INTERNATIONAL



## **About Child Soldiers International**

Child Soldiers International was formerly the Coalition to Stop the use of Child Soldiers. Child Soldiers International is an international human rights research and advocacy organization. Child Soldiers International seeks to end and prevent the military recruitment and use in hostilities of child soldiers (boys and girls below the age of 18), and other human rights abuses resulting from their association with armed forces or groups. The organization seeks the release of child soldiers from armed forces or groups, promotes their successful return to civilian life and accountability for those who recruit and use them. Child Soldiers International promotes global adherence to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

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Child Soldiers International  
9 Marshalsea Road  
4<sup>th</sup> Floor  
London SE1 1EP  
United Kingdom

Tel: +44 (0) 20 7367 4110  
Fax: +44 (0) 20 7367 4129  
[info@child-soldiers.org](mailto:info@child-soldiers.org)  
[www.child-soldiers.org](http://www.child-soldiers.org)

## **Front cover photo**

New Kachin Independence Army (KIA) recruits are seen training at a KIA outpost in Kachin State, Myanmar in June 2014. ©Ryan Roco for Child Soldiers International

# A Dangerous Refuge

Ongoing Child Recruitment by the Kachin  
Independence Army

Child Soldiers International  
 A Dangerous Refuge: Ongoing child recruitment by the Kachin Independence Army





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## Terminology and Abbreviations

In this report, a child means any person under the age of 18 years.

Child Soldiers International considers the term child soldier to be equivalent to the following description of children associated with armed forces or groups:

A child associated with an armed force or armed group refers to any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies or for sexual purposes. It does not only refer to a child who is taking, or has taken, a direct part in hostilities

<b>BGF</b>	Border Guard Force
<b>CTFMR</b>	UN Country Task Force on Monitoring and Reporting
<b>DDR</b>	Disarmament, demobilisation, and reintegration
<b>DSA</b>	Defense Services Academy
<b>EEDY</b>	Education and Economic Development for Youth
<b>IDP</b>	Internally Displaced Person
<b>KIA</b>	Kachin Independence Army
<b>KIO</b>	Kachin Independence Organization
<b>MHH</b>	<i>Mungshawa Hypen Hpung</i> ("Kachin People's Militia Group")
<b>NCO</b>	Non-Commissioned Officer
<b>NGO</b>	Non-governmental organisation
<b>OPAC</b>	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
<b>OTS</b>	Officer Training School
<b>WPN</b>	<i>Wunpawng Ninghtoi</i> ("Light of the Kachin People")



## 1. Executive Summary

The Kachin Independence Army (KIA), formed by ethnic Kachin nationalists in 1961, is among seven non-state armed groups in Myanmar listed in the 2014 Annual Report of the Secretary-General on children and armed conflict as a party which recruits and uses children.<sup>1</sup> The UN Country Task Force on Monitoring and Reporting (CTFMR) on grave violations against children has documented persistent recruitment and use of children by the KIA since 2007.<sup>2</sup> Research carried out by Child Soldiers International for this report in Kachin state in June 2014 confirms that recruitment of children is ongoing.

There are reported to be up to 1,000 children within the KIA's ranks but these figures are proportionately based on conservative and outdated estimates of the overall size of the KIA. Accurate numbers remain elusive in the absence of a responsible methodology to collect reliable data. The majority of underage recruits are thought to be aged 15 to 17 and have ended up in the KIA's ranks through a variety of routes that are sanctioned by the KIA, despite a stated commitment to prohibit the recruitment of children. Following the breakdown of a 17-year long ceasefire in June 2011, the KIA has continued its recruitment of children and has recently introduced a system of "National Service". While much of the recruitment is formally voluntary, there is evidence of some ongoing coercive recruitment. Soldiers and civilian administrators tasked with general recruitment routinely overlook evidence that recruits are underage. Children seeking to volunteer with the KIA are, in some cases, encouraged to continue their studies, but evidence indicates that they are almost always eventually accepted into the KIA's ranks.

Children living in this belt are subject to severe social and economic disadvantage with education and employment opportunities severely limited and fraught with risk. The quality of education delivered by schools in KIA territory is severely strained by conflict and displacement and schools in Internally Displaced Persons (IDP) camps confront the greatest challenges. Voluntary recruitment can be triggered by this socio-economic disadvantage, in addition to a sense of public service, revenge and justice.

Children have access to a number of avenues into military service with the KIA:

- Children can enlist after achieving 10th Standard at school, even if they are under age, as the completion of their schooling demarcates a cultural rite of passage into adulthood.<sup>3</sup>
- Children can inform the local township officer (a Kachin Independence Organization (KIO) Civil Servant) that they wish to enlist, who will then contact the nearest KIA post to inquire as to when the next recruitment training is scheduled. Alternatively, they can go directly to a KIA post and petition the KIA officer in charge to allow them to enlist.
- Children can apply to and attend one of several KIA-funded military educational establishments, such as the *Htoi Ningshawng* or "Shining at the Front" and "Serve and Study" where they receive training in weaponry and are stationed in a military training environment. Schools established by the KIA provide incentives for enlistment such as no school fees.
- Children can be sent to the KIA by their parents or others as a form of correction for aberrant behavior. The recruitment of troubled children (those involved in drugs or criminality or who skip school) is justified by the KIA and many in society as solving a societal problem.
- Children can also be identified by the KIA and intimidated or coerced into recruitment during home visits.

A system of recruiting one member per family to the KIA is widely acknowledged by members of the Kachin community, however, it appears that information on the household lists are not used to establish if the recruit is underage. KIA recruiters may selectively target children who have dropped out of school. Similarly, when children volunteer for recruitment, there is no systematic process for recruitment and age assessment that allows for opportunities to stop them from joining and their rejection is up to the discretion of the recruiting officer. While senior KIA officers interviewed for this report maintain that all soldiers are made aware during training of prohibitions regarding underage recruitment, an absence of effective monitoring and oversight mechanisms allows for the recruitment of under-18s.

Once in the KIA, children are treated as adults and not permitted direct communication with the outside world during training. Having received a soldier identification number and a weapon upon graduation, child soldiers (girls and boys) deploy to KIA posts to fulfill noncombat duties until their physical and mental abilities are deemed mature enough to fight.

The KIA makes various justifications for allowing ongoing recruitment of under-18s, which include that:

- Children persistently volunteer for recruitment and cannot be turned away;
- Children can continue to study following recruitment and prior to taking part in combat;
- Children have reached 10th Standard before recruitment;
- Some children are “taken in” by the KIA because they have dropped out of school, are taking drugs or are involved in other criminality, or are orphans.

The recent introduction of “National Service”, which is designed to draw every male and female between the ages of 18 and 60 years old living in KIA territory into two years of compulsory public (military and non-military) service, raises concerns since a number of children have been included within the first batch of recruits under this scheme.

Despite stating its commitment to comply with international law and stop the recruitment and use of children in hostilities, the KIA has not implemented this in practice. The KIA does not have a written and enforceable policy prohibiting underage recruitment and use. The guidelines developed by the KIA on this issue have thus far not been effectively implemented.

## Key Recommendations

### Recommendations to the KIA

- ✓ Immediately end the recruitment and use of children under the age of 18 years and release all under-18s within their ranks without fear of reprisal for the children and/or their families;
- ✓ Publicly agree to abide by international law and standards to prohibit and prevent the recruitment and use of children, such as the Paris Principles and Guidelines on Children



Associated with Armed Forces or Armed Groups (Paris Principles) and the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups (Paris Commitments);

- ✓ Issue and enforce orders to prohibit child recruitment and use to all soldiers, commanders and officers in the KIA; widely disseminate the orders to members of the KIA and KIO and to communities in areas under the control of the KIA;
- ✓ Strengthen mechanisms to prevent the recruitment of children by developing guidelines on appropriate age assessments (e.g. by making use of household lists) and ensuring that recruiting officers and KIO township authorities are trained and continually monitor recruitment practices;
- ✓ Take effective disciplinary measures against those responsible for underage recruitment and use and remove from command positions those suspected of recruiting or using children;
- ✓ Continue to permit unhindered access to Kachin territories to the UN and other humanitarian and human rights organisations for the purpose of monitoring, identifying, releasing and reintegrating all children from their ranks.

### **Recommendations to the Myanmar Government**

- ✓ Allow and facilitate access to the UN Country Task Force and other humanitarian and human rights organisations to the KIA in order to enable the negotiation of action plans, monitor and verify reports of child recruitment and use, and ensure the safe release and reintegration of children associated with the KIA;
- ✓ With the support of local Kachin-based, national and international organisations develop strategies to alleviate the impact of the conflict on children and prevent child recruitment and use by the KIA;
- ✓ Support the inclusion of the protection of children and a prohibition on the recruitment and use of under-18s in hostilities by signatories to the Nationwide Ceasefire Accord and ensure that appropriate mechanisms are in place to monitor this commitment;
- ✓ Support the development of mechanisms to ensure the verification and release of children from the ranks of the KIA in advance of a formal disarmament, demobilization, and reintegration (DDR) process.

### **Recommendations to the UN Country Team**

- ✓ Strengthen the existing Monitoring and Reporting Mechanism (MRM) in KIA-controlled areas by developing a coordinated strategy to monitor underage recruitment and use and other grave violations against children in Kachin state;
- ✓ Engage in a dialogue with the KIA leadership with the purpose of developing an action plan to end their recruitment and use of children;
- ✓ Proactively engage in a dialogue with KIA commanders and officers to advise and support initiatives aimed at preventing the recruitment and use of children and explore ways to verify and release children associated with them;
- ✓ Increase support for national non-governmental organisations (NGOs), community based organisations and civil society to raise awareness of the rights of children in Kachin state, including protection from child recruitment and use.

### **Recommendations to the UN Security Council and the international community**

- ✓ Ensure that the UN Country Team is provided with the necessary resources to support the government and the KIA to take all necessary measures to monitor violations against children comprehensively;
- ✓ Support provisions aimed at the release, recovery and reintegration of children associated with the KIA in all peace or ceasefire negotiations and agreements, in line with the UN operational guidelines on addressing children's issues in peace agreements.



## 2. Scope and Methodology

The focus of this report's research is to identify the processes of recruitment, training, deployment and use of child soldiers in the KIA. Research was conducted in three major geographic areas within KIA-controlled territory in Kachin State, including the urban centers of Laiza, Mai Ja Yang and Lana Zup Ja and rural villages, IDP settlements and KIA outposts. Child Soldiers International did not find evidence of use and deployment of children to the frontlines. Research was formally permitted and facilitated by the KIA; no attempt was made to obstruct the research or manipulate its findings.

The findings are based primarily on over 40 interviews conducted in June 2014 with villagers, IDPs, humanitarian workers, KIO civil servants and KIA military personnel, including some former and current child soldiers.<sup>4</sup> Interviews were conducted primarily in Jinghpaw Kachin language with English interpretation. Interviewees were informed of the research intent, voluntary nature of participation, and forthcoming publication of the information being collected. All children were interviewed in the presence or proximity of consenting guardians. Sensitive personal and location-specific information that might identify interviewees has been generalised or omitted in the body of the report to protect their anonymity.

Child Soldiers International sought written comments on a draft of this report from the KIA's Vice Chief of Staff Maj. General Gun Maw but did not receive a response beyond an acknowledgment.

As a matter of terminology, this report uses "Myanmar Army" to refer to the Myanmar Armed Forces. However, the Jinghpaw Kachin word spoken in interviews, *Myen*, literally translates to "Myanmar ethnic people" and is colloquially used to refer to the military instead of the more accurate *Myen Hpyen La*, which literally translates to "Myanmar soldier".

### 3. Background and context

The KIA, formed by ethnic Kachin nationalists in 1961,<sup>5</sup> is one among seven non-state armed groups in Myanmar identified in the 2014 Annual Report of the Secretary-General on children and armed conflict as recruiting and using children.<sup>6</sup>

The KIA is often cited as the second largest non-state armed group in Myanmar, outnumbered only by the United Wa State Army.<sup>7</sup> Prior to the resumption of hostilities in 2011, estimates for the number of soldiers in the KIA range from as low as 5,000 to as high as 10,000, with figures closer to 10,000 being more widely accepted.<sup>8</sup> Each of these figures likely underestimates the current size and military capacity of the KIA. Research for this report suggests that since June 2011 the KIA's size has increased by an estimated 4,000 to 5,000 full-time soldiers, with an additional 3,000 to 5,000 part-time militia in reserve. This brings KIA's total size to between 9,000 and 15,000 soldiers, in addition to the militia.<sup>9</sup> Current estimates from local Kachin civil society groups range from 10,000 to 20,000 KIA soldiers, with another 5,000 to 10,000 in the militia.<sup>10</sup>

#### 3.1 Political and Military Background

Kachin historical grievances regarding discrimination predate the country's independence from Britain in 1948. The most notable issue of contention is the failed 1947 Panglong Agreement,<sup>11</sup> which sought to guarantee varying degrees of ethnic autonomy within a federal union. With the agreement unrealised, a fragile and newly independent Myanmar, formerly known as Burma, fell to a military coup in 1962. During these years of political instability, numerous armed groups mobilised in resistance to the central government. Among them were the Kachin nationalists that formed the KIA in 1961.

Originally fighting for complete political and territorial independence, the KIA formally adopted a federalist position with the 1994 signing of a landmark ceasefire agreement with the Myanmar government, by which time the group maintained *de facto* control of a militarised corridor along the border with China that stretches from northern Shan State to central and eastern Kachin State.<sup>12</sup> The ceasefire facilitated a functioning economic and political relationship between the Myanmar government and the KIA.

In 2008, Myanmar's military government declared that, in accordance with its new Constitution, all armed groups under ceasefire agreements would have to transform into a Border Guard Force (BGF) under the direct control of the Myanmar army. The KIA rejected the proposal, demanding a comprehensive political dialogue prior to any disarmament or demobilisation process. The KIA continued military recruitment and training throughout the ceasefire and in 2009 reportedly began intensifying its recruitment efforts and initiated a program to reinstate former soldiers.<sup>13</sup> Amid mounting political tension and what opposition groups would later declare a sham general election, 2010 was marked by increasingly hostile government actions toward the KIA.<sup>14</sup>

Following a series of minor military confrontations, on 9 June 2011 the Myanmar Army

launched a major armed assault on KIA positions. A dramatic escalation of hostilities ensued in Kachin State and northern Shan State with the indiscriminate targeting of civilian areas and military airstrikes causing the displacement of over 100,000 civilians. Widespread human rights violations perpetrated by the Myanmar Army against civilians in Kachin State, including allegations of war crimes and crimes against humanity,<sup>15</sup> were documented throughout the four decades of the earlier conflict and have continued since the breakdown of the ceasefire. The KIA has also faced allegations of forced recruitment<sup>16</sup>, frontline deployment of child soldiers<sup>17</sup> and the use of antipersonnel landmines and explosive devices.<sup>18</sup>

Since June 2011, tenuous ceasefires have sporadically halted the fighting but failed to produce a durable peace agreement. The Myanmar government has since secured critical transportation routes and isolated the KIA from several resource-rich areas. It is now pursuing an internationally backed national ceasefire plan with multiple non-state armed groups, which it hopes to realise before elections in late 2015.<sup>19</sup> With negotiations underway and a lasting settlement not yet apparent, there is evidence that both sides to the conflict continue to move troops, resupply and recruit into their ranks.<sup>20</sup> Ongoing fighting signals increasing uncertainty for the immediate future of the National Ceasefire Agreement.<sup>21</sup>

### **3.2 The Socio-Economic Context**

Now crippled by four years of ongoing conflict and isolated from international humanitarian aid, the militarised corridor of contested KIA-controlled land in Kachin state, wedged between the Myanmar Army and China, is home to hundreds of thousands of civilians.

The limited reach of direct central government control over KIA-held territory makes the KIA the principal supplier of public goods and services in areas under its control. Its political wing, the KIO performs the functions of a parallel state and has established committees and administrative departments, including police, immigration, health, education, and other civil provisions. The collective work of these “ministries” provides security and organisation to an otherwise isolated, rural, and agrarian region.

The education system, churches<sup>22</sup> and the local media reinforce messages of Kachin national identity, as the KIA enjoys widespread civilian support and actively appropriates social networks to garner this support. The KIA "Propaganda Team" or "Pro Team" broadcasts message through the local Laiza TV station, Laiza FM radio station, and produces DVD/VCD music videos that depict KIA heroes fighting the Myanmar Army to the acclaim of a grateful civilian population.<sup>23</sup> Through these outlets, the KIA affirms pre-existing popular perceptions while actively inventing itself as the legitimate upholder of a revolutionary Kachin identity.

#### **Displacement and the situation in IDP camps**

Renewed conflict between the Myanmar army and the KIA has sparked massive civilian displacement and undermined the limited economic and political development that had occurred during the relative stability of the ceasefire period. A large number of internally displaced persons (IDPs) seek refuge in KIA controlled territory, swelling the urban centers of Laiza and

Mai Ja Yang.<sup>24</sup> These city centers and the sprawling camps of makeshift shelters occupy narrow belts of KIA controlled territory. Displaced civilians remain unable to return home and lack regular humanitarian aid.

Thousands of people living in the dense confines of IDP camps are vulnerable to health risks caused and compounded by their cramped surroundings.<sup>25</sup> With international humanitarian aid efforts blocked or restricted by both the Myanmar and Chinese governments, deliveries of essential supplies are scarce and unreliable. Local NGOs and community-based organisations, some receiving funds from international donors, seek to mitigate the humanitarian crisis but cannot address all needs, leaving the KIA as the largest and most consistent source of aid. The KIA also provides IDPs with access to basic social services such as healthcare and education.

Stripped of land and livelihood, most IDPs are newly poor and unemployed. Many IDPs have faced multiple displacements, further depleting their resources and coping mechanisms. The steady influx of disenfranchised IDPs into urban areas has produced a surplus of willing laborers that now exceeds demand from the local economy.<sup>26</sup> As a result, day rates for labor in the area have dramatically declined and populations desperate for income increasingly risk predatory economic exploitation and trafficking.<sup>27</sup>

Those living close to the urban centers of Laiza and Mai Ja Yang, the most developed urban centers within the KIA's territory, benefit from roads, electricity, telecommunications, and other modern amenities made possible by mutual economic interest and cooperation between the KIA and China's Yunnan Province authorities.<sup>28</sup> A number of casinos and hotels spanning the Kachin-China border drive cross-border movements of people, goods, and illicit activity.<sup>29</sup>

As ongoing conflict continues to provoke forced displacement, the ability to safely navigate militarised territorial boundaries remains critical to the survival of thousands living in Kachin State. Yet, checkpoints, curfews and landmines, laid by both the KIA and the Myanmar Army, restrict civilian mobility.<sup>30</sup> KIA restrictions on free movement—including numerous roadblocks and checkpoints—create opportunities for KIA soldiers to interact with the civilian population. Child Soldiers International received unconfirmed reports of civilians facing extortion and forced recruitment at the hands of KIA soldiers. Child Soldiers International was also unable to confirm reports that those violating unofficial, and sometimes unannounced, night curfews in urban areas have been forcibly recruited and reports that KIA recruitment patrols were keeping people off the streets.

The physical presence of the KIA in IDP camps was found to be minimal during the research carried out for this report and those soldiers that were present were usually IDPs themselves. Testimony from an IDP camp youth leader indicated that the Camp Committee had specifically prohibited recruitment from IDP camps in the past year:

“This was changed because the Camp Committee requested that the KIA prohibit recruitment in the camps. Camp residents are aware of this. The Camp Committee warns people not to leave the camp because outside they are on their own. The risks are then their responsibility.”<sup>31</sup>



Attempts have been made to protect children in the IDP camps. The managing KIO Camp Committee counts registered children within IDP camps nightly.<sup>32</sup> Partly funded by UNICEF, Save the Children work with local Kachin NGO *Wunpawng Ningtoi* (WPN) to train child protection workers in Lana Zup Ja and at least five other IDP camps in KIA-controlled territory.<sup>33</sup> These workers have created protective "child-friendly spaces" in IDP camps where otherwise conflict-affected children can play under adult supervision. Access to these activities however remains limited.<sup>34</sup>

### Children in KIA-controlled Kachin state

Children living in this belt are subject to severe social and economic disadvantage with education and employment opportunities severely limited and fraught with risk. The challenges that graduating students have begun to face while enrolling in the Myanmar government's education system is a disincentive to pursue further studies.<sup>35</sup>

Ethnic nationalism is deeply rooted in the existing education system. A prominent Kachin educator interviewed for this report described how

"The national education agenda in Kachin is rooted in our identity as being Kachin... Ideas of revolution and education exist together. The purpose of education is to promote public service."<sup>36</sup>

Educational institutions are appropriated by the KIA to institutionalise and facilitate public service. *Htoi Ningshawng* or "Shining at the Front" is an elite boarding school in Mai Ja Yang which acts as a leadership training school for children who have a desire to volunteer for public service and plan on careers in the KIA or KIO. *Htoi Ningshawng* operates alongside a larger initiative called Education and Economic Development for Youth (EEDY), which was started by the KIA in 2003.<sup>37</sup> Both the school and EEDY operate under the aegis of KIA Vice Chief of Staff Gun Maw. While affiliated with the KIA and Gun Maw, the school does not provide military training or enforce its mandate of public service upon graduating students. Two 17-year-old graduates from *Htoi Ningshawng* joined the KIA Officer Training School (OTS) in 2013 while six others went into the KIO civil service or on to further study. Child Soldiers International interviewed a 12-year-old student of the current cohort who said she came willingly to the school and wanted to become a General in the KIA, but others interviewed indicated that they would be joining the KIO rather than the KIA.

The quality of education delivered by schools in KIA territory is severely strained by conflict and displacement and schools in IDP camps confront the greatest challenges. In the camps, children lack access to adequate education: overcrowding has stretched the KIO's capacity to provide school buildings, trained teachers, and students with educational materials. Some children attempt to continue their studies in overcrowded schools with too few teachers; others are lured by the promise of seeking work in border town casinos or Chinese factories. The KIO-controlled city of Mai Ja Yang, located on the Myanmar-China border provides IDPs with more economic opportunities but contains more risk than any other camp setting due to the danger

from cross-border traffickers. Children who venture beyond the gates of the camps forfeit the minimal standard of protection afforded to them as IDPs, thus exposing themselves to the simultaneous promise of economic opportunity and peril of a high-traffic border town where human trafficking remains a grave reality. Many interviewees for this report spoke of the casinos and their influence on the rise in drug and alcohol use among young people and unplanned teenage pregnancy.

Still, other children seek to join the revolutionary movement led by the KIA, motivated by historical grievances and injustice and by loyalty to the ethnic nationalism espoused by the KIA.

#### 4. Methods of KIA recruitment of children

The participation of children in armed conflict in Kachin State predates the formation of the KIA,<sup>38</sup> but the KIA has recruited and used children since the 1960s and continues to do so today.<sup>39</sup> The direct loss of family members, homes, and livelihoods as a result of the conflict have provided the backdrop which has motivated many people, including children, to volunteer for the KIA.

An estimated 500 to 1,000 children have been reported as active in the KIA, but these unofficial figures are proportionately based on conservative and outdated estimates of the overall size of the KIA.<sup>40</sup> Since the conflict resumed in 2011, a rise in the demand for soldiers has spurred expansion and innovation in the KIA's recruitment program, strongly suggesting that the number of children in the ranks has increased. However, accurate numbers remain elusive in the absence of a responsible methodology to collect reliable data.

According to the research conducted by Child Soldiers International, the most common ages of children in the KIA are between 15 and 17 years old, although there have been a few reports of children aged 13 and 14.<sup>41</sup>

Both girls and boys are recruited. Female recruits have the same training regimen as the male recruits and perform field-training exercises together in mixed sex cohorts. Women and girls are also students at the OTS, where upon graduating they will be recognised as officers and assigned to standard duties. (See further details on OTS in section 4.1 on KIA-funded military education below). However, female recruits, regardless of age, are reportedly prohibited from being deployed to combat and are assigned supporting roles in the KIA. These roles often include duties such as cooking or cleaning at defensive and administrative KIA posts. Female units also assume guard duties at defensive positions. No evidence was found during this report's research to suggest that female or male recruits, adults or children, are sexually exploited.

A large number of these children suffer socio-economic disadvantage and lack of opportunity before volunteering to serve with the KIA. Regardless of age, all KIA recruits are reported to receive rice and salt for their families.<sup>42</sup> Some are also reported to receive nominal salaries when resources permit. However, interviews conducted by Child Soldiers International indicate that this small material compensation is less of a factor in driving voluntary recruitment, which is triggered by a sense of public service, revenge and justice, coupled with a lack of alternative livelihoods. An aid worker working with children in an IDP camp commented:

“There are no jobs available, even to those who graduate 10th Standard. This is one reason why so many join the KIA. The KIA also wants them to join because this is wartime. In my opinion, there is no hope for the youth. After completing 10th Standard, you can become a teacher but these positions pay very little and many cannot even support themselves. The only other option is to become a soldier. There is no hope anymore for these youth who graduate school. They face so few choices outside of soldiering.”<sup>43</sup>

The same aid worker said:

“Many children really, really want to join and so they just stop going to school. So many children are very interested to become soldiers and it is very difficult to stop them when this is their desire ... If a child really wants to join but the parents don't support it, they may send the child to boarding school but if the child really, really wants to join then there are not many options and it is often easier just to let them join.”<sup>44</sup>

Other children face heavy-handed recruitment practices that operate indiscriminate of age. Some are selectively targeted for recruitment because they engage in socially deviant behaviour, such as skipping school or using narcotics. Recruitment practices vary in the type and amount of coercion employed, ranging from social pressure and harassment to threats, intimidation and physical coercion. The use of coercion in recruitment includes acts of press-ganging, whereby a pair or small group of KIA soldiers may physically apprehend a child or threaten the use of force.<sup>45</sup> However, Child Soldiers International found no evidence to suggest that physical violence is a systematic part of child recruitment.<sup>46</sup>

#### **4.1 Routes to recruitment of children**

Children have access to a number of avenues into military service with the KIA.

Successful graduates of the KIO's 10th Standard are free to join the KIA, even if they are under age, as the completion of their schooling demarcates a cultural rite of passage into adulthood.<sup>47</sup> Because KIO secondary education, like that provided by the Myanmar government, terminates at 10th Standard, students are usually aged between 15 and 18 years old when they graduate at the highest educational level.

Even before achieving 10th Standard at school, children can inform the local township officer (a KIO Civil Servant) that they wish to enlist. This office will then contact the nearest KIA post to inquire as to when the next recruitment training is scheduled. The child would then be wait-listed and contacted at the appropriate time to begin training. While the KIA claims to conduct verification of age prior to recruitment, these processes are unclear and KIO township officers control the process in the case of referrals. Each may exercise personal judgment in declaring that a recruit is underage and interviews conducted by Child Soldiers International demonstrated that if a child persistently attempted to enlist, whether by petition with military or civil personnel or by repeatedly physically showing up at outposts, their age was regularly overlooked. Alternatively, children can go directly to a KIA post and petition the KIA officer in charge to allow them to enlist. An underage KIA enlistee and deserter told Child Soldiers International:

“I joined the KIA by myself [in the summer of 2013] in Nam Lim Pa when I was 16 years old ... Me and five of my friends joined together. We approached the soldiers guarding the village ... They asked my age but it was no problem.”<sup>48</sup>



A Kachin aid worker remarks on the KIA accepting persistent underage volunteers:

“Last year in Mai Ja Yang, I know one young [IDP] boy who really wanted to become a soldier. He joined by himself but when his family found out, they went to the KIA post and asked that he be returned. The KIA agreed but the boy pleaded to stay so eventually everyone just allowed him to join ... Usually, the KIA obeys the child over the family because, in the end, it is the child who will find a way to join if he really wants to.”<sup>49</sup>

On the other hand, a teacher from a boarding school near Mai Ja Yang told Child Soldiers International:

“One boy just came to our school after trying to volunteer with the KIA but they sent him to us because he is too young, only 13 years old. He joined by himself but the KIA did not accept him. They said if he finishes studying then they will accept him ... There is no worry for [forced] recruitment here [at the school] because these are all students.”<sup>50</sup>

Some children, most commonly aged around 17 years although some may be 16, apply to and attend one of several KIA-funded military educational establishments, where they receive training in weaponry and are stationed in a military training environment (see below: KIA-funded military education).

Children can also be sent to the KIA by their parents or others as a form of correction for aberrant behaviour (see below: “Corrective” recruitment).

Finally, children who do not attend school and engage in criminal or drug-related activity are reported to be selectively targeted by KIA recruiters (see below: Targeted forcible recruitment). Children recruited for their failure to attend school likely represent the second largest number of child soldiers in the KIA, with those who volunteer being the most numerous.

### **KIA-funded military education**

Given limited education and employment opportunities for children, the KIO and KIA have instituted a number of special education and training programs, which offer children vocational training and the path to a career in the KIO or KIA.<sup>51</sup> Training provides for public service vocations that are in constant demand—such as doctors, nurses, teachers, civil servants, and soldiers—and are fully funded by the KIA and KIO.<sup>52</sup>

"Serve and Study" is a program that allows children who have been recruited by the KIA to become soldiers or those recruited by the KIO to become civil servants, completing their academic studies in a boarding school, the expenses for which are covered by the KIA/KIO.<sup>53</sup> As such, this is a mixed military and non-military program. Child Soldiers International found that a few of the children involved in the program had been officially recruited by the KIA, had received service numbers<sup>54</sup> and, in some cases, completed the KIA's standard 90-day basic training. Others, on the other hand, had not received a service number or attended any training

but had signed a form testifying to their commitment to the “Serve and Study” program.<sup>55</sup> These children had expressed an interest in KIA or KIO public service and were expected to join after completing their studies. However, the commitment does not appear to be binding and was not found to be monitored or enforced, by either KIA or KIO officials.

Child Soldiers International interviewed a 16-year-old boy participant of the “Serve and Study” program who was denied military training despite his eagerness and persistence to volunteer. He was instructed to attend school and sign up for the “Serve and Study” program where the KIA would pay his fees. Should he graduate 10th Standard or fail multiple times (regardless of age), he would be accepted as an enlistee. He said:

“I decided I wanted to become a KIA soldier. I am studying [at the boarding school] now as an enlisted soldier. The officer at the post requested that I finish my studies before I return. He told me to study as hard as I can and to reach the highest grade level I can and that as long as I am studying, the KIA will support my school fees. If I fail 10<sup>th</sup> Standard three times then I don’t need to study anymore and I can [return to the post] ... I approached my teacher and told her that I wanted to join the Serve and Study program and then I signed a form with my name, address, grade level, and grade level I hope to reach ... After I joined the KIA, I was afraid to tell my parents. My mother disapproved but my father supported the idea. He knew that the KIA allows young recruits to study so he agreed that it was a good plan for me.”<sup>56</sup>

Educational opportunities for children also exist outside non-military boarding schools. The OTS, or KIA cadet school, and the Non-Commissioned Officer (NCO) training program permit children who wish to become soldiers to advance beyond or study in lieu of 10th Standard.<sup>57</sup> No children were found at present in either program. However, the OTS has previously accepted students who are 16 and 17 years old but had graduated from 10th Standard.<sup>58</sup>

Originally modeled on the Myanmar Army's Defense Services Academy (DSA), the OTS is said to be a highly prestigious institution reserved for only those with the greatest leadership potential. Only graduates of 10th Standard are selected for this advanced military school and the admissions process is highly selective. Successful OTS applicants study for two years before commissioning as two-star KIA Captains. In accordance with the school's policy, the majority of the students at the OTS are 18 years old and over. However, 10th Standard graduates less than 18 years old are also accepted. The Director of the OTS told Child Soldiers International that fewer than ten underage students have been accepted at the OTS in the history of the school, although this is impossible to verify. OTS students live in separate male and female dormitories on the OTS campus outside Laiza, where they attend daily lectures on military affairs and perform a range of outdoor military exercises. Cadets are given a KIA standard-issue assault rifle for the duration of their time at the OTS.

### **“Corrective” recruitment**

The KIA justifies the recruitment of some children by arguing that they are providing protection to children in need. Child Soldiers International has received information on children being sent

by parents, community members and local KIA authorities to the KIA for recruitment against their will and in some cases against the wishes of parents. A 14-year-old KIA soldier-in-training told Child Soldiers International:

“I drank and smoked a lot when I lived with my family. That's why my family sent me [to the KIA post]. First they tried sending me to my uncle's house in [Shan State] but I kept drinking and smoking so they decided it was best to send me here ... They tell me to be a good boy. They tell me that I will recover here.”<sup>59</sup>

In these cases, the KIA is seen as performing a corrective role in the lives of children who are perceived as lacking in discipline or have engaged in illicit drugs or other criminal activities. A Kachin academic told Child Soldiers International:

“Parents send their children to the KIA when their children are difficult to tame or if they misbehave or if they failed middle school or high school. Children that don't behave in the family get sent to the KIA in hopes of being taught discipline and stern living. This happens all the time. For parents that cannot care for their children, being in the KIA is like a protection.”<sup>60</sup>

KIO spokesman and Joint General Secretary Salang Kaba Kumhtat La Nan admitted to Child Soldiers International that children under 18 years of age were living in KIA military posts:

“Nowadays some children are living at KIA posts ... In some cases, families cannot support and protect their children so they send them to the KIA because they see that we have done a good job for them in allowing them at the post and trying to support their education ... There are many children who are staying at the posts but also attending school. When they reach 18 years old and if they have a desire to serve in the military, then we arrange a suitable place for them. We have a policy not to recruit those underage but this depends on many kinds of situations. In some cases, we still have to accept them and allow them to stay in the military ... So many Kachin youth come to join KIA, and to be honest, it is not a huge burden for us to help them. We don't worry much when they come to us. The main thing we think about is how we can work together to carry this revolution forward. This burden is not so harsh that we cannot support them.”<sup>61</sup>

### **Targeted forcible recruitment**

Information gathered by Child Soldiers International reveals that children who do not attend school and engage in criminal or drug-related activity are reported to be selectively targeted by KIA recruiters. Children in school appear to be far less likely to be forcibly recruited. Child Soldiers International could not verify whether schools shared information on absentee children with the KIA.

A family member of a 15-year old forcibly recruited by the KIA told Child Soldiers International:

“My nephew passed the seventh grade but he couldn't continue studying because he was needed to help the family. They struggled to support his school fees so it was better for him at home. [The KIA] recruited him because he seemed like he was a dropout... He was still very young looking at that time and anyone could see that he is small and still like a child in his body... When the soldiers came to the door to ask for him, his mother agreed to send him the next day but the soldiers insisted that he go with them immediately. They said they would return him the next day. His mother couldn't even pack his clothes properly before he left. After that, he never returned ... The village headman and the people living in her [village subdivision] informed the soldiers about her son. There is nothing she can do and now she is struggling to support herself and her youngest son who is still in primary school... This has happened to so many young boys.”<sup>62</sup>

A teacher from a boarding school near Mai Ja Yang told Child Soldiers International:

“The KIA evaluates which children can have a bright future studying. Those who have no future potential in education are more at risk for recruitment because they are more useful for the community as soldiers. This kind of thinking prevents them from becoming rebels and useless in our society...”<sup>63</sup>

## 4.2 Recruitment Quotas, Lists and the "Call to Service"

KIO spokesman Salang Kaba Kumhtat La Nan denied that the KIA had ever used a quota system for recruitment.<sup>64</sup> While the KIA denies the practice, confidential interviews conducted by Child Soldiers International with both low ranking soldiers involved in the recruitment and senior KIA officers reveal that since the 1960s, the KIA has recruited according to an unofficial but customary rule of a "one-recruit-per-family" quota. A former KIA student trainee in Laiza told Child Soldiers International:

“The KIA has rules here. They have set laws that require everyone who stays in the KIA area to send one person in the family to join. You can choose not to be a KIA soldier but then you must join as a KIO official. In the end, you must work for the KIA.”<sup>65</sup>

Information collected by Child Soldiers International reveals that KIA soldiers have access to a “list” containing data on household members and their ages, maintained by KIO administrators at the township and village level as part of an ongoing data collection effort. A Kachin aid worker told Child Soldiers International:

“The KIA has a list with information concerning every household and their members and ages. In the [IDP] camps, this is also true. The KIA can call whomever they want at anytime and they know where to find them. No family is exempt from this kind of recruitment because the KIA has the list of every person in their territory. If you are called but not ready to join then you can try to explain your circumstances but they may not choose to release you ... Once the KIA has the list with your name on it, you will



have to join sooner or later when they call you.”<sup>66</sup>

Despite the fact that the ages of household members figure on the list, KIA recruiters do not appear to use the data to consistently prevent underage recruitment. Driven by the demand to meet the “one per family” recruitment quota, soldiers on the ground, with or without the list, reportedly often travel door-to-door to “call-up” recruits. KIA Lieutenant Colonel Maran Zau Tawng told Child Soldiers International that KIA recruiters faced a dilemma when trying to prohibit underage recruitment and fulfill quotas:

“Without a proper monitoring mechanism, there may be a misunderstanding between the policy level and the ground level. The policy might set quotas to demand a certain number of recruits and so soldiers might feel this pressure. In that case, the ground level might be recruiting some who are underage in an attempt to meet the quota.”<sup>67</sup>

Children are most commonly reported to be “called-up” by a soldier visiting their home, rather than receiving official call-up letters.<sup>68</sup> If the child refuses or tries to evade recruitment, the soldier may return with other KIA/KIO officials as reinforcements to pressure the family (often using appeals to nationalism and/or threats of shaming) and force the child to return with them (in a process known as press-ganging). A father of an underage recruit told Child Soldiers International:

“[The KIA] came for my son when he was 15 years old. Soldiers and [local civil servants] came looking for him many times. Sometimes he couldn't even finish a meal because he had to run away from them ... He was so afraid of being recruited he would run away for days at a time and sleep among the bamboo in the jungle just to hide. Sometimes he even crossed into China to hide ... The first time they came for him, the soldiers were very polite and explained why he should join with them. Once, two or three soldiers came together and threatened to take me to the post if my son did not go with them. Finally my son decided just to give up and join them because it was best for our family. These kinds of constant visits and always being afraid was not good for our family ... This is true for many boys in our village.”<sup>69</sup>

### **4.3 The introduction of National Service**

The National Service program, launched in 2008, is designed to draw every male and female between the ages of 18 and 60 years old living in KIA territory into two years of compulsory public (military and non-military) service. The first two batches of National Service (military and non-military) recruits consisting of approximately 100 volunteers began their training in May 2014.<sup>70</sup> Although the KIA describes this program as a mandatory service, current participants all appear to have volunteered through the ordinary enlistment process described above.<sup>71</sup>

A KIO spokesman told Child Soldiers International that National Service is applied only to recruits 18 years old and over:

“The objective is to encourage those who are over 18 years old to join and serve at least two years for our nation. It is meant not only for combat assignments but any place that is appropriate for them to serve. After completing their two years, they can continue their careers or study. It is up to them. This program doesn't reduce our military servicemen. It is intended to allow every Kachin the opportunity to give whatever they can to the revolution. It is not only the KIA that is doing this. Many countries have a similar program ... We already decided on the age limitation for the program and we will not allow those under 18 years old to serve.”<sup>72</sup>

Despite this statement, Child Soldiers International interviewed six children who had been recruited for military training via the National Service program. No other under-18s were said to be among the approximately 100 volunteers that chose to serve in the KIA through the National Service program.<sup>73</sup>

## 5. Training and Deployment of Children

### 5.1 Training

Basic training for KIA recruits ordinarily lasts for 90 days and is conducted at one of a number of different KIA posts.<sup>74</sup> All children recruited into the KIA complete the standard 90-day training. They are treated as adults during training, which means that they are not provided separate accommodation and are not permitted any direct communication or leave of absence to visit family.

Throughout the duration of the training, new recruits are instructed to perform physical exercises<sup>75</sup> and other activities, which begin early in the morning and continue until lunchtime with additional intermittent drills sometimes occurring in the evening. Recruits then sit for lecture-based instruction delivered by KIA trainers and senior officers.<sup>76</sup> After 45 days of training, each of these activities involve the use of a mock weapon made of wood, which recruits are expected to keep on their person at all times; this part of the training involves more combat-oriented drills and exercises. Recruits are taught how to negotiate difficult terrain and how to travel in various tactical positions, including column and combat.

During combat simulations, recruits are subjected to the sounds and sights of live gunfire and detonating ordinance. Training culminates in a day of live-fire weapon training in which all recruits are instructed on how to handle, maintain, and use the standard-issue KIA *Ba Yi*, also known as the "81".<sup>77</sup> No other weapons are fired during training and limited ammunition prevents extensive training with the "81". The weapons training component also includes participatory demonstrations in which the recruits learn to disassemble a fuse-less landmine.

The training is rigorous and recruits failing to keep up are disciplined with repeated exercise or drills as well as physical violence - supervising military police officers are reported to use wooden sticks to hit recruits on their arms, legs, or body. One 17-year-old who deserted from the KIA described to Child Soldiers International how he ran away after a month of training:

“They would hit us with a long wooden stick for any reason ... It was so difficult...Once we were doing push-ups and the youngest one (15 years old) could not make all 50 push-ups because the [KIA trainer] was stepping on his back and pushing him down. If we didn't make all the push-ups we were beaten five lashes with the stick. At night I couldn't sleep and I couldn't think because of this pain. This is why [us underage recruits] escaped and ran away from that post.”<sup>78</sup>

### Preparing for combat: Pre-recruitment training for children

Periods of intense conflict have led the KIA to provide live-fire weapons trainings to civilians and to provide military training to students at a post-10th Standard English language school, including some 15 to 17-year-olds.<sup>79</sup> Child Soldiers International interviewed three students who underwent a mandatory training session in which they were temporarily relocated to a KIA military unit for a KIA-standard 45-day basic training (without the final live-fire exercise) in 2012.<sup>80</sup> A 20-year-old who previously attended the KIA training with some underage recruits summarises the details of the physical training and combat simulation exercises:

"We wore uniforms but they did not have patches on them like real KIA soldiers. We started with the very basics. Left, right, left, right, turning, and marching. So many hours in the field. It was hard and some want to give up, even me, but we were not allowed to stop or even to buy snacks. We were already there and we had no choice but to complete the training ... We held guns made of wood and learned to practice what the KIA soldiers do at the frontline. We walked around in the woods and they taught us survival skills ... I was excited but also a little bit afraid. After learning about guns and bombs and military things, we split into two groups and pretended to fight each other. We carried our wooden guns and there were real battle noises all around us. There were many fake bombs. The noise was very loud and so many of us are afraid at that time ... [The trainers] move together with us and they give us orders about how we move and approach the enemy. Each team has teachers and they are judging us and commanding us while we are pretending to fight ... They instruct us that sometimes it is better to be quiet and other times better to fire but we must always be smart. They also show us how to walk in the forest and over any obstacle or terrain to our target."<sup>81</sup>

This training took place in September 2012 when heavy fighting was very near to Mai Ja Yang and the KIA was seen making emergency preparations in the event that the Myanmar Army advanced into the town.

## 5.2 Deployment

Children who volunteer or who are forcibly recruited to the KIA are explicitly told by officers during recruitment and training that they will not be assigned to combat duties and that in practice they are used by the KIA in "support" roles for duties such as cooking, cleaning, errand running, and portering.<sup>82</sup>

During interviews with Child Soldiers International, some KIA soldiers asserted that child recruits are not exposed to combat, and made a distinction between those deployed to frontline *posts* (combat-ready structures with sleeping and eating areas) and those deployed to frontline *positions* (foxholes or trenches located around posts).<sup>83</sup> Soldiers operating within frontline *posts* who are aged 18 years old and younger - sometimes referred to as "O Group" - are reportedly not permitted by senior officers to be stationed at frontline "gun" *positions*. "O Group" soldiers, or other groupings of junior soldiers that include underage recruits, are also reportedly prohibited from joining patrols or undertaking duties that are likely to result in direct contact with the Myanmar Army.<sup>84</sup>



## **6. KIA efforts to end under-age recruitment and release children**

Armed groups have obligations under international law to stop, prohibit and prevent the recruitment of children and their use in hostilities. This prohibition requires active steps to be taken to monitor and prevent the recruitment and use of children and to establish proper and transparent mechanisms for their rehabilitation and reintegration.

It is widely accepted that non-state armed groups are bound by customary international humanitarian law. In particular, the KIA is bound by rules of customary international humanitarian law applicable to non-international armed conflict, including prohibiting the recruitment of children and/or the use of children to take part in hostilities.<sup>85</sup> Despite the fact that Myanmar is not a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC), which prohibits armed groups from recruiting or using any person aged below 18 in hostilities under any circumstances,<sup>86</sup> the KIA has a stated policy to prohibit the recruitment of children below the age of 18.

Despite stated commitments to uphold international human rights law, KIA policies that apparently seek to prohibit the recruitment and use of child soldiers fall far short of achieving their objective.

### **6.1 KIA policy on the recruitment of children**

According to interviews with KIA Lieutenant Colonel Maran Zau Tawng and KIO Spokesman Salang Kaba Kumhtat La Nan, a decision to prohibit the recruitment of children was first made when finalising the 1994 ceasefire. However, owing to a stated lack of administrative capacity, only recently have there been efforts on the ground to implement it. However, the precise details of KIA policies on prohibiting the recruitment and use of children and any accompanying monitoring and enforcement mechanisms are ambiguous and contested within the KIA itself. Contradictory testimonies offered by KIA senior officers interviewed for this report often failed to distinguish between actual KIA policy and customary norms or aspirational policy goals. Neither the civilian public nor low-ranking soldiers appear to be aware of specific policies.

Child Soldiers International obtained a note issued in July 2011 by the KIA to its brigade commanders. The note indicates that the KIA brigades had already been informed of concerns about recruitment of under-18s; yet, the practice continued. Rather than an outright prohibition, the note effectively includes conditions that determine whether the recruitment of a child is acceptable or ought to be discouraged. The note does not make reference to a specific policy prohibiting child recruitment.

### **Note from the KIA to brigade commanders July 2011**

All Brigades have been informed about the issue of underage recruitment, however, some have been found to continue recruiting. KIO central command requests all Brigades to reconsider the following points:

1. Is the recruit under 18 years old?
2. Why does the recruit want to become a soldier?
3. Does the Brigade permit the recruit to continue studying?
4. Does the recruit have a parent or not?
5. Did the recruit live at the family home? Why or why not?
6. Is the recruit needed at the family home? If so, how?

## **6.2 KIA steps to demobilise child soldiers**

The KIA War Affairs Management Office provided Child Soldiers International with seven internal documents regarding the release of children found to have been recruited by the KIA. The “Return and Transfer of Person” letters, dated between July and August 2013, describe the formal return of seven girls and boys to their parents or siblings.<sup>87</sup> However, Child Soldiers International was unable to independently corroborate the existence of this demobilisation mechanism.

An unpublished eight-point ceasefire agreement, reportedly proposed by the Myanmar Army and currently under review by the KIA contains the following provisions:

- Forcible recruitment or recruitment without individual consent is prohibited by both parties.
- Prohibited acts concerning children include: killing, harvesting internal organs, recruiting for use as child soldiers, forcibly recruiting for military purpose, unlawfully arresting, raping, or committing other acts of sexual violence.<sup>88</sup>

However, if confirmed, this unofficial agreement would not provide for the monitoring mechanisms needed to ensure enforcement of these provisions or any DDR program.

KIA Lieutenant Colonel Maran Zau Tawng, who is participating in the current negotiations on a ceasefire agreement, told Child Soldiers International that the Myanmar military representatives had rejected the idea of civil society monitoring in future agreements:

“They do not want any outside involvement in the monitoring team ... We are still debating about the DDR process in the peace talks. We want a ceasefire, followed by a peace agreement, and a political dialogue before entering a transition period in which we

can implement a DDR program. The Myanmar Army prefer to begin DDR immediately after the ceasefire.”<sup>89</sup>

This statement itself however fails to make a distinction between the immediate need to identify and release child soldiers in order to comply with international human rights standards and a broader DDR process as part of ceasefire negotiations.

## 7. Conclusion and recommendations

Kachin state's international isolation and scarce and over-stretched civil society resources has made it extremely difficult for research to be carried out into human rights violations against children, including the documenting of individual cases of child recruitment and use, or for effective strategies to protect children from recruitment and use to be put in place. Restrictions on access imposed by both the Chinese and Myanmar governments have limited national and international organisations from providing training on international humanitarian and human rights law and standards to KIA and KIO officials or building their capacity to implement such standards.<sup>90</sup> Further research is needed to establish the scale and exact nature and scope of children's involvement in the KIA and, on that basis, to establish and implement coordinated strategies to protect children against such involvement.

The KIA is extremely well organised and has a parallel civil bureaucracy in the KIO with the apparent means (through the compilation of accurate household lists that record the age of family members) to implement and enforce a ban on the recruitment of children. Extensive consultations and coordination with the KIA and KIO leaders, commanders and soldiers, along with local leaders and communities are needed in order to create effective strategies to protect children against recruitment as well as to ensure successful rehabilitation and reintegration programs are available.

For that to happen, unrestricted access to KIA controlled territories by UN agencies and human rights and humanitarian organisations must be facilitated by both the Myanmar government and the KIA. While ceasefire negotiations with the KIA and Myanmar government are on-going, dialogue with the armed group on the issue of under-age recruitment is key to bringing an end to this practice. Any future peace initiatives should ensure that the issue of under-age recruitment is embedded in ceasefire agreements and separated from a broader DDR processes.

### Recommendations

#### Recommendations to the KIA

- ✓ Immediately end the recruitment and use of children under the age of 18 years and release all under-18s within their ranks without fear of reprisal for the children and/or their families;
- ✓ Publicly agree to abide by international law and standards to prohibit and prevent the recruitment and use of children, such as the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles) and the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups (Paris Commitments);
- ✓ Issue and enforce orders to prohibit child recruitment and use to all soldiers, commanders and officers in the KIA; widely disseminate the orders to members of the KIA and KIO and

to communities in areas under the control of the KIA;

- ✓ Put in place monitoring and oversight mechanisms to ensure that these orders are implemented;
- ✓ Strengthen mechanisms to prevent the recruitment of children by developing guidelines on appropriate age assessments (e.g. by making use of household lists) and ensuring that recruiting officers and KIO township authorities are trained and continually monitor recruitment practices;
- ✓ Take effective disciplinary measures against those responsible for underage recruitment and use and remove from command positions those suspected of recruiting or using children;
- ✓ Continue to permit unhindered access to Kachin territories to the UN and other humanitarian and human rights organisations for the purpose of monitoring, identifying, releasing and reintegrating all children from their ranks;
- ✓ Seek assistance to facilitate the early implementation of effective procedures to uphold the prohibition of child recruitment and use;
- ✓ Provide the UN and humanitarian and human rights organisations safe, sustained, and unhindered access to all areas of internally displaced populations under KIA control, and make a long-term commitment with humanitarian agencies to ensure consistent access for relief, recovery, and eventual development support to populations in need.

### **Recommendations to the Myanmar Government**

- ✓ Allow and facilitate access by the UN Country Task Force and other humanitarian and human rights organisations to the KIA in order to enable the negotiation of action plans, monitor and verify reports of child recruitment and use, and ensure the safe release and reintegration of children associated with the KIA;
- ✓ With the support of local Kachin-based, national and international organisations develop strategies to alleviate the impact of the conflict on children and prevent child recruitment and use by the KIA;
- ✓ Support the inclusion of the protection of children and a prohibition on the recruitment and use of under-18s in hostilities by signatories in the Nationwide Ceasefire Accord and ensure that appropriate mechanisms are in place to monitor this commitment;
- ✓ Support the development of mechanisms to ensure the verification and release of children from the ranks of the KIA in advance of a formal DDR process;
- ✓ Establish and implement procedures to ensure that child soldiers arrested or apprehended by

security forces are immediately transferred to their families or to child protection agencies for rehabilitation and reintegration;

- ✓ Ensure that children associated with the KIA who are taken into custody by Myanmar security forces are treated with dignity and that their rights are respected; establish and implement sanctions against any member of the security forces responsible for physical violence or other human rights abuses against children in their custody;
- ✓ Ratify and implement international standards that would strengthen Myanmar's commitment to eradicating the recruitment and use of child soldiers: OPAC; the ILO Minimum Age Convention 138; the Additional Protocols to the Geneva Conventions; and the Rome Statute of the International Criminal Court.

### **Recommendations to the UN Country Team**

- ✓ Strengthen the existing MRM in KIA-controlled areas by developing a coordinated strategy to monitor the risk of underage recruitment and other grave violations against children in Kachin state;
- ✓ Engage in a dialogue with the KIA with the purpose of developing an action plan to end their recruitment and use of children;
- ✓ Proactively engage in a dialogue with KIA commanders and officers to advise and support initiatives aimed at preventing the recruitment and use of children and explore ways to verify and release children associated with them;
- ✓ Increase support to national NGOs, community based organisations and civil society to raise awareness of the rights of children in Kachin state, including protection from child recruitment and use.

### **Recommendations to the UN Security Council and the international community**

- ✓ Ensure that the UN Country Team is provided with the necessary resources to support the government and the KIA to take all necessary measures to monitor violations against children comprehensively;
- ✓ Support provisions aimed at the release, recovery and reintegration of children associated with the KIA in all peace or ceasefire negotiations and agreements, in line with the UN operational guidelines on addressing children's issues in peace agreements;
- ✓ Urge the government of Myanmar to demonstrate its commitment to ending recruitment and use of children by ratifying, without delay, OPAC.



## Endnotes

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<sup>1</sup> UN General Assembly (UNGA), Report of the Secretary-General on Children and Armed Conflict, UN Doc. A/68/878-S/2014/339, 15 May 2014.

<sup>2</sup> UN Security Council (UNSC) Resolution 1612 mandates the UN to establish UN-led CTFMRs in countries where there is verified evidence that Grave Violations against children are being committed by parties to a conflict, either by armed forces and/or by armed groups. The CTFMR is tasked with establishing a Monitoring and Reporting Mechanism (MRM) which documents, verifies and reports to the UNSC on the six Grave Violations against children, including the recruitment and use of children in armed forces and armed groups. The CTFMR was established in Myanmar in 2007 and is co-chaired by UNICEF and the UN Resident Coordinator Office, and includes UNHCR, the International Labour Organization (ILO), United Nations Population Fund (UNFPA), Save the Children and World Vision.

<sup>3</sup> The Myanmar Armed Forces also used to apply the so-called '10<sup>th</sup> standard' exception, where children under 18 years of age but having completed 10<sup>th</sup> standard were allowed to join the Armed Forces, mainly for administrative level positions such as Sergeant Clerks. The 10<sup>th</sup> standard exception was officially abolished in November 2013.

<sup>4</sup> A number of potential interviewees declined to participate due to fear of reprisal, fear of social stigma, or unwillingness to criticise the KIA to which they were closely associated.

<sup>5</sup> Kachin State is predominantly inhabited by ethnic Kachin Christians (which comprise Kachin and Baptist Kachins and different Baptist congregations) who differ culturally and linguistically from the country's majority population of Buddhist, Myanmar-speaking ethnic Myanmar.

<sup>6</sup> UNGA, Report of the Secretary-General on Children and Armed Conflict, UN Doc. S/2014/339, 15 May 2014. The Myanmar Army is also classified as a "persistent perpetrator" due to its listing in previous annexes for over five years.

<sup>7</sup> See Kai Chen, "Comparative Study of Child Soldiering on Myanmar-China Border, Evolutions, Challenges and Countermeasures", *SpringerBriefs in Criminology*, Springer-Verlag Singapur 2014, and Paul Keenan, *By Force of Arms: Armed Ethnic Groups in Burma*, Vij Books India, 2013.

<sup>8</sup> For the figure of 5,000 see op.cit Keenan, 2013. For the figure of 10,000 see BBC, "Burma army in tense stand-off with Kachin militia," 19 October 2010, <http://www.bbc.com/news/world-asia-pacific-11571435>.

<sup>9</sup> This is based on assumptions of constant recruitment over time and not accounting for casualties. Approximately 400 new full-time recruits graduate from training every 90 days, while approximately 150 new part-time recruits graduate from training every 45 days. These rough estimates are based on observations of the KIA's 3rd Brigade headquarters. However, additional recruits are also trained at other locations but are not included in this approximation.

<sup>10</sup> This estimate is based on interviews conducted by the reports researcher with a range of Kachin civil society groups from 2011 until June 2014.

<sup>11</sup> Signed on 12 February 1947, the Panglong Agreement aimed to achieve equality for Myanmar's ethnic groups in a move towards a federal governance structure for the future independent state. The full text of the agreement (translated into English) can be found at <http://www.ibiblio.org>.

<sup>12</sup> Kai Chen references the geographic area controlled by the KIO according to the boundaries established by the 1994 ceasefire to encompass as much as 40,000 km<sup>2</sup>, an area comparable in size to Switzerland. See Kai Chen, *Comparative Study of Child Soldiering on Myanmar-China Border: Evolutions, Challenges, and Countermeasures* SpringerBriefs in Criminology, Springer-Verlag Singapur 2014, <http://www.springer.com/gp/book/9789814560016>.

<sup>13</sup> See Tony Cliff, "The war to come in Myanmar," *Asia Times* 4 November 2010; and Human Rights Watch (HRW), *Untold Miseries: Wartime Abuses and Forced Displacement in Kachin State*, 2012).

<sup>14</sup> See for instance: Ba Kaung, "Burmese Army Raids KIA Offices," *The Irrawaddy* 19 October 2010; Saw Yan Naing, "KIO to Close Liaison Offices," *The Irrawaddy*, 25 November 2010; Ba Kaung, "Burmese Army Raids KIA Offices," *The Irrawaddy*, 19 October 2010; Lawi Weng, "KIA Issues Alert," *The Irrawaddy*, 20 October 2010; Ashley South, "Voting, But Not As We Know It," *The World Today*, Chatham House, 2010, p. 29-31; and "Tensions Cloud Myanmar Vote: Boycotts and Bans That Put Participation of Minorities in Question Add to Doubts Over the Legitimacy of Election," *Wall Street Journal*, 23 October 2010.

<sup>15</sup> See UNGA, Report of the Secretary General on the Situation of human rights in Myanmar, UN.Doc. A/66/267, 5 August 2011; Ryan Roco, *Crimes in Northern Burma: Results from a Fact-finding Mission to Kachin State*, Partners Relief and Development; HRW, *Untold Miseries: Wartime Abuses and Forced Displacement in Kachin State*, 2012; UN Committee on the Rights of Doc: "Concluding observations," CRC/C/MMR/CO/3-4, 2012; and Fortify Rights, *"I Thought They Would Kill Me": Ending Wartime Torture in Northern Myanmar*, 2014 for recent examples.

<sup>16</sup> UN General Assembly (UNGA), Report of the Secretary-General on Children and Armed Conflict, UN Doc. A/68/878-S/2014/339, 15 May 2014. Also see Ko Htwe, "KIA denies abducting Red Shan villagers", *Democratic Voice of Burma* 13 December 2013; and *Mizzima*, "KIA leaders can't control recruitment of child soldiers, admits General," 20 August 2014.

<sup>17</sup> HRW, *"My Gun Was as Tall as Me": Child Soldiers in Burma*, 2002.

<sup>18</sup> HRW, *Untold Miseries: Wartime Abuses and Forced Displacement in Kachin State*, 2012.

<sup>19</sup> Joshua Lipes, "Myanmar's Thein Sein Holds Rare 42-Party Talks on Elections, Peace Pact," *Radio Free Asia*, 8 April 2015.

<sup>20</sup> For current Myanmar Army reinforcements, see: *Kachinland News*, "Battles Intensify in Southern Kachin State," 24 May 2015.

<sup>21</sup> *Mizzima*, "Suspensions persist over signing of Nationwide Ceasefire Agreement", 5 May 2015.

<sup>22</sup> The education system, churches and local NGOs have responded to the strain of conflict by embracing the war effort both ideologically and materially. In doing so, these institutions reinforce and promote a climate of social normality for KIA nationalist ideology and militarised behavior, mobilising civilian support behind the KIA. In many cases, this works to groom children for potential military enlistment or civil administrative service. Examples of such activities include prayer tours at KIA frontline outposts led by church leaders, "blessing" rituals over captured weapons, the production of ethnic religious militant propaganda, the formation of "public service" educational programming, NGO-staffed efforts to cook food for soldiers, and mass voluntary live-fire weapons trainings for civilians. These activities, among others, are not necessarily invited or sponsored by the KIA but often originate in civil society itself.

<sup>23</sup> Some report the KIA "Pro Team" to now be defunct, as they have assumed more combat-oriented roles given the recent fighting.

<sup>24</sup> According to the Myanmar Information Management Unit, "Kachin and northern Shan States have seen an estimated 113,000 people affected by renewed conflict since June 2012. Of these, 81,000 people are registered and living in camps while 10,000 are staying with host families, many of whom are facing difficulties in providing this support. More than half of the total number of people in need are located in areas beyond Government control." <http://www.themimu.info/emergencies/kachin>, accessed on 23 May 2015.

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<sup>25</sup> Office for the Coordination of Humanitarian Affairs (OCHA), Inter-agency assessment mission to Laiza and Maija Yang areas in Kachin State, September 2013, [http://www.themimu.info/sites/themimu.info/files/documents/Report\\_Assessment\\_Kachin\\_Interagency%20missions%20in%20Laiza%20n%20Maja%20yang\\_Sep13.pdf](http://www.themimu.info/sites/themimu.info/files/documents/Report_Assessment_Kachin_Interagency%20missions%20in%20Laiza%20n%20Maja%20yang_Sep13.pdf).

<sup>26</sup> Some in Laiza, Mai Ja Yang, and Lana Zup Ja are able to secure income as seasonal laborers, such as those harvesting sugar cane for Chinese plantation owners. Many IDPs also turn to potential economic opportunities in neighboring China, if they are able to obtain a temporary border pass that allows them to commute across the border legally.

<sup>27</sup> For the risk of trafficking, see: Kachin Women's Association of Thailand, *Pushed to the Brink: Conflict and human trafficking on the Kachin-China border*, 2013; and Lusha Chen, "Burma's Kachin Face Human Trafficking Threat Along Chinese Border," *The World Post* 28 January 2014.

<sup>28</sup> Projects and contracts - ranging from mining operations, to logging, to infrastructure construction - awarded to Chinese companies accrue steady revenues for the KIA. Additionally, Chinese-operated casinos pay the KIA to lease land and the KIA levy tolls from cross-border traffic.

<sup>29</sup> They are also direct sources of revenue for the KIA, as Chinese-operated casinos pay to lease land and conduct unregulated business transactions that would be illegal on the adjacent Chinese side of the border. The casinos are havens for narcotic sales and consumption and prostitution and human trafficking. Patronised predominantly by Chinese nationals, the casinos represent cultural outliers amidst a largely conservative Kachin population who associate them with lawlessness, avarice, and opportunism. KIA police, immigration, and drug-enforcement units struggle to enforce the KIA's strict anti-narcotics policy.

<sup>30</sup> Such fears were articulated by a Kachin humanitarian worker interviewed for this report: "*Movement is not free. It is dangerous and unpredictable ... People know that if they run away toward [the area of government control] then they might be captured and forced to porter or fight for the Myanmar Army. This is more dangerous for their lives ... It is very common to run into the Myanmar Army in this area and everyone is afraid of this ... If a family or child chooses to leave the city and go to the jungle, they must worry about landmines and there is no guarantee they will survive.*" Child Soldiers International confidential interview with Kachin aid worker, Kachin State, Myanmar, June 2014.

<sup>31</sup> Child Soldiers International confidential interview with Kachin IDP camp youth leader, Kachin State, Myanmar, June 2014.

<sup>32</sup> Information verified by Child Soldiers International during visits to the camps in and around Mai Ja Yang, Lana Zup Ja and Nhkawng Pa in June 2014. KIA camp officials report that each camp in KIA territory keeps this kind of record.

<sup>33</sup> Child Soldiers International confidential interview with Kachin aid worker, Kachin State, Myanmar, June 2014.

<sup>34</sup> *IRIN Humanitarian News and Analysis*, "Helping displaced children in rebel-held parts of Kachin", 23 May 2013.

<sup>35</sup> An arrangement during the 17-year ceasefire permitted students graduating from 10th Standard at KIA schools to travel to Myitkyina, the government-administered Kachin capital, where they could sit for the Myanmar government standardised graduation examination. Recent conflict has severed this special connection and isolated students in KIA territory, preventing them from obtaining the necessary government-issued academic credential often required to enter university-level education in Myanmar or abroad. This was a privilege not guaranteed to other ethnic minorities in Myanmar whose armed groups lacked such negotiated arrangements. See *IRIN Humanitarian News and Analysis*, "Education takes a hit in Myanmar's Kachin State," 23 April 2013.

<sup>36</sup> Child Soldiers International confidential interview with Kachin academic, Kachin State, Myanmar, June 2014.

<sup>37</sup> The EEDY Program has been reported by some to now be defunct. It provided a 90-day "revolution" training to selected secondary school graduates on subjects such as Kachin history and politics as well as outdoor military drills and a simulated ambush and escape. Some of those who undertook this training are known to have been under 18 years old. EEDY is the name of a larger umbrella effort by Gun Maw, which includes *Htoi Ningshawng*, is currently operational.

<sup>38</sup> See Mandy Sadan, "Ethnic Armies and Ethnic Conflict in Burma: Reconsidering the History of Colonial Militarization in the Kachin Region of Burma During the Second World War," *South East Asia Research* 21, no. 4 (2013), p. 601-626. Sadan presents previously unpublished data concerning Kachin military recruitment by the British and later Allied forces in WWII from 1937 to 1942, revealing the recruitment and use of child soldiers from ages 12 to 17 years old.

<sup>39</sup> HRW, *Untold Miseries: Wartime Abuses and Forced Displacement in Kachin State*, 2012.

<sup>40</sup> The limited literature that specifically examines the issue of child soldiers in the KIA—most notably HRW, "My Gun Was as Tall as Me": *Child Soldiers in Burma*, 2002, Heppner HRW, *Sold to be Soldiers: The Recruitment and Use of Child Soldiers in Burma*, 2007; and Kai Chen, "Comparative Study of Child Soldiering on Myanmar-China Border, Evolutions, Challenges and Countermeasures", *SpringerBriefs in Criminology*, Springer-Verlag Singapur 2014 —predate or fail to include surges in recruitment beginning in June 2011.

<sup>41</sup> Child Soldiers International confidential interview with Kachin aid worker, Kachin State, Myanmar, June 2014.

<sup>42</sup> Child Soldiers International confidential interview with KIA soldier, Kachin State, Myanmar, June 2014.

<sup>43</sup> Child Soldiers International confidential interview with Kachin aid worker, Kachin State, Myanmar, June 2014.

<sup>44</sup> Child Soldiers International confidential interview with Kachin IDP camp aid worker, Kachin State, Myanmar, June 2014.

<sup>45</sup> Child Soldiers International confidential interview with Kachin family member of forcibly recruited child soldier, Kachin State, Myanmar, June 2014.

<sup>46</sup> Some interviewees referred to incidents of violent recruitment but each occurred prior to the 1994 ceasefire. Such instances would represent distinct anomalies in contemporary trends.

<sup>47</sup> Child Soldiers International confidential interview with KIA Captain and new recruit trainer, Kachin State, Myanmar, June 2014.

<sup>48</sup> Child Soldiers International interview with underage KIA enlistee and deserter, identity and place omitted, June 2014.

<sup>49</sup> Child Soldiers International interview with Kachin aid worker, Kachin State, Myanmar, June 2014.

<sup>50</sup> Child Soldiers International confidential interview with Kachin teacher, Kachin State, Myanmar, June 2014.

<sup>51</sup> As of June 2014, the KIO has also opened a "Federal Law Academy" in Mai Ja Yang to train future lawyers and legal aid workers. Plans for the first KIO University are reported to be drawn up to open in the next five years. See KIO Doc: "The Legal Aid Network: Introducing the Federal Law Academy," 2014, available at <http://www.legalaidnetwork.org/Peace.html>.

<sup>52</sup> The KIA and KIO sponsor both local and international costs of education for those committed to service.

<sup>53</sup> Reports regarding the fee structure of schools operating in KIA territory are conflicting. Some interviewees assert

that primary and secondary school fees were suspended when fighting broke out in 2011 while others say they were suspended in 2013. There is agreement that some schools are now requiring fees and that all are expected to begin requiring fees, by late 2015. Tertiary education in nonmilitary schools, such as at the Maijayang Federal Law Academy or the Intensive English Program or the various nurse training programs require fees but are supported by the KIO/KIA for students who commit to public service in the KIO/KIA upon graduation. Such secondary and tertiary education opportunities that require fees but that can be sponsored by the KIO/KIA can be considered incentives for enlistees.

<sup>54</sup> A "service number" refers to the unique number each KIA recruit is issued. It is unclear if the recruit receives the number when training commences, is completed or when the recruit is issued a weapon.

<sup>55</sup> The form is used in a practical sense to note that the student's school fees are to be paid by the KIA/KIO, but does not outline a contract by which the child is bound to serve in the KIA/KIO.

<sup>56</sup> Child Soldiers International confidential interview with 16-year-old Kachin student, Kachin State, Myanmar, June 2014.

<sup>57</sup> The NCO training program is a new initiative based in Mai Sak Pa, outside of Laiza. Information about it remains unclear. Interviews conducted by Child Soldiers International show that it offers a transitional stage of training for experienced soldiers who seek to join the OTS and become officers but who have not graduated from 10th Standard. Child Soldiers International did not find any underage participants in the program.

<sup>58</sup> Child Soldiers International confidential interviews with OTS and NCO training program personnel, Kachin State, Myanmar, June 2014.

<sup>59</sup> Child Soldiers International confidential interview with 14-year-old KIA soldier-in-training, Kachin State, Myanmar, June 2014.

<sup>60</sup> Child Soldiers International confidential interview with Kachin academic, Kachin State, Myanmar, June 2014.

<sup>61</sup> Child Soldiers International interview with KIO Spokesman Salang Kaba Kumhtat La Nan, Kachin State, Myanmar, June 2014.

<sup>62</sup> Child Soldiers International confidential interview with Kachin family member of an underage recruit, Kachin State, Myanmar, June 2014.

<sup>63</sup> Child Soldiers International confidential interview with Kachin teacher, Kachin State, Myanmar, June 2014.

<sup>64</sup> Child Soldiers International interview with KIO Spokesman Salang Kaba Kumhtat La Nan, Kachin State, Myanmar, June 2014.

<sup>65</sup> A former KIA student trainee in Laiza interviewed by Child Soldiers International, Kachin state, June 2014.

<sup>66</sup> Kachin aid worker in Mai Ja Yang interviewed by Child Soldiers International, June 2014

<sup>67</sup> Child Soldiers International interview with KIA Lieutenant Colonel Maran Zau Tawng, Kachin State, Myanmar, June 2014.

<sup>68</sup> Full-time "recruiters" do not carry out recruitment within the KIA but ordinary soldiers are tasked with the duty to recruit as needed.

<sup>69</sup> Child Soldiers International confidential interviews with a soldier from Mung Shawa Hpyen la Hpung (MHH), the Kachin People's Militia Group and the father of underage recruit, Kachin State, Myanmar, June 2014.

<sup>70</sup> Child Soldiers International interview with KIA Captain and senior National Service trainer, Kachin State, Myanmar, June 2014.

<sup>71</sup> A number of individuals volunteered to join at a public gathering to inform the public about the National Service program.

<sup>72</sup> Child Soldiers International interview with KIO Spokesman Salang Kaba Kumhtat La Nan, Kachin State, Myanmar, June 2014.

<sup>73</sup> Child Soldiers International confidential interview with KIA Captain and new recruit trainer, Kachin State, Myanmar, June 2014.

<sup>74</sup> Training in areas of intensified fighting may be sped up, with the standard KIA training reduced from 90 days to 45 days for example. The 2-year program at the OTS may also be interrupted to send officers-in-training to the frontline as dictated by battlefield requirements.

<sup>75</sup> Physical training is reported to primarily consist of running, marching, and push-ups. Physical training may also include building bunkers, roads, houses, and other tasks related to the duties of KIA soldiers.

<sup>76</sup> The content and delivery of the non-combat-related material includes "revolutionary history" and politics as well as military code-of-conduct, weapons knowledge, tactical strategy, and "the laws of war".

<sup>77</sup> The *Ba Yi*, literally "eight one" in Mandarin Chinese, or KIA 81 is an early Chinese replica of the Soviet AK-47. Similarly, it uses a 7.62x39mm round and is a gas-operated rotating bolt action rifle with semi-automatic and fully automatic modes of fire. It is machined and assembled by the KIA in KIA territory but its components likely originate outside KIA territory. The weapon is noted for its durability, low maintenance, ease of operation, and relatively light approximate 4kg loaded weight.

<sup>78</sup> Child Soldiers International confidential interview with former underage KIA enlistee and deserter, Kachin State, Myanmar, June 2014.

<sup>79</sup> Both training opportunities were voluntary and even said to be at the request of civilians living in Mai Ja Yang. The live-fire weapons training to civilians did not include any under-18s.

<sup>80</sup> Child Soldiers International confidential interview with students who previously attended a KIA training, Kachin State, Myanmar, June 2014. The three students interviewed were present at the English school (an independent boarding school in Mai Ja Yang) during the mandatory training session in which they were temporarily relocated to the KIA's 3<sup>rd</sup> Brigade HQ in Mai Ja Yang for a KIA-standard 45-day basic training minus the final live-fire exercise.

<sup>81</sup> Child Soldiers International confidential interview with students who previously attended a KIA training, Kachin State, Myanmar, June 2014.

<sup>82</sup> Because the KIA also acts as a labor workforce in KIA-controlled areas, non-combat roles include jobs like firefighting, dam building, sanitation work, road building, and broader construction work. Child Soldiers International confidential interviews with KIA recruiters and low-ranking soldiers, Kachin State, Myanmar, June 2014.

<sup>83</sup> A frontline *post* may border contested territory and be positioned on a hilltop. Within these *posts*, depending on the size, there are different areas designated for different activities: sleeping areas, eating areas, defensive features such as bunkers, and storage areas, etc. Depending on the terrain and the proximity to the Myanmar Army, frontline *posts* will have frontline *positions* in the form of foxholes or trenches dug as far away as 400 meters (usually lower in elevation) from the other more protected areas of the larger *post*. These *positions* are discrete and located near to lines



of landmines or other remotely detonated explosive devices that serve as the first measure of defense for the larger *post*. These positions are aptly labeled "Gun 1," "Gun 2," "Gun 3," etc. and are not constantly occupied but are used to provide rotating cover for snipers and hidden lookouts for the first line of soldiers on guard.

<sup>84</sup> Child Soldiers International confidential interview with KIA recruiters and low-ranking soldiers, Kachin State, Myanmar, June 2014.

<sup>85</sup> See International Committee of the Red Cross (ICRC), Study on Customary International Humanitarian Law (IHL). Rules available in the ICRC Customary IHL database: <http://www.icrc.org/customary-ihl/eng/docs/home>.

<sup>86</sup> Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000; entry into force 12 February 2002; Article 4.1.

<sup>87</sup> KIO Doc, "Return and Transfer of Person," on file with Child Soldiers International, dated between July and August 2013, obtained June 2014.

<sup>88</sup> KIA Doc: "Points Both Sides Must Follow" proposed Myanmar government ceasefire, on file with Child Soldiers International, June 2014.

<sup>89</sup> Child Soldiers International interview with KIA Lieutenant Colonel Maran Zau Tawng, Kachin State, Myanmar, June 2014.

<sup>90</sup> Some trainings, specifically focused on protecting children from recruitment and use were delivered to communities and leaders in Kachin territory by Equality Myanmar, formerly known as the Human Rights Education Institute of Burma (HREIB) in 2008 and 2009 and the ICRC in 2014. Since the breakdown of the ceasefire in 2011, some United Nations agencies, including the CTFMR, ILO and UNICEF have enjoyed limited access with the KIO and KIA when the Myanmar government allows. In June 2014, following engagement with UNICEF, the KIA issued an order to their Central Management Office and the General Administration Department relocating the KIA affiliated MHH training school from the Alen Bum boarding school; relocating the MHH office from its close location to the boarding school and prohibiting soldiers in uniform and those carrying weapons from entering school premises.

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