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An Avoidable War: Politics and Armed Conflict in Myanmar's Rakhine State

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Preventing War. Shaping Peace.

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Principal Findings

What's new? The eighteen-month armed conflict between state forces and the Arakan Army in Rakhine State is Myanmar's most intense in years. It shows no sign of de-escalation and the COVID-19 threat has not focused the parties' minds on peace. The government's designation of the group as terrorist will make matters worse.

Why does it matter? The conflict is taking a heavy toll on civilians, with a peaceful settlement appearing more remote than ever. Without a settlement, the future of Rakhine State looks bleak, and addressing the state's other major crisis, the situation of the Rohingya, will be even more difficult.

What should be done? The conflict cannot be resolved on the battlefield. Rather than trying to prevail militarily and relying on inadequate humanitarian measures to cushion the blow, the government needs a political strategy to address Rakhine grievances and give the community renewed hope that electoral democracy can help them achieve their aspirations.

Executive Summary

The armed conflict being waged between government forces and the ethnic Rakhine Arakan Army in western Myanmar is currently the most serious by far of the country's multiple, decades-old internal wars, with some of the most sustained and intense fighting seen in many years. After the conflict escalated significantly in early 2019, the government ordered a tough military response and on 23 March designated the Arakan Army as a terrorist organisation. These measures have exacerbated the grievances underlying the conflict and made a negotiated end to the fighting more difficult to attain. At the same time, neither side will be able to achieve their military objectives. The government needs a political strategy, now missing, to negotiate with Rakhine leaders, address their community's grievances, and demonstrate that electoral democracy and political negotiation offer a realistic and effective path to realising their aspirations.

The trajectory of the armed conflict is alarming, complicating problems in a state already traumatised by the separate crisis that resulted in the violent expulsion of more than 700,000 minority Rohingya to neighbouring Bangladesh in 2016-2017. Over the last eighteen months, clashes have increased in regularity and intensity, their geographical scope has expanded and the civilian toll has grown. Despite the significant loss of life on both sides, nothing suggests that Myanmar's military, the Tatmadaw, is wearing down the Arakan Army or degrading its ability to operate. But nor is there reason to believe that the Arakan Army can achieve its aim of greater political autonomy on the battlefield. Civilians are paying a heavy price, caught in the crossfire or targeted as Arakan Army partisans or for harbouring fighters in their villages. Schools and medical facilities have been hit with alarming regularity, with each side usually blaming the other. It is difficult to see how general elections, which were provisionally slated for November, could be held in many parts of Rakhine State, the conflict's locus.

There are no prospects for near-term de-escalation. The Arakan Army feels that it is in the ascendant and appears determined to press its advantage. The Tatmadaw will not admit that it is not winning, and continues to insert more troops, heavy weapons and airpower into the fray. The threat posed by COVID-19, which could easily overwhelm Rakhine State's under-resourced health infrastructure, has brought no change in stance from either the Tatmadaw or the insurgents. A ceasefire the Tatmadaw announced on 9 May to encourage pandemic preparedness and response does not include the conflict with the Arakan Army.

Beyond directing a series of heavy-handed and counterproductive measures, government leaders appear to be paying little attention to the conflict. After ordering military action to ratchet up, and then acceding to Tatmadaw requests to shut down the internet in Rakhine State and designate the Arakan Army as a terrorist group, the civilian authorities have mainly delegated their own response to the ministry of social welfare. The ministry has been delivering some relief items to displaced populations but has neither the mandate nor the institutional heft to address the complex political issues at play. What is missing is any sense of urgency at the most senior levels of government or any political strategy for turning the situation around.

On top of the armed conflict, the coronavirus could add another deadly dimension to the crisis in Rakhine State. Although the state has not yet seen a major outbreak of the illness, it remains highly vulnerable to one. Should the disease begin to take hold, authorities would be ill-equipped to stop its spread or provide services to its victims. Rakhine State's health sector is already under-resourced and overstretched, and the conflict has drawn its attention away from pandemic preparedness and response. Movement restrictions in the conflict zone (and almost everywhere, for Rohingya) make the region's inadequate health facilities that much more difficult for residents to reach, and the April 2020 killing of a World Health Organization driver who was transporting COVID-19 swabs for testing (for which the Tatmadaw and Arakan Army have blamed each other) demonstrates the life-threatening challenges of delivering medical assistance to the area.

At the same time, an internet blackout across half of Rakhine State hampers both the effective dissemination of public health information and disease surveillance, while the designation of the Arakan Army as a terrorist organisation complicates critical health sector coordination and information sharing in areas that the group controls.

The government needs to take a dramatically different approach to the situation in Rakhine State, moving it to the top tier of the government's priorities, and recognising that its two major crises – the Arakan Army armed conflict and the plight of the Rohingya – are interlinked and must be tackled together in order to restore the region's stability and economy. So long as the region remains a war zone, Rohingya refugees in Bangladesh cannot be repatriated, even if other obstacles are removed. Nor will any repatriation, or improvement in the lives of the 600,000 Rohingya still in Rakhine State, be possible unless the government consults with Rakhine communities and reaches agreement with them on modalities – a consultation process that is far from being possible in the current context of armed conflict.

Naypyitaw must also come to appreciate that the Arakan Army insurgency and the support the group is receiving in ethnic Rakhine communities do not reflect a desire for war. Rather, they reflect the fact that many Rakhine people are supporting armed struggle despite deep misgivings and see no other option available to them to achieve greater political rights and autonomy. The government needs a strategy that recognises the genuine grievances of the Rakhine people and offers a credible and effective path for them to pursue their goals peacefully. The government's current approach of giving the military the lead role in managing the situation in Rakhine State, perhaps with the hope or anticipation that things will improve with the passing of time, is not a strategy so much as a recipe for an even deeper crisis.

Yangon/Brussels, 9 June 2020

An Avoidable War: Politics and Armed Conflict in Myanmar's Rakhine State

I. Introduction

Like most of Myanmar's border areas, Rakhine State has an ethnically diverse population – made up of a majority of ethnic Rakhine Buddhists (some 60 per cent), who speak a language closely related to Burmese; a sizeable minority of Rohingya Muslims (at least 30 per cent, but more than 700,000 of whom have fled to Bangladesh since August 2017); and a number of smaller minorities including Chin, Mro, Khami, Dainet, Maramagyi and Kaman.¹ Over the last decade, the state has seen tensions along ethnic, communal and other lines, some of which have evolved into serious crises – including two rounds of deadly communal violence in 2012; attacks on international aid agencies in 2014, in part due to a botched census exercise; and the military-led anti-Rohingya campaign that drove much of that population out of the country in 2016 and 2017.²

The most recent conflagration in the state is the armed conflict between the Myanmar military (known as the Tatmadaw) and the Arakan Army, an armed group made up predominantly of ethnic Rakhine Buddhists.³ This conflict has entered a phase of fairly high intensity since early 2019 – with more regular clashes, the deployment of heavier firepower and increased casualties. Growing political disaffection among the Rakhine population, compounded by the flashpoint of national elec-

¹ For Crisis Group reporting on Myanmar since the 2015 elections, see Asia Reports N°s 305, *Commerce and Conflict: Navigating Myanmar's China Relationship*, 30 March 2020; 303, *A Sustainable Policy for Rohingya Refugees in Bangladesh*, 27 December 2019; 299, *Fire and Ice: Conflict and Drugs in Myanmar's Shan State*, 8 January 2019; 296, *The Long Haul Ahead for Myanmar's Rohingya Refugee Crisis*, 16 May 2018; 292, *Myanmar's Rohingya Crisis Enters a Dangerous New Phase*, 7 December 2017; 290, *Buddhism and State Power in Myanmar*, 5 September 2017; 287, *Building Critical Mass for Peace in Myanmar*, 29 June 2017; 283, *Myanmar: A New Muslim Insurgency in Rakhine State*, 15 December 2016; and 282, *Myanmar's New Government: Finding Its Feet?*, 29 July 2016; Asia Briefings N°s 161, *Conflict, Health Cooperation and COVID-19 in Myanmar*, 19 May 2020; 158, *Myanmar: A Violent Push to Shake Up Ceasefire Negotiations*, 24 September 2019; 157, *Peace and Electoral Democracy in Myanmar*, 6 August 2019; 155, *Building a Better Future for Rohingya Refugees in Bangladesh*, 25 April 2019; 154, *A New Dimension of Violence in Myanmar's Rakhine State*, 24 January 2019; 153, *Bangladesh-Myanmar: The Danger of Forced Rohingya Repatriation*, 12 November 2018; 151, *Myanmar's Stalled Transition*, 28 August 2018; 149, *Myanmar's Peace Process: Getting to a Political Dialogue*, 19 October 2016; and 147, *The Myanmar Elections: Results and Implications*, 9 December 2015; and Richard Horsey, "Myanmar at the International Court of Justice", Crisis Group Commentary, 10 December 2019. A report on the peace process in Myanmar's other conflict zones is forthcoming.

² On communal violence, see Crisis Group Asia Reports N°s 238, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012; 251, *The Dark Side of Transition: Violence Against Muslims in Myanmar*, 1 October 2013. On the census, see Crisis Group Asia Briefing N°144, *Counting the Costs: Myanmar's Problematic Census*, 15 May 2014. On the 2016–2017 violence, see Crisis Group Reports, *A New Muslim Insurgency and Rohingya Crisis Enters a Dangerous New Phase*, op. cit.

³ See Crisis Group Briefing, *A New Dimension of Violence*, op. cit.

tions provisionally planned for November 2020, risks a further descent into violence and disorder.

This report examines the political dynamics in Rakhine State that have fuelled the armed conflict, how these may shift and possibly intensify over the pre-election period, and the implications of the conflict for resolving the Rohingya crisis. The report is based on Crisis Group fieldwork since January 2019, including targeted research in Rakhine State in March 2020. It draws on interviews with Rakhine political party and civil society representatives, Myanmar government officials, diplomats, UN officials, and Myanmar researchers and analysts. Because of the Myanmar authorities' recent designation of the Arakan Army as a terrorist group, official warnings that anyone who communicates with the group will be prosecuted, and the arrest of several journalists who have been in contact with the group (discussed below), Crisis Group researchers in Myanmar did not conduct interviews with Arakan Army representatives.⁴

⁴ A military spokesperson explicitly noted that this warning included journalists, saying "the law is the same for everyone" ("Myanmar govt declares Arakan Army a terrorist group", *The Irrawaddy*, 24 March 2020). There is no provision in the 2014 Counter-terrorism Law that expressly prohibits contact with members of designated groups.

II. Longstanding Grievances

A. *The Rise and Fall of the Mrauk-U Kingdom*

Among the Rakhine people, the extreme poverty of their state and contemporary perceptions of political marginalisation resonate with deeply held historical grievances.⁵

The region's history is bound up with its geographic isolation from the rest of Myanmar. The western coastal area traditionally known as Arakan, now designated as Rakhine State, is separated from the rest of Myanmar by a formidable mountain range, the Rakhine Yoma.⁶ For centuries, the mountains cut off this area from Myanmar's main political and economic centres, and its historical development proceeded mostly independently until Burmese King Bodawpaya conquered it in 1785.

Prior to that, for more than 350 years there had been a powerful Rakhine kingdom that at times dominated the coastline of the Bay of Bengal and the Gulf of Martaban – from Chittagong to Mawlamyine and beyond. The Rakhine kingdom's centre was at Mrauk-U, which became a prosperous multicultural trade hub with a powerful naval force. European visitors of the time compared it to Venice, Amsterdam and London.⁷ Arab traders visited, and Portuguese merchants, mercenaries and pirates had a prominent presence. Together with Rakhine sailors, the Portuguese periodically raided Bengal, bringing back slaves to Mrauk-U. The Rakhine kings, although Buddhist, continued a long tradition – established when the kingdom was subordinate to the sultan of Bengal – of taking Muslim titles, and filled prominent positions in the royal administration with Muslims.⁸ The town remains symbolically important to this day as an embodiment of Rakhine nationalism and pride. UNESCO is considering its ancient ruins for World Heritage status.⁹

The Burmese conquest of the Rakhine kingdom in 1785 was violent and destructive, but it was also short-lived. The nobles were exiled to Upper Burma – that is, Mandalay and its periphery – and some 200,000 Rakhine fled to Chittagong (in present-day Bangladesh, then controlled by the British East India Company). The kingdom's most important relic, the Mahamuni Buddha image – reputedly one of only five images of the Buddha made in his lifetime – was cut into sections and transported to Mandalay, where it remains to this day. Only 40 years later, in 1825, the British annexed Rakhine along with parts of present-day north-eastern India after a long and bloody war with Burmese forces, the first of a three-stage colonisation of Burma.¹⁰

⁵ Rakhine State is the second poorest part of Myanmar ("Poverty Report: Myanmar Living Conditions Survey 2017", June 2019). For a more detailed history of Rakhine State, see Crisis Group Asia Report N°261, *The Politics of Rakhine State*, 22 October 2014; and Martin Smith, "Arakan (Rakhine State): A Land in Conflict on Myanmar's Western Frontier", Transnational Institute, 18 December 2019.

⁶ "Arakan" and "Rakhine" are alternative anglicisations, the former used during the colonial and post-colonial periods, and the latter the official designation since 1989.

⁷ Thant Myint-U, *The River of Lost Footsteps* (New York, 2006), p. 74.

⁸ Ibid. See also Thant Myint-U, *The Hidden History of Burma* (New York, 2020), pp. 10-11.

⁹ "Ancient Rakhine city of Mrauk-U proposed for UNESCO World Heritage Site", *The Irrawaddy*, 28 January 2020.

¹⁰ Ibid. See also D.G.E. Hall, *Burma*, 2nd edition (London, 1956).

B. *British Colonisation*

For the Rakhine, then, Burmese rule was a brief interlude between centuries as an independent kingdom and a long period of British colonisation. The British shifted the Rakhine capital to Sittwe (then known as Akyab). After their success in the second Anglo-Burmese war, the British annexed Lower Burma – Yangon and its periphery, including the Irrawaddy Delta – in 1853 and incorporated Rakhine into this new province, governed as part of British India from 1886.¹¹

British colonial policies to rapidly expand rice cultivation in Rakhine required significant labour, a need the British largely filled with workers from India, many of whom were Muslims from Bengal. Although much of the work force came on a seasonal basis, some settled permanently in Rakhine, joining an existing Muslim population that had long lived in the area. This migration changed the ethnic and religious mix and led to considerable resentment from the Rakhine Buddhist community, and periodic communal violence in the intervening decades.¹²

Alongside these grievances, and while colonial rule created severe injustices and inequality, the economy prospered and a Rakhine elite emerged that benefitted from the commercial and intellectual opportunities – for example, being among the first Myanmar people to study at top British universities. By the early 20th century, Sittwe was one of the more developed outposts of the British Empire, with modern department stores. From 1933, it was served by regular flights by Imperial Airways and others plying the London-Far East route.¹³

C. *Conflict, Marginalisation and Impoverishment*

Rakhine State's decline in fortunes was steep. Like much of the country, it was ravaged by World War II. The Japanese advanced into the state in 1942 and it remained a front line until the end of the war. Rakhine Buddhist and Muslim communities fought on different sides for most of this period, until the Rakhine switched their support from the Japanese to the British just before the end of the war.¹⁴ During the war, both communities formed armed units and launched attacks upon each other, with accounts of massacres on both sides in 1942 and 1943 – setting the stage for intercommunal distrust and anger that has had violent echoes in subsequent decades.¹⁵

After World War II, Rakhine was riven by various communist, ethno-nationalist and mujahideen insurgencies, with law and order almost completely breaking down. Muslim leaders called for their own separate area in the north of Rakhine, eventually leading to the short-lived Mayu Frontier Administration, administered by national army officers rather than Rakhine officials, established in 1961 and dissolved after a 1962 coup led by General Ne Win described below.¹⁶ The residents of this frontier area increasingly described themselves as “Rohingya” – an ethnic descriptor and political identity. They faced deep discrimination and periodic bouts of violence from the

¹¹ Ibid.

¹² Ibid. See also Moshe Yegar, *The Muslims of Burma: A Study of a Minority Group* (Wiesbaden, 1972).

¹³ Crisis Group interview, Myanmar historian, Yangon, February 2020.

¹⁴ Mary Callahan, *Making Enemies: War and State Building in Burma* (Ithaca, 2003), ch. 2.

¹⁵ Yegar, op. cit.

¹⁶ Ibid.

Myanmar state and from their Rakhine neighbours – which resulted in serious communal clashes in 2012, and violent expulsions in 1977, 1991 and 2016-2017.¹⁷

Meanwhile, Rakhine aspirations for autonomy were never taken seriously by colonial administrators or Burma's post-independence government, both of whom saw the Rakhine as close ethnic cousins of the Burmans and therefore having no distinct ethnic identity that merited a separate state, notwithstanding history or political sentiment. The constitutional scholar and future president of the country, Maung Maung, wrote in 1959 that what Rakhine really needed was not autonomy, but more roads and better communications.¹⁸ It was only in 1974 that Rakhine became an ethnic minority "state"; before that, it was governed as one of the ethnic majority "regions".¹⁹

General Ne Win staged his 1962 coup in part over fears that the autonomy granted to ethnic regions under the 1947 constitution, and rising insurgency in pursuit of greater rights, would lead to the country's break-up. His military regime abrogated the constitution, ending the limited autonomy granted to ethnic minority states and other devolved administrations (including the Mayu Frontier Administration), and instituted radical and poorly conceived socialist policies – such as the nationalisation of all private enterprises other than agriculture. For the next 50 years, Myanmar was an authoritarian state under centralised and uniform administrative control, fearful of any mobilisation around ethnic minority identities. During these decades, the country became progressively more isolated and impoverished. Rakhine State became one of its poorest and most isolated corners.²⁰

By the late 2000s, the state had an astonishing poverty rate of 78 per cent, more than twice the national average.²¹ Given the state's great economic potential – from offshore natural gas to forest resources, fisheries, tourism and Indian Ocean trade – many Rakhine people drew the conclusion that their destitution did not result merely from neglect, but from a deliberate government policy of impoverishment and marginalisation intended to keep them weak.²²

The deep historical and contemporary grievances described above were mutually reinforcing and form the backdrop against which the most recent developments must be understood.

¹⁷ See Crisis Group Reports, *Politics of Rakhine State*; *Storm Clouds*; *Dark Side of Transition*; *New Muslim Insurgency*; and *Rohingya Crisis Enters a Dangerous New Phase*, op. cit.

¹⁸ Maung Maung, *Burma's Constitution* (The Hague, 1959), p. 191, cited in Smith, op. cit.

¹⁹ Myanmar is divided into fourteen first-order administrative units: seven "regions" with a majority Burman population, and seven "states" largely populated by non-Burmans (at least historically) and named after the purported majority group in each.

²⁰ See Callahan, op. cit.; Smith, op. cit.

²¹ See "Myanmar 2009/2010 Integrated Household Living Conditions Assessment-II. Poverty Profile", UN Development Programme, 24 February 2011; and a subsequent World Bank reanalysis of these data, "Myanmar: Ending Poverty and Boosting Shared Prosperity in a Time of Transition", World Bank, November 2014, p. 23.

²² Crisis Group interviews, Rakhine politicians, community leaders and ordinary people, 2010-2020.

III. Political Failures and Escalating Conflict

The emergence of the Arakan Army insurgency in Rakhine State from around 2015 and its dramatic escalation since early 2019 were neither inevitable nor unforeseeable. They resulted in part from Naypyitaw's political failures, compounded by a military and security response that further aggravated the situation. The situation is increasingly grave. Insecurity is widespread and state control is breaking down in many areas, with implications for the area's long-term stability and the possibility of holding general elections there, provisionally later this year.

A. A Failure of Politics

Myanmar's political liberalisation from 2011, and the freedom of speech and assembly that came with it, allowed ethnic Rakhine people (and many other minorities elsewhere in Myanmar) to celebrate their identity and culture in ways that had not been possible before – observing their own national days, commemorating historical events, establishing literary associations and holding cultural festivals. This awakening of ethnic identity after decades of repression also led to the public airing of grievances that were once whispered, and to the rise in some quarters of a darker ethno-nationalism characterised by intolerance and bigotry. In Rakhine State, communal violence followed in 2012 and 2013, with the worst violence carried out by Rakhine Buddhists targeting the Rohingya and other Muslim communities.²³

Liberalisation did not automatically lead to greater political autonomy for Rakhine State. Although the main Rakhine political party – the Rakhine Nationalities Development Party, re-formed in 2014 as the Arakan National Party (ANP) – had won a majority of seats in the state in the 2010 elections, President Thein Sein appointed a member of his own Union Solidarity and Development Party as chief minister for the state, later replacing him with a Tatmadaw general.²⁴ Many Rakhine people put their hopes in the National League for Democracy (NLD), led by human rights icon Aung San Suu Kyi, delivering greater autonomy.²⁵

These hopes were quickly dashed. The main Rakhine party, the ANP, won another local landslide in the 2015 polls that brought Aung San Suu Kyi's NLD to power nationally. Once again, however, the national government denied the Rakhine political authority by installing a minority NLD administration in Rakhine State. The political damage might have been lessened if the national government had taken the decision in consultation with the ANP and offered some concessions – for example, appointment of key ANP figures to the Rakhine State cabinet. In fact, there was no consultation, amplifying the political damage and leading to a loss of faith in – and even a strong sense of betrayal by – the NLD. Many Rakhine people concluded that electoral politics had failed them, and that greater autonomy could not be achieved at the ballot box.²⁶

²³ See Crisis Group Report, *Dark Side of Transition*, op. cit.

²⁴ See Crisis Group Report, *Politics of Rakhine State*, op. cit.

²⁵ Crisis Group interviews, Rakhine State, 2014-15 and March 2020.

²⁶ Crisis Group interviews, Sittwe, March 2019. See also Crisis Group Report, *New Dimension of Violence*, op. cit.

Subsequent developments further reinforced and amplified these grievances. In January 2018, police opened fire on a group of protesters in Mrauk-U, killing seven people and injuring a dozen more. The protest came after the township authorities banned a planned commemoration of the fall of the Rakhine kingdom, incensing the large crowd that had gathered in the town. Two days later, the leading Rakhine politician, Dr Aye Maung, was arrested and charged with high treason, after giving a speech expressing widely held views – about political suppression of the Rakhine people by Burman leaders, and the possibility that armed struggle might be a more effective means of obtaining autonomy than electoral politics.²⁷ Dr Aye Maung was sentenced to twenty years' imprisonment in March 2019, and has now exhausted his final avenue of appeal.²⁸

The government's decision to charge Dr Aye Maung with high treason, knowing the long jail sentence for such a crime, torpedoed virtually any remaining chance of a political accommodation with Rakhine leaders. While pardoning him would not by itself heal the rift between the government and Rakhine leaders, it could help build confidence in negotiations if done as part of a major shift in the government's approach, as discussed in Section V below.

B. *An Escalating Armed Conflict*

Widespread anger on the part of many Rakhine people, coupled with a belief that politics had failed them, gave a big boost to the Arakan Army. The armed group had begun moving some fighters to the Rakhine-Chin state border in early 2015, from its headquarters in Kachin Independence Organisation (KIO) territory on the Chinese border. (The KIO is another ethnic armed group, which has been fighting for greater Kachin political autonomy since 1960.) Riding a wave of popular anger at the authorities, the Arakan Army ramped up its insurgency, as well as its polished public relations effort on social media (see Section III.C below), and thereby increased its numbers of local recruits.²⁹

On 4 January 2019 – Myanmar's Independence Day – the Arakan Army significantly intensified its insurgency, launching coordinated attacks on four police outposts in northern Rakhine State, killing thirteen officers and injuring nine others. The government directed the Tatmadaw to initiate "clearance operations" against the group, leading to a surge in troop numbers deployed in the state in an effort to "crush" the insurgency.³⁰

²⁷ Ibid.

²⁸ "Top Myanmar court rejects final appeal for Rakhine activists in treason case", *The Irrawaddy*, 24 January 2020.

²⁹ See Crisis Group Report, *New Dimension of Violence*, op. cit.

³⁰ Ibid. See also "AA must give up goal of confederation: Myanmar military", *The Irrawaddy*, 18 January 2019. Under Myanmar's constitution, the Tatmadaw is operationally independent, but there is nevertheless an expectation that it will receive legal and political authority for offensive operations. This authority is supposed to come from the National Defence and Security Council, chaired by the president, and states of emergency that only that body is competent to declare. The present government has refused to convene the Council, however, on the grounds that it is undemocratic. While pushing for the Council to meet, the Tatmadaw has in parallel sought and received presidential approval for major military actions.

These events kicked the escalatory dynamic into high gear. Since then, the conflict has expanded across large swathes of Rakhine State and adjacent Paletwa township in southern Chin State. There are regular, intense clashes – for example, including routine use of airstrikes and heavy artillery – and both combatants and civilians are paying a high price.³¹ As the already depressed Rakhine economy has taken a further hit, and anger within the ethnic Rakhine community at the Tatmadaw's brutal tactics has spiked, many young Rakhine men have come to feel that there are only two options available to them: join the Arakan Army, or migrate outside the state to find work.³²

The Arakan Army is in many ways a different kind of foe than the Tatmadaw has typically faced. Rare among armed groups in having a relatively young leadership – commander Tun Mrat Naing is 41 years old – the group is not wedded to institutional orthodoxies or inherited traditions.³³ It has turned to certain asymmetric tactics more often than most other insurgent groups in Myanmar in recent decades, including targeted killings and kidnappings, as well as the regular use of improvised explosive devices.³⁴ The Arakan Army has also expanded its target list beyond the Tatmadaw, to include the police, which it accuses of complicity with the military, as well as civil servants and politicians. It is either known or suspected to be responsible for:

- ❑ the killing of the former Mrauk-U township administrator in January 2018, while he was travelling by car to the state capital Sittwe.³⁵
- ❑ the abduction of more than 40 off-duty soldiers and police, when the Arakan Army captured a ferry north of Sittwe in October 2019. Many were then killed by a helicopter gunship's friendly fire in a botched Tatmadaw rescue mission.³⁶
- ❑ the kidnapping in November 2019 of the NLD MP for Paletwa, whom the Arakan Army took to a remote camp for interrogation, and only released in January.³⁷
- ❑ the kidnapping in December 2019 of the NLD chairman in Buthidaung township, who was killed a few days later by a Tatmadaw airstrike, according to the rebels, or by the rebels, according to the Tatmadaw.³⁸

³¹ For example, a Myanmar conflict monitoring organisation reports that in the first quarter of 2020, there were an average of 84 armed incidents per month involving the Arakan Army in Rakhine State and Paletwa township; this number compares with 59 per month in the first quarter of 2019, and none in the first quarter of 2018 (Myanmar Institute for Peace and Security data).

³² Crisis Group interviews, Rakhine civil society organisations, Sittwe, March 2020.

³³ By comparison, the head of the Karen National Union, Mutu Say Poe, is 86 years old, and the head of the Restoration Council of Shan State, Yawd Serk, is 61.

³⁴ Arakan Army attacks using improvised explosive devices have become an almost daily occurrence in the conflict areas.

³⁵ "Arakan Army behind slaying of former Mrauk-U official: suspects", *Myanmar Times*, 7 February 2018.

³⁶ "Myanmar rebels kidnap over 40 police, soldiers in Rakhine: army", Associated Press, 26 October 2019; "A daring helicopter rescue after rebels capture a ferry in Myanmar", *The New York Times*, 28 October.

³⁷ The MP is Hwai Tin (Upper House constituency Chin-11). See "Arakan Army releases Myanmar MP held since November", *The Irrawaddy*, 21 January 2020.

³⁸ "AA, Myanmar military blame each other for death of local NLD chief in Rakhine", *The Irrawaddy*, 27 December 2019.

- according to the NLD, intimidating and attempting to kidnap its party officials in Toungup, in southern Rakhine State, in April 2020, forcing several of them into hiding.³⁹

The group's broad base of support in ethnic Rakhine communities gives it the ability to operate clandestinely in lowland and urban areas far from its remote jungle strongholds. In towns and villages, fighters often conceal weapons and do not wear uniforms, in order to quickly melt into the civilian population.⁴⁰ While tactically effective, such actions deliberately blur the boundaries between combatants and non-combatants and increase the risk of civilian casualties.⁴¹

The Tatmadaw appears to be struggling to mount an effective response to the insurgents. Casualties are mounting, with the Arakan Army publicly claiming that it had inflicted 3,562 Tatmadaw casualties in 2019, with 681 clashes lasting longer than 30 minutes. The Tatmadaw rejected these figures but did not provide its own numbers, and the Arakan Army did not release figures for its own casualties.⁴² Observers note that numerous informal death notices, including of battalion commanders and other quite senior officers, are posted on social media by grieving Tatmadaw families.⁴³

Facing an extremely hostile ground environment, the military is making significant use of heavy artillery and airpower, including helicopter gunships and fixed-wing aircraft, to repel Arakan Army attacks or strike what they deem to be rebel targets, including in civilian areas where insurgents purportedly hide. Such tactics carry a high risk of civilian casualties, which are mounting.⁴⁴ The bombing and shelling have prompted numerous statements of concern from the UN and human rights and humanitarian organisations.⁴⁵ Several schools and medical facilities have also been attacked, with neither side acknowledging responsibility. In one incident, a mortar

³⁹ See "Myanmar ruling party officials in Rakhine in hiding after attempted arrests", Radio Free Asia, 6 May 2020.

⁴⁰ Crisis Group interviews, civil society representatives and security analysts, Sittwe and Yangon, March 2020, corroborated by examination of media accounts of Arakan Army actions.

⁴¹ Under the Geneva Conventions, such actions may under certain circumstances constitute a war crime.

⁴² See "AA says nearly 700 clashes with Tatmadaw in 2019", Development Media Group, 7 January 2020; Arakan Army statement, 4 January 2020; "Military reject AA's casualty report", *The Irrawaddy*, 12 June 2019.

⁴³ Crisis Group interviews, Yangon and Sittwe, March 2020.

⁴⁴ Crisis Group interviews, civil society representatives and security analysts, Sittwe and Yangon, March 2020. For a disturbing account of the recent civilian toll in Paletwa, see "In southern Chin State, civilians fear bombs more than COVID-19", *Frontier Myanmar*, 17 April 2020. See also "U.N. says at least 32 people, mostly women and children, killed as insurgents, Myanmar military clash", Reuters, 17 April 2020.

⁴⁵ See, for example, "Myanmar: Civilians Caught in Surge of Fighting", Human Rights Watch, 4 March 2020; "CHRO calls for immediate ceasefire between Tatmadaw and Arakan Army as a sharp increase in civilian death and casualties mount in Paletwa township", Chin Human Rights Organisation, press release, 16 March 2020; and "UNHCR concerned at mounting civilian casualties and displacement in western Myanmar", comments attributable to UN High Commissioner for Refugees spokesperson, Geneva, 27 March 2020. The International Committee of the Red Cross head of delegation on 2 March also expressed serious concern over "the increasing impact of fighting on civilians" in central and northern Rakhine. Tweet by Stephen Sakalian, @SSakalianICRC, 3:54am, 2 March 2020.

shell struck a primary school in Buthidaung township in February 2020, injuring twenty children; in another, a Tatmadaw convoy fired into a health centre at a camp for displaced civilians near Mrauk-U in March 2020, killing six people and injuring at least two dozen more.⁴⁶

Despite more than a year of intense fighting, there is no indication that the Tatmadaw is wearing down the Arakan Army or significantly curtailing its capacity to launch major actions. The Arakan Army's continued strength is perhaps most evident from its ability to maintain its hold over most of remote Paletwa township in southern Chin State just over Rakhine State's northern border (where it has rear support bases and training camps) and the Kaladan river, the key waterway connecting Paletwa to Kyauktaw and Mrauk-U in the Rakhine heartland (see the map in Appendix B). From this strategic area, it is able to project its authority deep into Rakhine State. At this point, the Arakan Army appears to exercise some degree of control over much of the rural centre and north of the state. It also seems to have the ability to launch periodic attacks further south, apparently now as far as the southernmost township of Gwa.⁴⁷

For several months, the Arakan Army has blockaded Paletwa town (the urban centre of the township) in an attempt to take full control of the area. The Tatmadaw has tried repeatedly to secure a route up the Kaladan river to the town, to break the blockade and deny the rebels control of the key waterway. Despite deploying a large number of its mobile shock troops and considerable airpower, the Tatmadaw has so far been unsuccessful. From 10 to 11 March 2020, several hundred Arakan Army fighters besieged a key Tatmadaw hilltop base, the Tactical Operations Command at Meewa, which overlooks the Kaladan river. It also ambushed a unit of the elite 77th Light Infantry Division that was attempting to reinforce the base, inflicting many casualties and capturing 36 troops, including the battalion commander and another officer. The Tatmadaw hit villages in the area with artillery bombardment and airstrikes, suspecting that the Arakan Army had used them as staging posts for the attack. At least twenty are reportedly now deserted, with some two dozen villagers killed and more than 2000 displaced.⁴⁸

C. *A Breakdown in Governance and a Campaign for Autonomy*

The Arakan Army's ability to project its power across broad swathes of Rakhine State and Paletwa township, along with the strong support for the group in many ethnic Rakhine communities, have led to a rapid and extreme breakdown in governance.

The group now has effective control of the rural areas across much of central and northern Rakhine State and a large part of Paletwa. The village-tract authorities, the

⁴⁶ Crisis Group interviews, civil society representatives, Sittwe, March 2020. See also "20 children injured as Myanmar school hit by mortar", Agence France-Presse, 13 February 2020; "13-year-old IDP is latest to die after mass shooting in Mrauk-U", Development Media Group, 17 March 2020.

⁴⁷ Crisis Group interviews, analysts, diplomats, security professionals and civil society representatives, Sittwe and Yangon, March 2020. See also "ရခိုင်တောင်ပိုင်း ဂွမြို့အခြေစိုက် တပ်ရင်းအား AA ဖမ်းခတ်ဟု ဆို", *The Irrawaddy* (Burmese), 4 April 2020.

⁴⁸ Crisis Group interviews, analysts, diplomats, security professionals and civil society representatives, Sittwe and Yangon, March 2020. See also "20 villages abandoned as Rakhine rebels attack Myanmar army outpost", *The Irrawaddy*, 13 March 2020; "Myanmar Rakhine flare-up kills 21 civilians, displaces 1,000 in Chin State", Radio Free Asia, 16 March 2020.

lowest level of the government's administrative apparatus, either work for the group or feel compelled to report to it, and have little contact with the government administration in the towns.⁴⁹ Township administrators and police are unable to travel in most rural areas in the centre and north of the state due to security fears. Even in many of the towns, where the Arakan Army operates clandestinely and has carried out regular targeted killings and kidnappings, government authorities remain mostly in their compounds. In late December 2019, the home affairs ministry issued an order requiring government officials to obtain advance permission for travel in Rakhine State; while within the state, officials are also under a 6pm curfew.⁵⁰

In a number of towns in the Rakhine heartland, including Kyauktaw, Mrauk-U and Ponnagyun, township administrators (the senior-most government officials in each locality) reportedly spend as much time as possible in the state capital, Sittwe, out of fear for their personal security.⁵¹ Even the Tatmadaw is constrained in its ability to operate in these areas. Mostly unable to conduct routine patrols due to regular Arakan Army attacks, troops must adopt a full combat posture every time they leave their bases.⁵²

This situation has led to a vacuum of security and law and order that the Arakan Army has in some cases filled with its own form of rough justice. For example, on 28 February 2020, the owner of a rice shop in Sittwe was found stabbed to death and robbed of her jewellery.⁵³ The suspect was a young man who used to work in the rice shop and who allegedly felt that the owner had treated him badly.⁵⁴ Following the murder, the suspect reportedly fled back to his home township of Pauktaw, a low-land area close to Sittwe with no history of armed clashes. Allegedly, the police in Pauktaw were unwilling to search for the suspect out of fear for their safety if they left their compounds.⁵⁵ Arakan Army fighters then stepped in and captured the suspect – whose location and fate are presently unknown – demonstrating greater ability to act than the local police in a township beyond the conflict zone.⁵⁶

In rural areas, the withdrawal of police has allowed some greater freedom of movement and the ability to conduct community activities without interference; previously, police operated some checkpoints and scrutinised community meetings or trainings, for example. But it has also led to crimes not being investigated and increased

⁴⁹ Crisis Group interviews, non-governmental organisations, civil society representatives and analysts, Sittwe, March 2020. Below the village-tract level there are the heads of individual villages, and below that 100-household leaders. Leaders at these levels are chosen by their communities, however, and are not trained or paid by the state.

⁵⁰ Crisis Group interviews, non-governmental organisations, civil society representatives and analysts, Sittwe, March 2020. "Myanmar orders government workers in Rakhine to obtain permission to travel due to conflict", Radio Free Asia, 3 January 2020.

⁵¹ Crisis Group interviews, non-governmental organisations, civil society representatives and analysts, Sittwe, March 2020.

⁵² Ibid.

⁵³ "Grisly murder reported in Arakan State capital Sittwe", Development Media Group, 2 March.

⁵⁴ Crisis Group interview, individual with direct knowledge of the case, Sittwe, March 2020.

⁵⁵ This fear is so acute that, according to local residents, the police are reluctant to wear their uniforms in public due to the risk of assassination or abduction. Ibid., and Crisis Group interviews, individuals from Pauktaw, Sittwe, March 2020.

⁵⁶ Crisis Group interview, individual with direct knowledge of the case, Sittwe, March 2020.

security fears. There are reports by local community leaders of criminals claiming to be associated with the Arakan Army to make it easier to commit crimes, and of fighters using their effective impunity and power for personal gain. Community members are also afraid of being denounced by Arakan Army cadres as informants or traitors, potentially in error or due to some personal vendetta.⁵⁷

As for civil administration, in December 2019, the Arakan Army announced the formation of a “Rakhine Authority” to levy taxes and administer areas under their control.⁵⁸ This body has an obvious revenue-generation function, but its creation is probably more important as a demonstration of the group’s de facto authority and territorial control and assertion of its legitimacy. Armed groups in other major conflicts in Myanmar over the decades have taken similar steps.⁵⁹

It does not mean, however, that the Arakan Army has a genuine appetite or capacity for governance. Unlike some of Myanmar’s older armed groups – such as the Karen National Union, for example, which inter alia runs health and education services, land registration and management of natural resources – the Arakan Army does not have a well-established administrative structure. Formally, it has a political wing known as the United League of Arakan, in the style of most of Myanmar’s ethnic armed groups and the classic Maoist organisational structures they follow (although the groups have long since jettisoned Maoist ideology).⁶⁰ The nascent League, however, appears to have little experience with governance or administration, and is mainly made up of young male recruits whom the Arakan Army has given basic ideological and military training and then reinserted into their home villages. Their role is to collect information on troop movements; organise transport, food and other supplies for fighters; and carry out clandestine actions – essentially serving intelligence and logistics rather than administrative functions.⁶¹

Additionally, the Arakan Army has a fairly sophisticated online presence. Although Facebook, the dominant social media service in Myanmar, de-platformed it in February 2019, the Arakan Army maintains a website and Twitter presence, and its content circulates on YouTube.⁶² Through these channels, it provides “battle updates”, statements, speeches and promotional videos. The polarised and febrile context created by the armed conflict has left its mark on social media. The war of words between

⁵⁷ Crisis Group interviews, non-governmental organisations, civil society representatives and analysts, Sittwe, March 2020. Arakan Army leader Tun Mrat Naing has acknowledged such cases. See “Speech by Commander-in-Chief at 11th Anniversary Day of the Arakan Army”, official website of the Arakan Army, 10 April 2020.

⁵⁸ “Arakan Army seizes ferry, unveils taxation agency, in Myanmar’s Rakhine State”, Radio Free Asia, 31 December 2019.

⁵⁹ See Crisis Group Asia Report N°52, *Myanmar Backgrounder: Ethnic Minority Politics*, 7 May 2003; Aung Naing Oo, “A cold war in Myanmar and the dangers of a protracted ceasefire”, *Frontier Myanmar*, 1 February 2019.

⁶⁰ See, for example, Alexander Cook, “Third World Maoism”, in Timothy Cheek (ed.), *A Critical Introduction to Mao* (Cambridge, 2010).

⁶¹ Crisis Group interviews, wide range of individuals having knowledge of the situation, Sittwe and Yangon, December 2019–April 2020.

⁶² “Banning more dangerous organizations from Facebook in Myanmar”, Facebook statement, 5 February 2019. Facebook accounts for 95 per cent of social media use in Myanmar. One of the Arakan Army’s major promotional videos is “Arakan Army: The Way of Rakhita 2018”, video, YouTube, 14 January 2018.

many individual Rakhine and Burman users has become increasingly heated and often vitriolic. It risks spilling over into real-world discrimination or communal violence in places where large populations of the two communities live alongside one another – such as Yangon and Mandalay, as well as the Hpakant jade mines in Kachin State.

Against this backdrop, the government, at the Tatmadaw's request, has banned mobile internet services in the conflict zone since June 2019. The ban, which initially covered nine townships, was lifted in five townships in August 2019, but then reinstated for these locations the following February (and subsequently lifted for a single township, Maungdaw, in May).⁶³ The ban aims in part to disrupt the Arakan Army's command and control, which analysts and locals assume makes significant use of encrypted messaging applications.⁶⁴ It is also likely an effort to disrupt the group's village-based intelligence gathering and reporting apparatus.⁶⁵ Moreover, the Tatmadaw was no doubt keen to reduce what was a steady stream of reporting of human rights abuses and civilian casualties by local residents, as well as their access to the Arakan Army's online posts. The ban has had a significant impact on daily life, interrupting digital payments, cash remittances and market information for farmers, and may hamper the affected area's response to COVID-19 (see Section IV.A below).⁶⁶

In terms of its vision for the future of Rakhine State's governance, the Arakan Army describes its revolutionary struggle as the "Way of Rakhita", and refers on social media to its #ArakanDream2020 campaign for the "liberation and the restoration of Arakan sovereignty".⁶⁷ The group's top leader, Tun Mrat Naing, suggests that "Arakan sovereignty" would mean a confederal status for Rakhine State under which it would have almost complete autonomy within Myanmar, except in national defence, trade regulation and foreign affairs.⁶⁸ This vision goes well beyond the federal proposals that have been discussed in the on-again, off-again peace process, which envisage more limited local autonomy and, even then, are unlikely to be acceptable to Naypyitaw.⁶⁹

The Arakan Army's objective is thus to achieve an end state akin to the de facto status of the United Wa State Army enclave on Myanmar's Chinese border. The Wa have total control of the territory, which they defend with a well-equipped 30,000 strong fighting force; Myanmar government officials and the Tatmadaw cannot enter

⁶³ "Govt doubles down on internet shutdown in western Myanmar", *Myanmar Times*, 3 February 2020; Note Verbale, Myanmar Embassy in Brussels, 8 May 2020. Government spokesperson Zaw Htay has confirmed that the shutdown was taken at the request of the Tatmadaw. See "Govt defends internet shutdown in Rakhine", *Myanmar Times*, 24 February 2020.

⁶⁴ The Arakan Army operates in many areas without mobile connectivity, and equips its fighters with hand-held satellite phones. These are expensive and limited in number, however, and their signals can be geolocated by the Tatmadaw. Crisis Group interviews, analysts and security experts, Yangon and Sittwe, March 2020. On the capture of satellite phones, see "Six AA suspects face trial in Mandalay court", *Myanmar Times*, 9 October 2019.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ "Speech by Commander-in-Chief at 11th Anniversary Day of the Arakan Army", op. cit.

⁶⁸ "Confederation the only option for Arakanese people, AA chief says", *The Irrawaddy*, 11 January 2019.

⁶⁹ Ibid.

without permission.⁷⁰ The Wa have been able to achieve and sustain this status in part because the United Wa State Army has controlled the area and had a stable ceasefire with the Tatmadaw since 1989. It has also long enjoyed close ties with China. The Tatmadaw sees the enclave as an affront to the country's sovereignty, but moving against it would be extremely costly militarily and would likely prompt a diplomatic crisis with China.

The Tatmadaw is determined not to allow any other such enclaves to develop, and it is close to unimaginable that they would grant the Arakan Army concessions that might help them accomplish this objective as part of any future ceasefire. The rebels could try to achieve their goal by force, but such a strategy would not play to their strengths. One key reason for their insurgency's success has been their use of asymmetric tactics and highly mobile groups of fighters. Securing and defending a fixed enclave would require the use of more conventional forces for positional warfare, against which the Tatmadaw's standoff weapons and airpower would likely be decisive.

D. *Terrorist Designation*

The Myanmar authorities have recently taken several formal steps to ostracise the Arakan Army and pressure its supporters. On 23 March 2020, shortly after the group's major attack on Meewa camp (see Section III.B above), the authorities designated it as a terrorist group under the 2014 Counter-terrorism Law.⁷¹ On the same day, President Win Myint declared the group unlawful under the 1908 Unlawful Associations Act.⁷² A few days earlier, the government included two prominent Rakhine media organisations – Development Media Group and Narinjara – among a list of alleged “fake news” sites that it has instructed telecom providers to block.⁷³ Although Naypyitaw gave no justification for these outlets' inclusion on a list of alleged “fake news” sites, it seems likely that authorities were displeased with regular reporting that they viewed as unsympathetic to the government and Tatmadaw and that often contained quotes from Arakan Army leaders.

The 23 March designations gave the government no significant new powers. While individual members of the Arakan Army could not be prosecuted for terrorist group membership prior to these designations, they could be charged with acts of terrorism and for unlawful association – since any group in armed insurrection against the state is ipso facto unlawful, whether specifically designated as such or not.⁷⁴ There have been numerous Arakan Army members charged with such offences in the past. The designations did little to expand the state's prosecutorial reach.

The terrorist group designation, which had previously been applied only once – to the Arakan Rohingya Salvation Army militant group – should thus be seen pri-

⁷⁰ See Bertil Lintner, “Why Myanmar's Wa always get what they want”, *Asia Times*, 18 September 2019.

⁷¹ Myanmar Anti-Terrorist Central Committee, Order No. 1/2020, 23 March 2020.

⁷² Myanmar Ministry of Home Affairs, Order No. 1/2020, 23 March 2020.

⁷³ “Blocking of 221 websites in Myanmar based on directive from the authorities”, Telenor Myanmar, press release, 30 March 2020; “Myanmar journalists furious as govt blocks over 200 websites including news pages”, *The Irrawaddy*, 1 April 2020.

⁷⁴ The Unlawful Associations Act [India Act XIV, 1908], 11 December 1908, as amended by Burma Act LXI, 1954, section 15(2).

marily as an attempt to stigmatise and isolate the Arakan Army and its leaders. Those leaders have long been located at the KIO headquarters at Laiza on the Chinese border, and following the designations, the Tatmadaw has sent an ultimatum to the KIO to expel the leaders or face attack. In response, the KIO has claimed that the Arakan Army is now headquartered in the territory of the United Wa State Army, which it knows the Tatmadaw would be very reluctant to attack, given the Wa army's size and powerful arsenal.⁷⁵ Meanwhile, the Arakan Army responded to the terrorist designation by criticising the Tatmadaw for not genuinely wanting peace, with its leader rejecting the move as "defamation". The Three Brotherhood Alliance, a coalition that includes the Arakan Army and two other armed groups, called the designation a "heinous act" and pledged to stand in solidarity with its ally.⁷⁶

Shortly after the terrorist and unlawful association designations were announced for the Arakan Army, a Tatmadaw spokesperson warned that anyone, including journalists, could be prosecuted for contacting designated organisations.⁷⁷ Several journalists and editors who conducted interviews with Arakan Army representatives following the designations were then quickly charged under the counter-terrorism law, sounding alarm bells among the journalists and others.⁷⁸ At least three were arrested, although they were subsequently released from pre-trial detention, possibly due to concern over the potential impact of COVID-19 in crowded prisons, and there are some indications that charges could eventually be dropped; two of these individuals have now gone into hiding.⁷⁹ Beyond representing the erosion of press freedom in Myanmar, these prosecutions will chill accurate reporting on the conflict and make it more difficult for civil society organisations (including Crisis Group) to listen to the views of all sides and provide well-grounded analysis and policy advice for addressing the violence.

The government's actions may have been prosecutorial overreach or deliberate intimidation, as there is no provision in the counter-terrorism law (which the government cited as the basis for the charges) that expressly prohibits contact with members of designated groups, but the government has long treated such contact as criminalised in the Unlawful Associations Act. As noted above, however, that provision has always been available to the authorities, and was regularly used against suspected members (although not normally journalists), even before the Arakan Army

⁷⁵ Crisis Group interview, analyst briefed on the ultimatum, Yangon, March 2020. See also "Burma army warns KIO to cut ties with Arakan Army or face attack, PCG says", Kachin News Group, 29 March 2020. See Section III.D above for further details on the Wa. The United Wa State Army denied that the Arakan Army leaders were based in its area.

⁷⁶ See "Fighting rages as Myanmar's Rakhine braces for fallout from terrorist designation", Radio Free Asia, 24 March 2020; "Statement of the Three Brotherhood Alliance", No. 3/2020, 26 March; "Speech by Commander-in-Chief at 11th Anniversary Day of the Arakan Army", op. cit. The other two members of the alliance are the Ta'ang National Liberation Army and the Myanmar National Democratic Alliance Army.

⁷⁷ "Myanmar govt declares Arakan Army a terrorist group", *The Irrawaddy*, 24 March 2020.

⁷⁸ "Myanmar journalist hit with terrorism charges for interviewing insurgents", Agence France-Presse, 31 March 2020; "Myanmar police continue arrests, interrogations of reporters over AA coverage", *The Irrawaddy*, 1 April 2020.

⁷⁹ "Police frees Myanmar journalist facing terror charge", *Myanmar Times*, 9 April 2020; "Two Myanmar editors in hiding over interview with banned Arakan Army", Radio Free Asia, 15 April 2020.

was explicitly designated unlawful – and the government has sometimes turned to other legal tools as well.⁸⁰ It thus seems probable that the formal designations of the Arakan Army were primarily an expression of zero tolerance.

Even if it was made largely for signalling purposes, the terrorist designation is particularly problematic because, by making clear that the Arakan Army is in a different category from other ethnic armed groups in the country, it further reduces chances of a negotiated solution to the conflict. A military spokesperson confirmed this, saying the group had “very little chance” of joining the peace process.⁸¹ Consistent with this posture, the Tatmadaw excluded the Arakan Army from its unilateral COVID-19 ceasefire from 10 May to 31 August 2020 (see Section IV.A below). Indeed, given the government’s maximum pressure approach, it is hard to imagine Naypyitaw offering any concessions to the group under current circumstances, and the legal threats mean that informal, third-party mediation efforts are likely either doomed to failure or too risky to attempt.⁸² (Other implications of the designation for election preparations and coronavirus preparedness and response are discussed in Section IV below.)

By discouraging negotiations in this way, the government has virtually guaranteed that the conflict will continue to burn for at least the time being. There is little to suggest the Tatmadaw will ever admit defeat or willingly allow the Arakan Army to control any sort of enclave given the precedent set by the Wa, and the Arakan Army, while it may be able to win battles, is not powerful enough to achieve its political objectives of carving out a confederal state through success on the battlefield. Even the more limited goal of de-escalation will likely stay beyond reach in a context where the Arakan Army feels that it is in the ascendant, and the Tatmadaw is determined to prevent it consolidating its gains; the terrorist designation should be seen at least partly as a signal that the military is unwilling to accept the Arakan Army’s control of territory.

Without a political strategy for addressing the grievances and anger that are fueling the fighting, Naypyitaw is consigning itself and the people of Rakhine State to more of the same and all the hardships that come with it.

⁸⁰ See, for example, “Six arrested for association with Arakan Army amid fighting”, *Myanmar Now*, 25 January 2019; “Journalists face death threats, prison in Myanmar’s conflict-torn Rakhine State”, Voice of America, 24 June 2019. For high-profile cases where journalists have been targeted under the act elsewhere in the country, see “Of unlawful associations and arbitrary arrests”, *Frontier Myanmar*, 7 July 2017.

⁸¹ “Myanmar says ‘terrorist’ Arakan Army is losing chance to join peace process”, Radio Free Asia, 26 March 2020. Crisis Group will publish a full report on the peace process in the coming weeks.

⁸² Crisis Group is aware of a number of such initiatives, some of which are confidential. See also “ANP offers to mediate conflict between AA and Tatmadaw”, *Myanmar Times*, 20 November 2019.

IV. Broader Implications of the Conflict

A. Challenges for COVID-19 Response

There are no indications to date that either the Tatmadaw or the Arakan Army will reduce the tempo of its operations due to the coronavirus crisis. As noted above, the government's March 2020 terrorist designation of the group make any de-escalation or ceasefire less likely, and the Tatmadaw's 10 May to 31 August ceasefire does not apply to the Arakan Army conflict.⁸³ For its part, the Arakan Army issued a statement on 26 April that, in consideration of the COVID-19 situation, it had stopped its offensive attacks since 1 April, but that claim does not stand up to scrutiny.⁸⁴ There have been almost daily clashes over that period, and there is no evidence to back the group's assertion that it was acting solely in self-defence.⁸⁵

Although Rakhine State has yet to see an outbreak of COVID-19, it remains vulnerable.⁸⁶ Should the disease take hold, the active armed conflict between the Arakan Army and the state combined with other factors make Rakhine State particularly ill-equipped to manage the consequences for multiple reasons.

First, the conflict requires local government and humanitarian as well as civil society organisations to focus their attention and very limited resources on the immediate impact of fighting – civilian casualties, population displacement and socio-economic hardship – diminishing their capacity to engage in COVID-19 prevention and response.⁸⁷ The health system is particularly weak in Rakhine State, and limited critical care capacity is already stretched by civilian casualties.⁸⁸

Secondly, these problems are compounded by movement restrictions on the population that make it yet more difficult for them to get access to the limited health care services that are available. Rakhine and other non-Muslim minorities in the state have traditionally been relatively free to move, but this has changed with the esca-

⁸³ "Statement on Ceasefire and Eternal Peace", Office of the Commander-in-Chief of Defence Services, 9 May 2020.

⁸⁴ "Statement on COVID-19 Exigency", United League of Arakan/Arakan Army Statement No. 21/2020, 26 April.

⁸⁵ For example, the Arakan Army attacked a police post in Rathedaung township on 29 May, capturing six police officers (see Arakan Army Press Release No. 28/2020, 29 May 2020); other examples include the Arakan Army's continued, violently enforced blockade of Paletwa town and ongoing clashes in the area; multiple ambushes of Tatmadaw convoys with improvised explosive devices, including one in Kyauktaw township on 11 May 2020; and an attack on a military base in Gwa township in southern Rakhine State on 3 April. Crisis Group interview, local journalist, May 2020; see also "In southern Chin State, civilians fear bombs more than COVID-19", *op. cit.*; "No one injured in AA landmine attack to security forces near Kyauktaw", *Global New Light of Myanmar*, 13 May 2020.

⁸⁶ As of 21 May 2020, there had only been two cases detected in Rakhine State, with no known local transmission.

⁸⁷ Crisis Group interviews, humanitarian workers and civil society representatives, Sittwe, March 2020.

⁸⁸ *Ibid.* For example, when a Crisis Group researcher visited in mid-March, Sittwe hospital – the only tertiary medical facility in the state – was treating several civilians referred from Mrauk-U with critical gunshot injuries; three later died. See "13-year-old IDP is latest to die after mass shooting in Mrauk-U", *op. cit.*

tion of the Arakan Army conflict. New curfews, travel authorisation requirements and security checkpoints all make movement more difficult, costly or dangerous.⁸⁹

As for Rohingya and Kaman Muslims in central Rakhine State, who have been languishing in displacement camps or confined to isolated villages since communal violence surged in 2012, lack of mobility is a longstanding problem. These populations rely on extremely basic community clinics, and referral to tertiary facilities that provide specialised care is rare, slowed down by bureaucratic requirements, and often prohibitively expensive due to informal fees, for example to pay for police escorts or extortion at checkpoints.⁹⁰ Rohingya in central Rakhine State are precluded from going to their local township hospitals altogether.⁹¹ In northern Rakhine State, Rohingya have access to limited and rudimentary primary care and township hospitals if they live nearby, with no possibility of using any tertiary hospital, even with referral documents, due to strict movement restrictions.⁹²

Movement restrictions have a particularly serious impact on the health of women and girls, since obstetric emergencies are the most common reason for secondary and tertiary referrals, and failure to receive prompt treatment results in increased maternal and neonatal mortality.⁹³

The effect of movement restrictions is compounded by longstanding restrictions on humanitarian access. Displacement camps for Rakhine and Rohingya are often crowded and have limited water and sanitation facilities, both because of low water supplies in the dry season and restrictions on humanitarian services, making it difficult to contain coronavirus transmission.⁹⁴

Thirdly, restrictions on the free flow of information are an obstacle to preparedness that would also inhibit an effective response to any COVID-19 outbreak. The internet shutdown across nine townships of central and northern Rakhine State and Paletwa limits the flow of essential information in both directions. It prevents public health messages and coronavirus awareness information from reaching the population, while at the same time hampering community disease surveillance and early warning by making it harder for information on outbreaks to be reported.⁹⁵ The Arakan Army terrorist designation is also likely to hamper the flow of essential information related to the virus across the conflict lines, as any contact with the group is potentially punishable as a serious criminal offence (see Section III.D above). The risk of punishment will deter health workers, civil society organisations, journalists,

⁸⁹ For a detailed analysis, see “Freedom of Movement in Rakhine State”, Independent Rakhine Initiative, 31 March 2020.

⁹⁰ Ibid., for more details on restrictions and costs.

⁹¹ Township hospitals are secondary facilities, smaller and less well-equipped than tertiary facilities. Ibid.

⁹² Ibid.

⁹³ “Gender and Age Analysis: Sociocultural and Structural Barriers to Essential Services in Central Rakhine State”, Independent Rakhine Initiative, June 2018; S. S. Mahmood et al., “The Rohingya people of Myanmar: health, human rights and identity”, *The Lancet*, 1 December 2016.

⁹⁴ Crisis Group interviews, humanitarian workers, Sittwe, March 2020.

⁹⁵ Crisis Group interview, Myanmar public health expert, April 2020. See also “COVID-19: Access to full mobile data and telecommunications in Myanmar and Bangladesh is essential to save lives, say 26 major aid groups”, ReliefWeb, 15 April 2020.

researchers and others from coordinating or communicating about important cross-line interventions related to COVID-19.⁹⁶

The dangers of conflict to humanitarian workers during the coronavirus pandemic were graphically illustrated when a World Health Organization driver was killed and a government health worker injured while they were transporting COVID-19 swabs for testing. The clearly marked UN vehicle in which they were travelling was struck by small arms fire on 20 April on the Sittwe-Yangon highway in Rakhine State's Minbya township. The Tatmadaw and Arakan Army blamed each other for the incident, and on 29 April the president's office established a committee to investigate it.⁹⁷

On 10 April 2020, the ministry of foreign affairs issued a statement titled "Myanmar leaves no one behind in its fight against COVID-19 in Rakhine State", addressing some of the concerns outlined above.⁹⁸ While giving assurances that Naypyitaw was "taking a whole-of-government approach" and "mobilising the strength of the people", the statement gave few details as to how the government would address the challenges.⁹⁹ In particular, it reaffirmed the need for the internet shutdown to "prevent the misuse of the internet by the Arakan Army for their political and military agenda", and proposed workarounds such as sending health messages via SMS and loudspeaker, neither of which is a feasible mass communication alternative. The 10 April statement was apparently triggered by a rare joint statement issued on 1 April by eighteen Western ambassadors in Yangon who echoed UN Secretary-General António Guterres's call for a global ceasefire and expressed deep concern "about the high level of fighting, casualties and civilian displacement" in Rakhine and Chin States.¹⁰⁰

Government peace negotiators have been in touch informally with Arakan Army representatives (and all other armed groups), and have indicated that the group is invited to participate in COVID-19 prevention activities.¹⁰¹ This appears to mainly consist of the government providing coronavirus information pamphlets and posters, including to the Three Brotherhood Alliance in northern Shan State, of which the Arakan Army is a member.¹⁰² But any meaningful cooperation with the Arakan Army on COVID-19 is in seeming contradiction with the terrorist designation and the Tatmadaw's decision to exclude the group from its virus-related ceasefire. The Arakan Army responded with a statement together with its alliance partners, lambasting the government for lack of good faith.¹⁰³

⁹⁶ Ibid.

⁹⁷ "Driver killed in attack on UN vehicle in Myanmar's Rakhine", Agence France-Presse, 21 April 2020; Note Verbale, Myanmar Embassy in Brussels, 8 May 2020.

⁹⁸ Myanmar Ministry of Foreign Affairs statement, 10 April 2020.

⁹⁹ The Myanmar embassy in Brussels provided some further details on specific technical steps to boost health capacity in Rakhine State (Note Verbale, 25 April 2020).

¹⁰⁰ "Statement from Ambassadors to Myanmar", 1 April 2020.

¹⁰¹ Crisis Group interview, individual briefed on the contacts, Yangon, May 2020; see also "Myanmar govt invites Arakan Army to join COVID-19 fight", *Myanmar Times*, 9 May 2020.

¹⁰² Ibid., and "KIA says Myanmar military offers supplies, but no planning, to fight COVID-19", *The Irrawaddy*, 22 May 2020.

¹⁰³ "Press Release of Three Brotherhood Alliance on Office of Commander-in-Chief of Myanmar Army's statement on ceasefire and eternal peace during the COVID-19 pandemic", Three Brotherhood Alliance, 10 May 2020.

B. *The Coming General Elections*

As noted above, Myanmar is due to hold general elections in early November 2020. Although they might be postponed due to the COVID-19 crisis, any delay would likely only be for a few months.¹⁰⁴ Regardless of the exact date, the Arakan Army conflict is a major threat to the polls' security and will affect the authorities' ability to administer them in many areas of Rakhine State and in Paletwa township.

The challenges relate to preparations as well as to election day. In the months leading up to the polls, township government officials are responsible for compiling voter lists and ensuring their accuracy (including by physically displaying them in the towns and villages for voters to check), as well as recruiting and training several hundred thousand polling station workers and auxiliary police to provide security. All these activities require officials to travel to different locations and volunteers to travel to towns for training.¹⁰⁵

Poor security has already had an impact on other official processes in the area. The official in charge of the interim census announced in mid-January 2020 that data could not be collected in half of the townships in Rakhine State due to the security situation.¹⁰⁶ High school matriculation exams in March 2020 were also cancelled in nine Rakhine townships due to security concerns.¹⁰⁷ Although students could travel to other areas to take the exams, movement restrictions and security concerns, as well as the costs involved, prevented many from doing so; among locals, there was considerable anger at government authorities for not making alternative arrangements.¹⁰⁸

The Arakan Army's stance on the elections is ambivalent. In comments to the media, the group's spokesperson has stated that the Rakhine people's experience of previous elections in 2010 and 2015 was not positive and therefore he did not see any negative consequences if elections could not be held in Rakhine State.¹⁰⁹ But although, as noted above, this perceived failure of electoral democracy is part of the reason why the armed group receives so much community support, the group might nevertheless benefit from allowing elections to proceed, if only to reinforce the lessons of the past. Doing so would likely lead to another landslide victory for the main Rakhine political party and the imposition of another minority NLD government for the state – reinforcing the futility of the democratic process.

Thus, Arakan Army commander Tun Mrat Naing told the media in December 2019 that "if people want the elections to be held and if the government plans to hold the elections, it can come and discuss with us; we will negotiate respectfully".¹¹⁰

¹⁰⁴ This is for both constitutional and political reasons. The constitution provides for a fixed five-year term for parliament, requiring elections by late January 2021 to avoid a legislative interregnum. Politically, the incumbent NLD will face criticism over any delay, which is the prerogative of the election commission, appointed by the president.

¹⁰⁵ Crisis Group interviews, electoral support experts, Yangon, February-April 2020.

¹⁰⁶ "လုံခြုံရေးကြောင့် ရခိုင်ပြည်နယ်ထက်ဝက်ခန့်တွင် ကြားဖြတ်သန်းခေါင်စာရင်း မကောက်နိုင်", 7 Day News, 12 January 2020.

¹⁰⁷ "Twenty exam centres in Arakan to cancel due to security reasons", Narinjara, 15 February 2020.

¹⁰⁸ Crisis Group interviews, Sittwe, March 2020.

¹⁰⁹ "If the 2020 general election is not held in some Arakan State constituencies, what might the effects be?", Development Media Group, 18 January 2020.

¹¹⁰ "ရခိုင်တွင် ရွေးကောက်ပွဲ ကျင်းပလိုပါက လာရောက် ညှိနှိုင်းရမည်ဟု AA အဖွဲ့ စစ်ဦးစီးချုပ်၏ ပြောကြားချက်မှာ နိုင်ငံရေးပြဿနာကို အင်အားသုံး ဖြေရှင်းမည်ဆိုသည့် သဘောမျိုး သက်ရောက်ကာ ပြဿနာများ ပိုမိုရှုပ်ထွေးလာနိုင်ကြောင်း NLD ပါတီ ပြောကြား", Daily Eleven, 17 December 2019.

Whatever the Arakan Army's willingness to engage, the NLD and the election commission have both rejected negotiations with the group. The NLD appears to view Tun Mrat Naing's comments as a threat to disrupt the elections if they do not negotiate – particularly in light of the death in Arakan Army custody of the NLD chairman for Buthidaung township and the group's two-month detention of the NLD Upper House member for Paletwa, noted above. But even if taken in good faith, the terrorist designation means that there is no longer a realistic prospect of contacts or negotiations with the Arakan Army on any aspect of the elections.

The inability to work out accommodations to allow election-related work safely to proceed will increase the risk of insecurity and affect activities throughout the campaign period and the polls themselves. Travel restrictions and dangers will make it difficult for candidates to campaign, and NLD candidates will have particular concerns about being targeted. The same is likely true of candidates for the main opposition party, the Union Solidarity and Development Party, which the former military regime established. Undertaking training, voter education and campaigning online would be an obvious way to address security concerns; however, with the internet blocked in half of Rakhine State's townships, this option is off the table.

Insecurity will almost certainly lead to voting being cancelled in some areas of Rakhine State and Paletwa. If that happens, the election commission will likely announce cancellation decisions a few weeks before the polls, on the basis of instructions from the military.¹¹¹ The process by which the military makes its determination is not transparent, making any cancellation almost certain to be contested. The population's lack of trust in the military in Rakhine State will exacerbate those disputes, fuelling suspicions that the process is biased against them. Indeed, politically engaged Rakhine people are already signalling that they expect the process to discriminate against Rakhine parties.¹¹² For the Rohingya, who were mostly disenfranchised ahead of the 2015 elections, there is no prospect of re-enfranchisement.

As for how the cancellations might play out, there are at least two plausible scenarios.

The first involves following precedent. In the past, most cancellations have affected insecure parts of constituencies, rather than whole constituencies. This allows some voting to take place, and a member of parliament to be elected.¹¹³ In most cases, rural areas are more insecure and thus voting is cancelled there, with voting proceeding in the towns. The effect can be to introduce de facto gerrymandering, because urban populations tend to be more mixed; in Rakhine State, they include more non-Rakhine people, among them many soldiers and civil servants who are not ethnic Rakhine and will be more likely to vote for big national parties. For this and other reasons, any decision to follow precedent in this way will almost certainly be very controversial, with the electorate perceiving the election outcome as even more illegitimate than they would in the normal course.

A second scenario is that elections may be cancelled in some or even many whole constituencies, if the military or election commission feels that it will not be possible

¹¹¹ See Crisis Group Asia Report N°266, *Myanmar's Electoral Landscape*, 28 April 2015, Section IV.E.

¹¹² Crisis Group interviews, Sittwe, March 2020.

¹¹³ See Crisis Group Report, *Myanmar's Electoral Landscape*, op. cit.

to guarantee security or the integrity of the polls. Since the most insecure areas are in the Rakhine heartland where Rakhine parties are strongest, this approach would be even more controversial than partial cancellations. The Arakan Army has hinted that in this scenario it might actively seek to disrupt voting in other parts of Rakhine State, such as the southern townships where the NLD is strongest.¹¹⁴

Unfortunately, given the level of tensions and anger in Rakhine State, the elections are far more likely to be a flashpoint than an opportunity to address grievances and reduce conflict. Whatever the outcome – another Rakhine party landslide that is ignored, or an NLD victory that will be seen as stolen – the post-election landscape almost certainly will be one of even greater political confrontation and armed violence.

¹¹⁴ Crisis Group interview, individual briefed on the Arakan Army's views, Yangon, March 2020.

V. Tackling Rakhine State's Multidimensional Emergency

Rakhine State is facing two of the biggest challenges in its recent history: the Rohingya crisis and the Arakan Army conflict. Both have major national implications; both will come to define how an evolving Myanmar sees itself and how it is seen by the outside world. Both will also complicate the COVID-19 response in Rakhine State, which could be disproportionately affected should the disease take hold in Myanmar, and the forthcoming elections, whose legitimacy they will threaten.

In the face of a situation with such serious short- and long-term consequences, Naypyitaw is without a political strategy. On the Arakan Army conflict, there is no effort to consult or negotiate with Rakhine political leaders (the most prominent of whom the government has incarcerated), and no effort to reach out to or mediate with the Arakan Army. Rather, the government has ordered a tough military response, and has doubled down on this uncompromising approach by acceding to Tatmadaw requests for internet shutdowns and the designation of the group as a terrorist organisation and unlawful association.¹¹⁵

It is clear that there is no military solution to the conflict, and that government and Tatmadaw attempts to impose one have only escalated the fighting, with an increasingly devastating impact on civilians caught in the crossfire. Following a series of high-profile reports of civilian casualties resulting from Tatmadaw airstrikes on villages around Paletwa town, State Counsellor Aung San Suu Kyi's office released a statement on 21 April expressing sadness at the loss of life but also "pay[ing] tribute to the members of the Tatmadaw who have discharged their duties with courage and dedication, and sacrificed their lives" fighting the Arakan Army.¹¹⁶ It is hard to see how the peace process that the authorities are pursuing with other ethnic armed groups in the country can be successful when government intransigence and military brutality are so glaringly displayed in Rakhine State.

Beyond military pressure, the government's other main response to the conflict has been provision of relief supplies to displaced and other needy people, an effort led by the minister for social welfare, relief and resettlement. This initiative has fallen flat in part due to the enormous anger against Naypyitaw in Rakhine communities, compounded by restrictive policies that many Rakhine civilians see as exacerbating their plight. Making matters worse, the government has denied access to local and international aid organisations, while providing inadequate assistance itself. The Arakan Army's distrust of the government's humanitarian response was graphically exemplified when it struck a helicopter carrying the minister for social welfare with small arms fire as he flew to a village in Buthidaung township to deliver government

¹¹⁵ See fn 30 above for discussion of the government's authority to issue orders to the military.

¹¹⁶ "Office of the State Counsellor releases statement expressing sadness over civilian casualties in Rakhine, Chin States", *Global New Light of Myanmar*, 22 April 2020. For examples of the contemporaneous reporting of the civilian casualties, see "In southern Chin State, civilians fear bombs more than COVID-19", *op. cit.*

donations to a primary school that had been hit by mortar fire (see section III.B above).¹¹⁷

This emphasis on a narrow set of humanitarian measures in place of a political strategy for ending armed conflict follows the pattern also seen with the Rohingya crisis, where the government put in place a humanitarian and development response, spearheaded by the minister for social welfare together with a quasi-government body known as the Union Enterprise for Humanitarian Assistance, Resettlement and Development.¹¹⁸ It also developed a legal strategy to defend itself from genocide allegations at the International Court of Justice.¹¹⁹ But it appears to have no broader strategy to resolve the underlying crisis – something that would require improving the lives of the Rohingya who remain in Rakhine State, creating conditions safe enough to enable some conceivable repatriation of refugees from Bangladesh and meaningful accountability measures to show that grave crimes committed against Rohingya people will not go unpunished.

Should Naypyitaw decide to pursue such a strategy, it will have to recognise that the Arakan Army conflict and the Rohingya crisis are interlinked, and both must be addressed in order to stabilise Rakhine State and meaningfully improve its prospects for economic development. Without an end to the conflict with the Arakan Army, safe and voluntary refugee repatriation of the Rohingya is inconceivable. Moreover, any sustainable progress in improving the lives of the Rohingya requires consultation with the Rakhine population to obtain their buy-in. Yet in the current context, that seems nearly inconceivable, as engagement at the political level between the government and the Rakhine people is entirely absent.

As for resolving the conflict with the Arakan Army, addressing the political grievances of the ethnic Rakhine is the missing piece and the most critical element. Rakhine leaders feel that since the political opening in 2011 they have pursued their objectives through proper democratic channels – participating in elections, raising concerns in parliament and peacefully demanding their rights. They feel that taking this tack has gained them nothing.¹²⁰ This reality, rather than any deep-seated popular desire for armed struggle, is what is driving support for the Arakan Army. Any solution to the conflict will have to engage with this reality and offer a credible political path forward for addressing Rakhine grievances around political marginalisation and oppression, as well as achieving their aspirations for greater control over their lives and future. The following steps could be a beginning:

- ❑ A clear high-level political statement of the government's intent to seek a political solution to Rakhine grievances, backed up by concrete confidence-building measures, including the pardoning of Rakhine political leader Dr Aye Maung.

¹¹⁷ "Myanmar ministers survive attack on military chopper in Rakhine", *The Irrawaddy*, 19 February 2020; "AA admits to firing at helicopter carrying Arakan State chief minister", Development Media Group, 20 February 2020.

¹¹⁸ See Crisis Group Report, *Dangerous New Phase*, op. cit., Section V.A.

¹¹⁹ See Horsey, "Myanmar at the International Court of Justice", op. cit.

¹²⁰ Crisis Group interviews, non-governmental organisations, civil society representatives and analysts, Sittwe, March 2020.

- An undertaking that, should the NLD win the coming elections as anticipated, the president will not exercise the prerogative to instal a minority NLD government in Rakhine State, but will instead appoint a chief minister from the largest bloc in the state legislature.

Such steps would serve to give the Rakhine people a far greater stake in the elections and renew some of their faith in the political process. These steps might also send a sufficiently strong signal of the government's seriousness to counteract the chilling effect of the terrorist group designation and create a powerful impetus for talks between the two sides on de-escalation or a temporary ceasefire in the lead-up to the polls, to allow voting to proceed in as many places as possible. Given the long lead time required for electoral preparations, the parties would need to negotiate a pause in hostilities as soon as possible, which would have the added benefit of creating the possibility for agreements on coronavirus preparedness and response in conflict areas and the security necessary to honour them. Such a conflict pause might enable further steps that are important for both elections and the COVID-19 response, such as lifting the internet ban and restrictions on media freedom – including charges against journalists for contacting the Arakan Army and blocks on Rakhine media websites – as well as allowing free humanitarian access.

If the government were able to make progress in this direction and build trust, it could set the stage for tackling more difficult and contentious issues, such as a more durable ceasefire and the return of internally displaced people to their homes; the rights of the Rohingya and a refugee repatriation process; and a longer-term vision for Rakhine State that addresses critical issues of natural resource governance and benefit sharing with local communities. Some of these issues are not unique to Rakhine State and turn on the broader question of greater autonomy for minority communities that is the purview of the national peace process. That said, if some limited progress could be achieved in Rakhine State, it could provide credibility to those broader government efforts rather than calling them into question, as the current crisis does.

VI. Conclusion

The armed conflict with the Arakan Army is Myanmar's most intense in recent decades. It is taking a heavy toll on civilian populations. It shows no sign of de-escalation, and the possibility of a serious COVID-19 outbreak has unfortunately not served to focus the minds of either side on peace.

The conflict was not inevitable. It represents a failure of electoral politics to give the Rakhine people an avenue to address their grievances and achieve their aspirations of greater rights and prosperity – as well as the ability to take charge of their own future. The recent government decision to designate the Arakan Army as a terrorist organisation makes any mediation efforts or ceasefire even more unlikely. Until the fighting subsides, any notion of repatriating Rohingya refugees from Bangladesh also appears doomed.

The government has focused on a military response to the Arakan Army, which has no prospect of being effective. All the indications are that it is further enflaming the underlying political grievances. Unless Naypyitaw develops a strategy to address those grievances, Rakhine State is likely to slide further into crisis, with serious ramifications for its beleaguered residents, and for the country as a whole.

Yangon/Brussels, 9 June 2020

Appendix A: Map of Myanmar



Appendix B: Map of Rakhine State



Appendix C: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

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Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

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Sabrina Edelman	Madison Malloch-Brown	Sienna Tompkins
Sabina Frizell	Megan McGill	AJ Twombly
Andrei Goldis	Hamesh Mehta	Theodore Waddelow
Sarah Covill	Clara Morain Nabity	Zachary Watling
Lynda Hammes	Gillian Morris	Grant Webster
Joe Hill	Katera Mujadidi	Sherman Williams
Lauren Hurst	Duncan Pickard	Yasin Yaqubie
Reid Jacoby	Lorenzo Piras	

SENIOR ADVISERS

Former Board Members who maintain an association with Crisis Group, and whose advice and support are called on (to the extent consistent with any other office they may be holding at the time).

Martti Ahtisaari Chairman Emeritus	Christoph Bertram Lakhdar Brahimi	Aleksander Kwasniewski Ricardo Lagos
George Mitchell Chairman Emeritus	Kim Campbell	Joanne Leedom-Ackerman
Gareth Evans President Emeritus	Jorge Castañeda Joaquim Alberto Chissano	Todung Mulya Lubis Graça Machel
Kenneth Adelman	Victor Chu	Jessica T. Mathews
Adnan Abu-Odeh	Mong Joon Chung	Miklós Németh
HRH Prince Turki al-Faisal	Sheila Coronel	Christine Ockrent
Celso Amorim	Pat Cox	Timothy Ong
Óscar Arias	Gianfranco Dell'Alba	Roza Otunbayeva
Richard Armitage	Jacques Delors	Olara Otunnu
Diego Arria	Alain Destexhe	Lord (Christopher) Patten
Zainab Bangura	Mou-Shih Ding	Surin Pitsuwan
Nahum Barnea	Uffe Ellemann-Jensen	Fidel V. Ramos
Kim Beazley	Stanley Fischer	Olympia Snowe
Shlomo Ben-Ami	Carla Hills	Javier Solana
	Swanee Hunt	Pär Stenbäck
	Wolfgang Ischinger	