Judicial Independence in Karenni State : An Assessment of Judicial Independence and the Role of Customary Law in Promoting Regional Autonomy

Shun Yadanar Lin, Khu Sue Reh

Abstract

Amid ongoing intensified armed conflicts across the country, in Myanmar, some Ethnic Resistance Organizations (EROs) have been trying to establish their interim institutions, including pre-existing governance structures, to provide the delivery of accessible services within their occupied territories. Among those interim institutions, the Karenni State Interim Judiciary (KSIJ) is a prominent example of executing judicial functions, guided by the Karenni State Interim Arrangement (hereinafter, KSIA) and Karenni State Interim Judiciary Law. Yet, the challenges to establishing judicial independence and the role of customary law for protecting regional autonomy in Karenni State still need to be scrutinized. So, this study aims to assess judicial independence in Karenni and the role of customary law for protecting regional autonomy. To examine the current state of judicial independence, this study conducted semi-structured interviews with a total of 13 participants. As a result, this research revealed that establishing judicial independence in the Karenni State encounters several challenges such as a lack of public trust in the current judiciary system, political interference, scarcity of human resources, financial constraints and weak protection of judges in practice. Moreover, despite having widespread customary practices, those are inconsistent, and some contravene international human rights standards, thus the research data showed that this dual legal system experiences conflicts with statutory law and undermines the authority of formal courts. The findings of this study provide critical insights into the key challenges and opportunities for establishing an independent judiciary, particularly, in conflict-affected areas within ethnic-controlled territories. This study underscores traditional jurisdiction for protecting regional autonomy by highlighting the harmonization and integration of customary law into formal jurisdiction beyond the transition period .

Keywords: Judicial Independence, Customary Law, Regional Autonomy, Traditional Jurisdiction

1. Introduction

Judicial Independence is extensively regarded as a vital pillar for maintaining the rule of law and democratic governance, since it safeguards the independence of courts and judges from external pressure and political insularity for the protection of an independent judiciary as well. While many scholars in the literature have examined both de facto and de jure approaches to judicial independence, much of the existing literature focused on the well-established democracies and cross-national measures using large datasets. Still, there is limited research on assessing judicial

independence in controlled areas by non-state actors, for instance, territories claimed by revolutionary forces or ethnic groups during the revolutionary period. For that reason, the objective of this study is to address this gap by emphasizing the assessment of judicial independence in the Karenni State along with Karenni State Interim Arrangement (KSIA), Karenni State Interim Judiciary Law and the Karenni State Interim Judiciary (KSIJ). Hence, this study systematically applies both the de facto and de jure approaches to assess the extent of judicial independence in practice by emphasizing key challenges and opportunities for the reform process in Karenni State. Furthermore, this study also gives particular attention to the role of customary law in protecting regional autonomy in the Karenni State.

Since the coup on February 1, 2021, in Myanmar, the brutal crackdown on peaceful protests has transformed democratic movements into an armed revolution, with hostilities spreading throughout the country. With the momentum of intensifying armed conflicts, as multidimensional anti-junta resistance groups reclaim and expand their territorial control, they establish interim governments including pre-existing political institutions of EROs alongside the ethnic military forces and diverse Civil Society Organizations (CSOs) such as women groups, youth groups and political parties as well. So, they have been working together to implement the three main organs of government: the legislature, executive and judiciary, within their occupied areas with the aim to build the parallel governance structures by replacing the junta-controlled institutions during the transition period. However, this study will only focus on the Karenni State, especially the interim judiciary in Karenni State. Currently, three main branches of the Karenni Interim Government are the Interim Executive Council of Karenni State (KIEC or IEC), Karenni State Interim Parliament (KSIP) and Karenni State Interim Judiciary (KSIJ). Those interim institutions are mandated by KSIA, which is used as an interim arrangement for Karenni State, in accordance with the Federal Democracy Charter (FDC).

Despite the substantial challenges, the Karenni State Interim Judiciary (KSIJ) is advancing considerably. The KSIJ comprises the State Supreme Court as the highest judicial body, as well as regional and township courts, including those set up by the other EROs. The current interim judiciary prioritizes and acknowledges the traditional jurisdiction by allowing the Karenni local people to seek justice with their preference; either customary practices or the Karenni Penal Code, and it focuses on restorative justice through rehabilitation. Although the KSIA explicitly states that the interim judiciary is an independent and autonomous institution, whether it ensures judicial

independence in practice and protects customary law for regional autonomy in the Karenni State, to what extent, is questionable.

2. Research Objective and Research Questions

This study seeks to assess the judicial independence within its courts in the Karenni State and the role of customary law in the State's judicial system, focusing on its support for regional autonomy. To achieve this goal, this study needs to answer the following two key research questions.

1. What are the key barriers to establishing judicial independence in Karenni State?
2. How does the customary law in Karenni State protect the State's regional autonomy and relate to statutory law?

3. Literature Review

Scholars emphasize the necessity of judicial reform to consolidate transitions from dictatorship to democracy, particularly safeguarding judicial independence. But how is judicial independence even more crucial than the autonomy of the executive and legislature? Judicial independence not only constrains the tyranny of a political institution or a group, but it also ensures the State's promise to respect individual rights and maintain democratic regimes (North & Weingast, 1989). Additionally, concerning constitutional ambiguities, judicial independence may allow impartial judges to resolve the conflicts or disputes between the executive and the legislature. Tinkham (2011) mentioned that for the goals of judicial independence at an institutional level, the judiciary can be viewed as being independent of checks and balances on executive and legislature, while at the decision level, the promotion of judicial independence seeks neutrality and perception of neutrality so that the public can trust in the judiciary system. Periodically, judicial independence may vary from diverse scholars' definitions. However, judicial independence simply means the judiciary is being autonomous completely and having political insularity (Fiss, 1993).

While defining judicial independence, two aspects are developed: independence of judges (individual independence) and independence of a court as an institution (institutional independence) from political institutions, corporations, interests, and personal ties. According to John (1992), judicial independence can be perceived as some degree of freedom of the court from competing governments or institutions or other factors in society. Pertaining to a matter of degree, common literature distinguishes the two conceptions or measurements attributed to judicial

independence: de facto (behaviorist approach), focusing on judicial decisions, and de jure (legalist approach) for insulating judges from undue pressure (Feld & Voigt, 2003).

Under de facto judicial independence, there are two sub-concepts, the first one is the personal independence or autonomy of judges, which means a judge can make judicial decisions without any pressure or influence from external institutions and the decisions should reflect his or her sincere preferences and personal attitudes of judicial role under their interpretation of the law (Becker, 1970). This concept is similar to the notion of " authors of their own opinions" (Kornhauser, 2002). Another concept is that a court depends on the assistance of political authorities to enforce its decisions "even when the political actors would rather not comply" (Hamilton et al., 2009). Hence, if a judge's decisions are not implemented or poorly ignored, then he or she will not be independent in resolving the cases in practice. Ríos-Figueroa and Staton (2014) referred to Cameron's claim that "there is a causal relationship between how judges think the underlying conflict they are adjudicating should be resolved and how it is resolved in practice" (p.4). Whereas the de jure concept is mainly related to "constitutional provisions or rules designed to insulate politically judges from external pressure, either from outside the judiciary or from within" (Ríos-Figueroa & Staton, 2014, p.3). Moreover, Melton and Ginsburg (2014) mentioned six aspects of constitutional provisions that strengthen judicial independence and its autonomy. These include (i) explicit declaration of judicial independence in a constitution, (ii) security of judicial tenure, (iii) selection process of judges, (iv) removal procedure, and (v) salary insularity. Therefore, de facto and de jure judicial independence correlate with each other while demanding political commitment and collaboration between the three main branches of government for establishing judicial independence.

4. Research Methodology

This research primarily relied on qualitative methods to measure the current state of judicial independence in the Karenni State. It prioritized the formation of courts and the selection of judges including tenure security and codes of conduct for judicial accountability and the role of customary law in both formal and informal jurisdictions. The qualitative approach was utilized through semi-structured interviews with 13 participants through Key Informant Interviews (KII) with 7 participants: two experts, two consultants from the Karenni Ministry of Justice (KMOJ) under Karenni Interim Executive Council (IEC) and three judges within the Karenni State. In addition, interviews were carried out with three community leaders and three local people. Interview

questions are semi-structured questions, and the duration was between 45-60 minutes per session.

Participants were selected based on their relevance to the study's objectives.The experts and consultants were selected to gain the conceptual framework of judicial independence, their perception of addressing key challenges for establishing judicial independence, and the role of customary law in protecting regional autonomy. One expert with a comprehensive legal background contributed a conceptual map on judicial independence was chosen, and another expert and two consultants from both KSIJ and KMOJ elaborated on the current legal and institutional framework of the Karenni State Interim Judiciary (KSIJ) to explain broadly about the current situation of judicial independence in the Karenni State, including the constitutional provisions, the judicial appointment process, and tenure security for judges. The interviewed judges provided practical insights by sharing their experiences and the challenges they faced while serving in the KSIJ. Moreover, interviews with the community leaders and local people provided public perceptions and lived experiences regarding the effectiveness of the current judiciary.

In addition to the data collection, this study also applied a range of primary documents: the 2008 Constitution of Myanmar, Federal Democracy Charter (FDC) Part I, FDC Part II, Karenni State Interim Arrangement (KSIA), Karenni State Interim Judiciary Law, Karenni State Judiciary Law, which is adopted by Karenni National Progressive Party (KNPP), as well as International treaties and Conventions. Secondary sources included annual reports of the KSIJ and KMOJ and the UN reports.

All interviews were conducted via Zoom or email. The interview schedules were designed with flexibility and safety for both researchers and participants. The researchers adhered to ethical research practices, including the principles of do-no-harm and confidentiality. The researchers obtained informed consent from all participants prior to their involvement in the study. All data were securely stored with access limited to the research team. Participants' names and identities were kept strictly confidential and were not disclosed to any third parties. The collected data were manually coded and analyzed using both thematic and content analysis, integrated with existing legal frameworks.

5. Conceptual Framework of Judicial Independence in comparison with Karenni State

An independent judiciary plays a crucial role in maintaining the rule of law and democratic system, upholding effective protection of the rights of individuals and their freedoms (Pandey, 2018). The idea of judicial independence is being articulated in the philosophy of the

famous French philosopher, Montesquieu, “Separation Of Powers.” In the doctrine of separation of powers, three branches of government, legislative, executive, and judiciary, are separated and independent from each other, which is later inspired and applied to create a checks and balances system among those three branches and the constitutional guarantee for each branch’s autonomy. Based on that theory, the founding fathers of America established an independent judiciary, which the public has great confidence in and treats individuals with equal opportunities without regard to political powers, powerful elites, or racial or ethnic factors. Therefore, judicial independence is vital for upholding rule of law, and it can be viewed from two aspects: institutional and individual independence.

The principle of judicial independence is incorporated in numerous international legal instruments. According to Article 10 of the Universal Declaration of Human Rights (UDHR) and Article 14 of the International Covenant on Civil and Political Rights (ICCPR), “everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal established by law.” Whereas, according to the United Nations (UN) Basic Principles on the Independence of the Judiciary (1985), “the judiciary shall decide matters before them impartially, based on facts and by the law, without any restrictions, improper influences.” Additionally judicial independence should be guaranteed by the constitution, and it’s the government's responsibility to respect the judiciary by every institution in the country and provide adequate resources to support the judiciary in performing proper judicial functions (Article 7 of UN Basic Principles on the Independence of the Judiciary, 1985).

More importantly, judges should conduct judicial functions without external influences or political biases to maintain impartiality and independence. And the government should ensure respect for judges and legal practitioners to perform effective judicial functions and fully enforce their decisions over every single subject matter (International Commission of Jurists (ICJ), 2014). And the UN Commission on Human Rights (2004) also called upon “the State to be responsible for the protection of the life and integrity of judges, lawyers, and legal practitioners by not violating the accused’s fundamental rights” (p.7).

In comparison with the practice of judicial independence in Myanmar, under the 2008 Constitution of Myanmar, Article 19 of Chapter 1 states that the basic judicial principles, they are “ (a) to administer justice independently according to law; (b) to dispense justice in open court unless otherwise prohibited by law; (c) to guarantee in all cases the right of defense and the right

of appeal under law." Although the constitution clearly outlines those principles, there was some influence or control by government officials, particularly related to their political or other interests in which most of the cases are human rights violations by government authorities or by private sectors, especially land grabbing cases (International Commission of Jurists (ICJ), 2014). The Ex-1 highlighted that the whole judiciary system before the coup was being controlled by the executive and the military. She claimed that "*In the name of protecting national security, we were unable to establish judicial independence in our country, even during our transition to democracy*" (Ex-1, interview, May 2025). The judiciary, including the courts and judges, is the main body that has the primary responsibility for safeguarding judicial autonomy, and they should be fully independent from both government and non-government actors. While considering judicial independence, the courts' capacity and judges' qualifications as well as their discretionary power, their attitude towards the value of equality, justice, and distinguished performance are the most important factors to develop judicial independence.

5.1 Judicial Independence of Karenni State

The Ex-2 defined judicial independence as " *a situation, which guarantees the authority to adjudicate judicial decisions independently, without the external pressures or influence from an individual, organization, government body or armed groups, and the specific constitutional provisions for security of judges* " (Ex-2, interview, May 2025). The interviewees noted that the past judiciary system was weakened by corruption and external control by the government and armed groups in ethnic regions. However, the current judiciary prioritizes delivering accessible legal services and gaining public trust in delivering justice regardless of the challenges in checks and balances in Karenni State.

Based on the interview data, a key obstacle to judicial independence in the Karenni State is the ongoing lack of public confidence in the formal judicial system. This skepticism arises from past experiences with corruption, including bribery and manipulation within state courts. Community members expressed concern that despite recent reforms under the interim arrangement, the judiciary still relies on an outdated Penal Code from previous regimes, which fuels doubts about its legitimacy and fairness (Ex-2 & J-1, interview, April & May 2025). Consequently, many prefer resolving disputes through customary law, which they perceive as more culturally relevant, accessible, and trustworthy.

Additionally, the shortage of human resources, such as law graduates, professional lawyers, and prosecutors, is one of the main difficulties in establishing judicial independence in the Karenni State. But the KMOJ under IEC, in collaboration with the Ministry of Justice under National Unity Government (NUG-MOJ), has been taking the sole responsibility of nurturing judges by recruiting the individuals who have the desire to contribute to offering legal services, through both short and long trainings (C-1 & CL-1, interview, April 2025). At the same time, the individuals who are currently serving in the Karenni interim judiciary should be skillful with qualifications in law, and they should be given appropriate training for their professional competencies.

Financial instability also poses a significant challenge to judicial autonomy. Interviewees reported that judges and other legal officials receive insufficient pay and benefits, making them vulnerable to corrupt practices and limiting their capacity to act independently (CL-1, interview, April 2025). Moreover, because the judiciary depends heavily on funding from external entities like the IEC, some administrative actors view the judiciary as subordinate to the executive branch, thereby undermining the separation of powers fundamental to judicial independence (J-3, interview, April 2025). Due to the dependency on IEC for budget allocation and inadequate judiciary funding, the current interim judiciary, however, faces major constraints on preventing the judges from vulnerability and maintaining its integrity.

Security risks and institutional overlaps further complicate the situation. Several participants claimed that armed groups sometimes position themselves near courts during trials, exerting implicit pressure on judicial staff and threatening the fairness of proceedings (C-2, interview, May 2025). Additionally, the fact that some judicial personnel hold multiple roles in various local organizations blurs institutional boundaries and weakens public trust in the judiciary's impartiality (J-1, interview, April 2025). Limited legal awareness among the general population also reduces engagement with formal courts; many community members rely on customary dispute resolution because they do not fully understand court procedures or believe the formal system will deliver justice (L-2 & L-3, interview, May 2025). These combined factors underscore the urgent need for enhanced institutional protection and capacity-building measures to secure authentic judicial independence in the Karenni State.

On the other hand, some participants observed that the current judiciary system of the Karenni State is transitioning towards a well-structured judicial framework and judicial autonomy through inter-organizational collaboration (J-1 & C-2, April and May 2025). Compared to the

judiciary systems in other ethnic-controlled areas, the Karenni interim judiciary is progressing more effectively because it has initiated the clear separation of powers between three main branches of the Karenni State Government. And it transformed into the inclusive approach to establishing judicial independence by enhancing collaboration among various organizations and setting up the accessible courts within Karenni State.

6. Structure of Courts and the Role of Customary Law in Karenni State

Before the coup, the courts in Karenni State were built and mandated by the 2008 Constitution of Myanmar, where the judiciary was a single court system, that is, the country operates under a unified judicial system, granting the authority to the highest court, particularly, the Supreme Court of the Union, for overseeing lower courts and there were no separate federal or state courts since the country was a Unitary State.

During this Spring Revolution, the National Unity Consultative Council (NUCC), consisting of political entities and some EROs, drafted the Federal Democracy Charter (FDC) to build a Federal Democracy Union together. Accordingly, the FDC is used as a political roadmap that implements the basic principles for the development of the constitution which guarantees self-determination and autonomy of ethnic minorities, by allowing the member states to enact their own constitution. Under FDC Part-I, Article 3, Part III of Chapter IV (2021), states that " every member state of the union shall have separate legislative power, separate executive power and separate judicial power." Besides, it recognizes the legitimacy of the existing judicial system of EROs within the federal union (FDC Part II, Article 46 of Chapter 7, 2021). Thus, in accordance with the FDC, the Karenni State Consultative Council (KSCC), composing of 6 organizations and armed groups in the Karenni State, has adopted an Interim Arrangement or Interim Governing Document for Karenni State, also known as Karenni State Interim Arrangement (KSIA). The KSIA is intended to effectively enforce their own legislature, executive, and judiciary for protecting their self-determination.

In comparison with the single court system under the 2008 Constitution of Myanmar, the FDC regulates the dual court system because not only does it have divisions of federal and state levels and have their separate set of courts respectively, but it also reinforces the Panglong commitment to self-determination of ethnic minorities. Moreover, the dual court system is mostly used in federal countries such as the US, India, Australia, and so on. An example of the US dual court system is that there is a division of the jurisdictional autonomy between federal and state

courts, the federal courts handle the cases related to the constitution, disputes between states, and cases related to federal laws while the state courts oversee violations of state laws, criminal and civil cases, and the State Supreme Court's decision is final within the state. Hence, the dual court system plays a crucial role for federal countries because it maintains the basic principles of federalism such as the separation of power between three branches of government, division of powers between the federal and state level and dual protection of citizens' rights.

As stated in the Annual report of KSIJ (2024), the basic principles of Karenni State's Judiciary are mentioned in Article 3(b) of Chapter 2 of Karenni State Interim Judiciary Law (2023). The outlined principles are (i) independent judiciary by the law, (ii) public trial, except as limited by law, (iii) the right to defend and appeal by the law, (iv) the right to reconcile within legal framework regarding the cases among the people and (v) focusing on moral reform and rehabilitation of offenders in criminal proceedings.

About the structure of the courts, the Karenni State Interim Judiciary (KSIJ) is the independent judicial branch comprising the State Supreme Court, the Regional or District Courts, Township Courts, including Local and Regional courts of the EROs. The State's Supreme Court is the highest body, followed by the Regional Court No. (1) and Regional Court (2). There are a total of 8 township courts; the courts in Loikaw, So Tar Shar, So Mo Phay Soe Lay, and Lo Mu Kho are under Regional Court No (1). But the township courts: No (1), (2), (3) and (4) are under the Regional Court No (2) (Annual Report of KSIJ, 2024). The jurisdictional power of the Supreme Court of Karenni State is over such matters: (i) subject matters related to the treaties by IEC, (ii) disputes between IEC and local administrative bodies, (iii) disputes between IEC and Karenni State Interim Parliament (KSIP), (iv) disputes regarding the interpretations of KSIA, (v) cases of treason against the revolution, (vi) disputes between tribes and different ethnicities and (vii) cases regarded as prescribed by law (Article 8 of Chapter 3 of Karenni State Interim Judiciary Law, 2023). Karenni State Interim Judiciary Law states that the decision of the State's Supreme Court shall be final (Article 3 (g) of Chapter 2 of Karenni State Interim Judiciary Law, 2023). Thus, the judicial authority of each level of courts is clearly separated in KSIA and granting the State Supreme Court's decisions as final constitutes a crucial provision for ensuring judicial hierarchy and protecting regional autonomy.

With regard to jurisdictional competency, Ex(1) asserted that "*the courts and the judges should have the power to summon everyone and investigate both governmental and non-*

governmental actors or individuals to court for examination" (Ex-1, interview, May 2025). Under KSIA and Karenni State Interim Judiciary Law, the State's Supreme Court has the power to issue the following writs:(i) Habeas Corpus, (ii) Mandamus, (iii) Prohibition, (iv) Quo Warranto, and (v) Certiorari and those powers shall be binding upon any individuals or organizations (Article 18 (a) of Chapter 3 of Karenni State Interim Judiciary Law, 2023). Moreover, "any victims in the Karenni State can apply to the State's Supreme Court for issuing writs by the procedures" (Article 18 (d) of Chapter 3 of Karenni State Interim Judiciary Law, 2023). While there are clear provisions about the State's Supreme Court power to issue writs, questions remain about the judge-proof powers of the administrative bodies in Karenni State.

Furthermore, Article 23 of Chapter 4 of Karenni State Interim Judiciary Law (2023) states that the district courts shall have the judicial power; (a) to have jurisdiction over criminal, civil, and other cases as prescribed by law, (b) to appeal and review over the judicial decisions or decree issued by township courts. On the other hand, the township courts have jurisdiction over criminal, civil, and other cases as prescribed by law, while the other courts established by law have jurisdiction over the cases as regulated in accordance with the law (Article 24 and Article 25 of the Karenni State Interim Judiciary Law, 2023). Additionally, Article 26 of Chapter 4 of the Karenni State Interim Judiciary Law mentions that the district courts are granted the power to supervise the judicial matters of township courts by the guidance of KSIJ. Thus, the current judiciary system of Karenni operates under a hierarchy-based judicial oversight structure enabling the superior courts to check and monitor the compliance of the lower courts.

Since Myanmar is a multicultural country, consisting of 8 major ethnicities: Kachin, Kayah (Karenni), Kayin, Chin, Bamar (Burmans), Mon, Rakhine, Shan, and other ethnic-minority groups, different customs and traditions already existed and rooted within their social interactions. For instance, the ethnic or tribes use their own traditional negotiations or arbitrary practices to solve disputes between individuals, particularly related with land, forest, marriage, divorce, and cattle theft. Although ethnic or indigenous people "live within state systems with formalized constitutional and legal systems, many of their cultural and social practices continue to be regulated by traditional law (referred to as customary law)" (Roy, 2005, p. 7). According to the World Intellectual Property Organization (WIPO), customary law is "a set of customs, practices, and beliefs that are accepted as obligatory rules of conduct by indigenous peoples and local communities." What is more, Ahrén (2004) highlighted that the main difference between customary

law and statutory law is that customary law is closely attached to a people's culture, and it comes from social acceptance.

As stipulated in Article 4 of the UN Declaration on the Rights of Indigenous Peoples [UNDRIP], (2007), indigenous people can have the right to self-governance or autonomy over their internal affairs. Additionally, they have the right to promote, develop, and maintain their institutions, distinctive cultures, traditions, and practices in the juridical process in their society. On the other hand, "customary practices shouldn't be contrary to international human rights standards" (Article 34 of UNDRIP, 2007). By recognizing their customs and traditions, they aren't being assimilated or integrated and can't be eroded. Tobin (2011) affirmed that the level of self-determination or regional autonomy can be measured by the extent of recognizing or giving respect for their decision-making process, especially their jurisdictional power.

The interviewees claimed that the acknowledgment of customary law in both formal and informal jurisdictions can be found in the KSIA and the Karenni State Interim Judiciary Law (referring to Article 46 of Chapter 8 of KSIA (2022) and Article 5(c) of Chapter 2 of Karenni Interim Judiciary Law, (2023)). If a dispute arises among the individuals, both parties can solve it through their respective customs. But if one party isn't satisfied with the decisions by the customary practices, they can sue in a formal court to seek justice. However, the court firstly use Alternative Dispute Resolution (ADR), prioritizing the negotiation of both parties on their own, however, if a party still doesn't prefer to solve their disputes by this way, they can solve it through formal laws (J-1 & J-2, interview, April and May 2025). Therefore, the interview findings showed that the local traditional practices are still being recognized in practice, affirming the Karenni people's right to preserve their respected customary institutions.

According to the interview data, due to inaccessible legal services, transportation difficulties, delays in case proceeding, and high associated costs, local people prefer to solve their disputes, particularly related with cattle theft, marriage, divorce, and land disputes, by their respected customs despite having distinct customs within the same territories.

In the customary jurisdiction, a dispute resolution committee consisting of a village head, community leaders, the head of the village tract, elders, and religious leaders, is set up to solve the disputes (KMOJ's Report, 2024). However, some customary jurisdictions fail to ensure justice for victims, so there are some exceptional cases, which cannot be solved by customary practices, for example, serious cases such as rape, murder, and drug-related crimes can only be adjudicated

through the formal judiciary (C-2, interview, April 2025). Similarly, women's inheritance rights are undermined by discriminatory customary practices and patriarchal norms (KMOJ's Report, 2024). In relation to women rights, the interview data indicated that the male dominance in customary dispute resolution committees continue to hinder women's ability to seek justice in rape, and sexual deception cases.

Besides, women receive compensation disproportionately lower than men in disputes over inheritance (CL-1 & CL-2, interview, April & May 2025). As a result of the rooted societal patriarchal norms in the Karenni State, there is a significant gender gap in customary practices. Hence, women's representation in decision-making roles- particularly within the judiciary system by recruiting women judges and prosecutors for women's cases, should be prioritized to promote gender equality. Since customary jurisdictions mainly focus on "de-escalating major conflicts and vanishing the small ones completely", they sometimes fail to comply with the fundamental standards of justice for punishments in some situations.

Pertaining to women's rights, international human rights instruments such as Sustainable Development Goal (5), Article 2 of the Universal Declaration of Human Rights (UDHR), Article 3 of International Covenant on Economic, Social and Cultural Rights (ICESCR), and Article 2, and 3 of International Covenant on Civil and Political Rights (ICCPR) are enforcing non-discrimination principle. As stated in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979), Article 2 obliges states "to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women."

Alternatively, KMOJ's report also stated that some village tracts have been amending not only the customary practices, but they have also redefined the punishments or compensation for the disputes (KMOJ's report, 2024). Therefore, it is vital that the policymakers need to eliminate harmful traditional practices and formulate the inclusive gender policies to safeguard women's rights, in collaboration with women's organizations operating in Karenni State (CL-2, interview, May 2025). Moreover, the existing laws and policies applicable to the Karenni population, still need to be revised and amended to ensure the protection of individual rights, in accordance with both State and National statutory legal framework, in compliance with international legal standards as well (Ex-2, interview, May 2025). Despite being unwritten laws, the customary laws are strong for resolving disputes in the Karenni State. Yet, the application of local customary laws within

Karenni State is not uniform because they differ from one region to another between different tribes in the Karenni State (Ex-2, interview, May 2025). Hence, the uniformity of customary jurisdictions and their binding force within the entire Karenni State, still need to be amended and integrated into the formal judiciary system with the statutory laws.

7. Independence of Judiciary from the Legislature, Executive and Powerful Armed Groups in Karenni State

The concept of judicial independence can be traced back to Montesquieu's political doctrine of separation of powers (trias politica) (1748). In his book "The Spirit of Laws", he developed the two principles for separation of power; the first one is "the separation of power", avoiding the excessive concentrations of political powers in the hand of one person or a group and the other is "check and balances" holding that the exercise of power by any power-holder need to be balanced and checked by another power-holder in a government system (Waldron, 2013). Accordingly, separation of power can be classified into two dimensions: institutional (functional) it means, powers should be separated among three branches, and another dimension is personal separation- individuals should not hold positions of more than one government branch.

Separation of Powers is perceived as a legal and constitutional arrangement for separating powers among three co-equal branches of government: the legislature, the executive, and the judiciary deriving from Aristotle's treatise on *Politics,* which he described as three agencies of government: the general assembly, deliberating upon public affairs, the public affairs and the judiciary. Benwell & Gay (2010) highlighted that the purpose of the separation of powers is "to guard against tyranny and preserve liberty". Guerra (2000) also emphasized that the independence of the judiciary branch and its separation from the two branches, the legislature and executive, is the guarantee of freedoms of citizens and protection of the individual's rights with defense in the singular cases of conflict with other private or public powers, without preference or discrimination. Accordingly, there are two angles of judicial independence: independence of judges while balancing with their judicial accountability and autonomy, and independence of a court as an institution for maintaining judicial integrity.

7.1 Independence of Judges (Individual Independence)

Concerning the right to a fair public trial, a judge deciding a case must be independent and make judicial decisions in their sincere preference so that the public can evaluate the judge's

conduct and impartiality. Hence, Montesquieu asserted that "the judge is the mouth that pronounces the words of the law, so he should not pronounce words that emanate from other sources" (Guerra, 2000). Interviewed participants asserted that the judges have the authority to make judicial decisions with their discretionary power independently prescribed by the law since they didn't need to obey the senior judges as they did in the past, namely as internal independence (J-1 & CL-2, April & May 2025). However, the interview data indicated that judges still face coercions or threats through negotiations for sentencing the individuals, who are members of the administrative or armed forces.

In addition, although Article 4 (b) under Chapter 2 of Karenni State Interim Judiciary Law(2023) states that the criminal acts associated with cases involving both civilians and military affiliations shall be solved in the civil courts, some of the armed groups didn't allow the courts to have jurisdiction over their cases, instead, the criminals were brought before the military tribunal for even serious cases like drugs cases, sexual deception, and rape. Some interviewees mentioned that the military tribunal's decisions are just demotions for their members, leading to the public's lack of interest in the judiciary due to unequal treatment for charges of offences between civilians and military forces (C-2, interview, May 2025). The interview data revealed that the binding force of the judicial decisions by the judges was so weak that the rule of law was undermined. For example, the administrative bodies in some areas reduced the criminals' sentences and they sometimes failed to enforce the court's judicial decisions, despite the challenges associated with establishing detention centers. So, the weak protection of judges in practice along with the influence of the executive or armed groups over jurisdiction matters, pose a significant threat to the rule of law and judicial independence.

7.2 Independence of a Court as an institution (Institutional Independence)

On the subject of institutional independence, the aspects of independence of a court as an institution include independence over administrative matters, financial matters, and jurisdictional competencies as well. The judiciary has exclusive power over handling judicial matters, and there shouldn't be any interference or control by other branches or institutions. Besides, Article 4 of the UN Basic Principles on the Independence of Judiciary (1985) states that the executive and legislature, including authorities, must respect and abide by judicial decisions, even if there is a disagreement between them. Furthermore, the judiciary should be given adequate resources to perform its proper functions, which means the States must commit to supporting both administrative

and operational functions of the judiciary, despite tensions (Article 7 of UN Basic Principles on the Independence of Judiciary, 1985).

About the administrative functions of the Karenni interim judiciary, especially, the case management system , the courts handle the cases openly for judicial decisions. Nevertheless, the details of the cases are kept confidential with those who are not related to the cases and the court's decisions are stored and archived in the case storage rooms (J-1, J-2, interview, April & May 2025). Additionally, cases involving vulnerable individuals such as children and the elderly are being prioritized and separately handled without any delay (J-1, interview, April 2025). Still, the documentation of the judicial process remains inadequate and it fails to establish well-structured courtrooms due to the lack of technological and professional support for data protection (C-1 & J-3, interview, April 2025). Also, the insufficient budget and security concerns are the main obstacles to establishing accessible courts and detention centers in some areas. The interview data also revealed that the judges are overwhelmed by the caseloads and there are difficulties in collecting the evidence and protecting the witnesses (C-1, interview, April 2025). In the same way, although the administrative functions of the judiciary in Karenni State are carried out by the judiciary in cooperation with KMOJ under IEC, they still need support for an adequate budget and technical assistance to deliver legal services efficiently.

Regardless of the challenges, the courts are enforcing the judicial decisions by collaborating with the Karenni State Police (KSP) to maintain rule of law. Nevertheless, since the KMOJ under IEC supervises the criminals in the detention centers, the interview data reported that certain cases involving members of armed forces or administrative bodies were withdrawn from the courts or the detention centers by either the armed groups or the administrative bodies. For this reason, the court's independence and autonomy has been weakened and the meaning of the independence of the courts cannot be achieved if the court's judicial process is overwhelmed and influenced by external institutions.

Whereas judicial independence is guaranteed in the constitution, both the administrative and financial functions should be controlled by the judiciary itself in reality. Additionally, financial autonomy also plays an essential role for the judiciary to operate its functions independently and efficiently. Based on the interview data, most of the budget of the judiciary in Karenni State is supported by IEC, thereupon, the judiciary is depending primarily on the executive, so the judicial independence of the courts is vulnerable through either direct or indirect control by the executive (

J-3, interview, April 2025). As of the current period, as the IEC is acting as an interim government of the Karenni State, so it has "the responsibility to support the necessary assistance as the court may require enabling them to protect their independence, dignity, and effectiveness." In connection to the relationship between the financial autonomy of the court and the judicial independence of the judges, Millar (1981) asserted that an individual judge who is a part of independent judiciary, especially in both administrative and financial functions, will be able to perform their judicial functions independently, so the collective or institutional independence has influence over the independence of judges. Thus, those interview findings contradict Article 2 and 3 of the UN Basic Principles on the Independence of the Judiciary. The current political leaders of the Karenni State's government need to collaborate effectively to combat those interferences to ensure the judicial independence and rule of law in Karenni State.

8. Selection, Appointment, Remuneration, Tenure of office, Removal of Judges and Judicial Accountability in Karenni State

As it pertains to judicial independence, not only does the de facto approach should be prioritized, but it must also be reinforced through a de jure approach, including concrete measures to select and appoint judges, secure the remuneration and tenure of office, enact the guidelines for judicial code of conduct and discipline for removal, and ensure judicial accountability of judges in practice.

8.1 Selection of Judges

According to Article 10 of UN Basic Principles on the Independence of the Judiciary, (1985), " Persons selected for judicial office shall be individuals of integrity and ability with appropriate training or qualifications in law." The selection process ensures that any method shall be against legal appointments for improper motives. Moreover, there shall be no discrimination against race, color, sex, nationality, or other social or political factors. Notwithstanding that there are specific provisions for the selection of judges under Article 30 (a) of Chapter 6 of Karenni State Interim Judiciary Law, the selection of judges in Karenni State has encountered insufficient human resources because there aren't many judges who have been participating in Civil Disobedience Movement (CDM) in Karenni and some CDM judges are reluctant to go to those armed conflict areas. However, the judiciary in Karenni State is operating with limited resources. As indicated by the interview data, the nurturing of judges is carried out by the KMOJ under IEC, then selects individuals (including those who aren't from legal background) with the recommendation of the

trainers. Lastly, those people are appointed with the approval of the Chief Justice of KSIJ and IEC as the interim judges (C-1, interview, April 2025). Within this context, due to the scarcity of human resources, most of the individuals who are serving in the current Karenni judiciary, particularly, township judges, are just being selected through training, but they are not from legal backgrounds or law graduates, which may potentially compromise the judge's ability to exercise their discretionary power and their professional competence.

8.2 Appointment of Judges

In the matter of the judicial appointment process, there are four methods of judicial appointment: (i) single body appointments, (ii) professional appointments, (iii) cooperative appointments, and (iv) representative appointment mechanisms (Ginsburg, 2003). The single body appointment is the authority of appointing judges vested only in the executive branch, headed by the President or Prime Minister of a government. The professional appointment mechanisms prioritize internal incentives of existing senior judges by appointing new judges, such as desires for a good reputation and independence of the judiciary as an institution. Yet, it might lead to weakening the independence of individual judges such as unaccountability, and unresponsiveness to the public and they can be influenced by the senior judges (Bulmer, 2017). For cooperative appointments, the two bodies need to cooperate in the appointment process, that is, one institution nominates the judges, and then the other institution shall give consent to the nomination or selection of judges. In contrast, "representative appointment mechanisms enable two or more bodies to each appoint several members to a court (usually this applies only to the Supreme Court or Constitutional Court) (Bulmer, 2017).

Additionally, Article 4-1 of the Universal Charter of the Judges adopted by the International Association of Judges (1999, 2017) states that "the recruitment of judges must be based on objective criteria, ensuring professional skills and the selections must be made without any discrimination." To safeguard judicial independence, an independent and neutral judicial council or committee, consisting of the majority of judges elected by peers and sometimes the individuals with the skills of law as well as integrity, independence, impartiality, except political leaders and members of government organs, should be set up for "recruitment, selection, training, appointment, promotion and discipline of judges" (Article 2-3 of International Association of Judges, 2017).

Article 48(a) under Chapter 8 of KSIA and Article 7 (a) under Chapter 3 of Karenni State Interim Judiciary Law (2023) mention that the Karenni State Interim Parliament (KSIP) in

negotiation with Karenni State Consultative Council (KSCC), need to set up a council consisting of 5 suitable members for the selection of State judges. Then the commission needs to send the name lists of the selected judges to the KSIP. If two-thirds of the KSIP's representatives agree, the president of the IEC appoints the State Judges for KSIJ (Article 7 (d) under Chapter 3 of Karenni State Interim Judiciary Law, 2023). So, the appointment process of State judges in Karenni State applied the representative appointment mechanisms integration with commission-based appointment.

On the other hand, the appointment of township judges is carried out by the Chief Justice of KSIJ in coordination with the Chairperson of IEC (Ex-2, interview, April 2025). During this transition period, the selection is based on the criteria, such as the individuals who are willing to serve in the Karenni State, revolutionary mindset, and demonstrate commitment under the Karenni State's needs. Despite lacking systematic and formal selection, the judiciary is undertaking both short and long capacity building programs and training, aimed at strengthening the judges' professional competencies (C-2, interview, May 2025). Still the interview data suggested that most of the township judges in Karenni State lack formal legal background which may compromise the judges' professional competence and credibility of their decisions.

8.3 Remuneration of Judges

Judges must receive an adequate salary or remuneration for their services to secure economic independence, which can deter corruption, bribery, and other interests (Article 8-1 of International Association of Judges, 2017). Thus, Article 11-14 of the UN Basic Principles of the Independence of the Judiciary (1985) mentions that adequate remuneration, tenure of office, security, and retirement of judges should be prescribed and guaranteed by law.

The qualitative data revealed that the judges in Karenni State still don't receive adequate salaries and benefits to deter corruption and bribery because most of the budget and funding from external sources is spent on military expenditure during this period (CL-1, interview, April 2025). Hence, the inadequate salary and benefits for individuals who are serving in the judiciary may lead to vulnerability and corruption.

8.4 Tenure of Office and Removal of Judges

According to Article 11 of the UN Basic Principles on the Independence of the Judiciary (1985), the tenure of judges shall be secured by law, and "judges, whether appointed or elected, shall have guaranteed tenure until a mandatory retirement age or the expiry of their term of office,

where such exists" (Article 12 of UN Basic Principles on the Independence of the Judiciary, 1985).

As reported by the interviewees, the judges, especially the State Judges, should be appointed for lifetime tenure or until retirement age with adequate salary and benefits, which can promote judicial independence (Ex-1, interview, May 2025). Under Article 38 (a) of Chapter 8 of Karenni State Interim Judiciary Law (2023) and Article 51 of Chapter (8) of KSIA, the provision states that "the tenure of both State and township judges is until the end of the interim period. Moreover Article 28 of Chapter (3) of Karenni Judiciary Law also states that the tenure of State judges shall be until the age of 75 (Karenni Judiciary Law, 2023). Hence, the tenure security of judges is guaranteed in both KSIA and Karenni State Interim Judiciary Law and it is primarily emphasized in the current transition period.

Furthermore, Article 8 of the Universal Charter of the Judge (1999) states that " A judge cannot be transferred, suspended or removed from office unless it is provided for by law and then only by decision in the proper disciplinary procedure." The judges should be suspended or removed for the grounds where they are incapable of their duties or behave in a manner inconsistent with the judicial code of conduct and the examination of those procedures shall be kept confidential and conducted by the existing standards of judicial conduct (Article 17-20 of UN Basic Principles on the Independence of Judiciary, 1985). Interview responses highlighted that the township judges will be removed or dismissed if they pass away, commit crimes or are incapacitated by their judicial responsibilities due to their serious health conditions in Karenni State (C-2, interview, May 2025). Whereas the impeachment of State judges, including the Chief Justice, can be found in Article 20 (a) under Chapter (3) of the Karenni State Interim Judiciary Law, the grounds of the impeachment are based on "(i) betrayal to the gratitude of Karenni State, (ii) violate one of the provisions of KSIA, (iii) ethical misconduct and corruption, (iv) found guilty of a crime." The KSIA also stipulates that the investigation commission shall be set up for investigating the judges, then, it needs to present the findings reports to the KSIP within 7 days after the establishment of the commission. And the impeachment process will be with the approval of more than half of the representatives. After that, the removal of judges requires a decision supported by two-thirds of the representatives and greater population. In that case, the grounds and specific procedures for the impeachment and removal of judges in Karenni State protect the judges from the arbitrary removal by establishing an independent investigation commission.

In contrast, qualitative data showed that the township judges have security concerns in

reality, albeit the protection of judges regarding their judicial functions and it is the responsibility of IEC (referring to Article 40 of Chapter 8 of Karenni State Interim Judiciary Law, 2023). Most of the township judges still feel insecure about their judicial decisions over the cases of armed groups or administrative bodies and face threat or coercion for sentences prescribed by law (C-2, interview, May 2025). Although the constitutional provisions are explicitly provided for the protection of judges by the IEC, the institutions within Karenni State, including the IEC, still need to comply with and enforce these safeguards to establish judicial independence and the rule of law.

8.5 Judicial Accountability : Monitoring and Evaluation of Judges

The judges have the right to decide cases independently based on their interpretation of laws and facts presented before them, and without any pressure within and from external pressures, however, they should be held accountable to some manner of accountability.

The word accountable means being answerable to someone or something for one's actions or conduct. So, the judges' accountability can be considered into two types of performance criteria: decisional accountability, which means judges are answerable for their judicial decisions, and behavioral accountability, indicating that to hold individual judges answerable for their conduct on the bench (Brody, 2008). Brody (2008) also mentioned that judicial independence and judicial accountability are viewed as "competing forces", that means, in some situations, judges who own excessive independence are "free to act without any concerns for being held accountable for overstepping their authority, whereas the judiciary system overly responsive to public pressure, then the judges are afraid of making proper legal judgments that go against public opinion. But in reality, judicial independence and judicial accountability are mutually beneficial and "different sides of the same coin" (Burbank, 1999).

According to the interview data, the code of conduct for judicial staff has been drafted to remain accountable to the public while establishing judicial independence. For the monitoring process of the courts, the judicial supervisory body is operating under the supervision of KSIJ (Ex-2, interview, May 2025). Besides, the KMOJ under IEC is taking the responsibility of supervising the staff and operational functions in coordination with the KSIJ (referring to Article 43 and 44 of Chapter 9 of Karenni State Interim Judiciary Law), such as promotion and transferring of judges, so the evaluation and oversight function of ethical compliance by judicial staff by KMOJ, which is under the government, is not completely independent and it requires an effective reform process.

9. Conclusion and Recommendations

Amid the ongoing civil war, the political institutions controlled by juntas have increasingly corrupted, politicized, and descended into authoritarian rule since the 2021 coup. On the other hand, leveraging the momentum of controlled territories, the ethnic political leaders in collaboration with the National Unity Government (NUG) have begun the parallel governance system aimed at restoring democratic norms and protecting civilian rights.

Among these efforts, the Karenni State's Interim Government stands out for its significant progress in developing the independent political institutions and delivering essential public services within their respective areas despite limited resources and the ongoing armed conflicts. Due to the widespread armed conflicts across the country, civilians, particularly in the conflict zones, face daily gross human rights violations and lack access to formal justice mechanisms. Accordingly, the Karenni interim judiciary is a prominent example of maintaining rule of law and establishing judicial independence through the interim arrangement.

In summary, this research examined the current state of judicial independence in the Karenni State and the use of customary laws for protection of regional autonomy. The study found that although there are strong provisions for the Karenni interim judiciary under the Karenni State Interim Arrangement (KSIA) and Karenni State Interim Judiciary Law, challenges lie in establishing judicial independence in practice and the diversity of customary laws requires concrete steps to make sure everyone has equal access to the justice and to promote the harmonization of those laws. To address those challenges in the Karenni judiciary system, the following urgent actions are recommended:

Based on the findings of this study, it is recommended that both the Karenni Interim Executive Council (IEC) and Karenni State Interim Parliament (KSIP) need to add a specific provision under KSIA, regarding the allocation of sufficient budget for the judiciary to establish accessible courts and strengthen administrative functions. In addition, it's critical to nurture competent law graduates, prosecutors, lawyers, and judges through comprehensive degree programs and other capacity-building initiatives as the scarcity of qualified human resources in the current judiciary system is the major challenge to establishing judicial independence. More importantly, judges should be provided with adequate remuneration and benefits to safeguard their economic independence and prevent corruption and influence from external factors. And protection of judges from threats and intimidation is urgent to ensure their security and enhance judicial

integrity while addressing assignments of roles to judiciary staff. Public awareness sessions about the basic foundation of legal knowledge and the current judiciary procedures are needed to be conducted to restore the public's trust. Furthermore, the harmonization of customary laws aligning with both national and state laws is necessary for standardization. Crucially, robust collaboration among three branches of the Karenni Interim Government and armed actors is vital for establishing judicial independence and maintaining the rule of law in the Karenni State.

This study highlights establishing judicial independence in the Karenni State depends not only on constitutional arrangements but also on effective safeguard measures to uphold the independence of both courts and judges in practice. The customary practices offer a robust foundation for safeguarding regional autonomy in the Karenni State; however, it is essential to integrate those laws into legal frameworks and eliminate some customary practices that contradict human rights standards, particularly to uphold justice for individual rights, especially for women.

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Appendix 1

List of interviewees

No.	Code Name	Position	Age	Gender	Academic Background
1.	Ex-1	CDM Professor	-	Female	-
2.	Ex-2	Chief Justice of Karenni State Interim Judiciary (KSIJ)	40	Male	LLB
3.	C-1	Minister of Karenni Ministry of Justice (KMOJ)	-	Male	-
4.	C-2	-	28	Male	-
5.	J-1	CDM Judge Volunteer	31	Male	LLB
6.	J-2	Township Judge	-	Female	LLB
7.	J-3	Township Judge	-	Male	-
8.	CL-1	-	-	Female	High School Graduate
9.	CL-2	-	-	Female	University 2nd Year
10.	CL-3	Youth	30	Female	Graduate
11.	L-1	-	44	Male	-

12.	L-2	-	-	Female	-
13.	L-3	-	52	Male	-

Appendix 2

Interview Questions are as follows.

1. How do you define judicial independence, and why is it important?
2. How would you describe the current state of judicial independence in Karenni State?
3. What are the key challenges to maintaining judicial independence in Karenni State?
4. What reforms are necessary to strengthen judicial independence while addressing these challenges?
5. What role does customary law play in protecting regional autonomy in Karenni State? How does it interact with statutory law?
6. How does the Karenni State Interim Arrangement balance the protection of regional autonomy with the enforcement of national legal standards?
7. What mechanisms are in place to prevent political influence on the judiciary under the Karenni State Interim Arrangement?
8. How does judicial independence in Karenni State compare to that of other ethnic states?
9. Can you describe how the court system in Karenni State operates?
10. What criteria should be used for the selection of judges to ensure neutrality and independence?
    - Qualifications and experience
    - Appointment processes designed to prevent political interference
    - Ethical guidelines and codes of conduct
    - Mechanisms for evaluating neutrality and independence throughout their tenure
11. How should legal provisions safeguard the tenure of judges?
    - What protections exist against arbitrary removal?
    - Under what circumstances can a judge be dismissed, and who has the authority to make that decision?

12. How is judicial accountability ensured without compromising independence? Are there independent oversight bodies?
13. How does the judiciary respond to external pressures from political parties or armed groups?
14. Can you describe the case management system of the Karenni judiciary?
15. Do you think the current judicial system in Karenni State is effective and independent? Why or Why not? Are judicial decisions fully enforced?
16. What recommendations do you have to strengthen both judicial independence and customary law in Karenni State?
17. Where do you usually seek justice when disputes arise—customary courts, formal courts, or other mechanisms? Why?
18. Do you feel that court decisions (both customary and formal) are fair and independent? Why or why not?
19. How accessible is justice for ordinary people in Karenni State? Are there any barriers?
20. Have you or anyone you know faced difficulties in getting a fair trial due to political or external influences?
21. What is your opinion on the role of customary law in protecting regional autonomy?
22. How well do customary courts and formal courts cooperate in resolving legal matters?
23. What improvements would you like to see in the justice system to ensure fairness and independence?
24. Do you believe that judges' decisions are independent? Are these decisions fully enforced by other institutions?
25. Are there sufficient enforcement mechanisms, such as detention facilities?

Experts' Questions – 1,2,3,4,5,10, 11, 12, 13 = 9 Questions

Consultants Questions -2,3, 4, 5, 6, , 8, 10, 11, 12, 15 = 10 Questions

Judges Questions- 3, 4, 5, 8, 9, 10, 13, 14, 15 = 9 Questions

Community Leaders- 3, 4, 9, 15, 16, 18, 21 = 7 Questions

Local People- 17,18,19,20, 21,22,23,24, 25 = 9 Questions