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CENTRE FOR DEVELOPMENT AND ETHNIC STUDIES

3 C 5 , Y a n k i n C e n t r e , Y a n k i n T o w n s h i p . Y a n g o n . M y a n m a r

## THE NATIONWIDE CEASEFIRE AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF THE UNION OF MYANMAR

AND

THE ETHNIC ARMED ORGANIZATIONS

### Preamble

This Nationwide Ceasefire Agreement, between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations, recognizes, reinforces, and reaffirms all previous agreements between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations. This agreement also aims to secure an enduring peace based on the principles of dignity and justice, through an inclusive political dialogue process involving all relevant stakeholders.

In order to achieve lasting and sustainable peace in this country, we, the signatories to this Nationwide Ceasefire Agreement, pledge to each other to diligently work together to implement all provisions contained in this agreement completely, successfully and without fail in an accountable, responsible and transparent manner.

### Chapter 1

#### Basic Principles

1. In order to achieve lasting and sustainable peace, we agree to implement this Nationwide Ceasefire Agreement in accordance with the following basic principles:

- a. Establish a union based on the principles of democracy and federalism in accordance with the outcomes of political dialogue and in the spirit of Panglong, that fully guarantees democratic rights, national equality and the right to self-determination on the basis of liberty, equality and justice while upholding the principles of non-disintegration of the union, non-disintegration of national solidarity and perpetuation of national sovereignty.
- b. Reach a negotiated settlement to end protracted armed conflict in the Republic of the Union of Myanmar, secure a nationwide ceasefire as a first step to end armed conflict and establish a new political culture of resolving political conflicts through political dialogue instead of force of arms.
- c. Discuss matters concerning Pyidaungsu Tatmadaw made up of all ethnic nationalities during political dialogue.

- d. Guarantee equal rights to all citizens who live within the Republic of the Union of Myanmar; no citizen shall be discriminated against on the basis of ethnicity, religion, culture, or gender.
- e. Establish a secular state based on the principle of the separation of religion and state in order to avoid abuse of religion for political interests.
- f. Collectively establish a common national identity that embraces the diverse ethnicities and languages by recognizing the distinctive history, cultural practices, literature, language and national characteristics of all ethnic nationalities living within the Republic of the Union of Myanmar.
- g. Hold inclusive political dialogue, attended by all relevant stakeholders, in accordance with the aspirations and desires of all ethnic nationalities in order to achieve lasting and sustainable peace.
- h. Negotiate in good faith any issues that may arise between and among the dialogue partners in order to achieve lasting and sustainable peace.
- i. Abide by all mutual promises and commitments contained in this Agreement and implement the peace process in a transparent, responsible and accountable manner.
- j. Effectively implement the provisions contained in this Agreement without each party taking advantage of positive developments arising from the implementation of this Agreement.
- k. Undertake efforts to protect lives and property and improve the livelihoods of all persons living within the Republic of the Union of Myanmar.

## **Chapter 2**

### **Aims and Objectives**

- 2. The Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations agree to the following aims and objectives:
  - a. Begin an inclusive political dialogue process based on an agreed framework following the signing and implementation of the nationwide ceasefire, with an aim of achieving just and sustainable peace.
  - b. Form a “Joint Ceasefire Monitoring Committee” to carry out the following: implementing provisions of the Nationwide Ceasefire Agreement; monitoring adherence to the Code of Conduct; investigating alleged violations; and undertaking problem solving functions.

- c. Reaffirm all promises and previous agreements signed between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations.
- d. Include all relevant the Ethnic Armed Organizations in the collective signing of the Nationwide Ceasefire Agreement by recognizing the political aspirations behind the resistance movements of the Ethnic Armed Organizations and aim to strengthen the Union spirit.

### **Chapter 3**

#### **Ceasefire Related Matters**

- 3. We agree that within fourteen (14) days of signing this Agreement, responsible authorities from the Tatmadaw and the Ethnic Armed Organizations shall meet to define the exact timeframes governing ceasefire related matters and their implementation.
- 4. We agree to abide by the mutually binding terms and conditions of the ceasefire and military codes of conduct as entered into through this Nationwide Ceasefire Agreement, and shall submit to investigation by the different levels of the Joint Ceasefire Monitoring Committee.
- 5. The Tatmadaw and the Ethnic Armed Organizations agree to abide by the following troop-related terms and conditions:
  - a. Cease the following actions in ceasefire areas: troop movements for territorial control, reconnaissance, recruitment, armed attacks, laying of mines, acts of violence, destruction of property, and launching of military offensives.
  - b. Avoid any direct or indirect action that may be regarded as hostile or contemptuous.
  - c. Avoid troop reinforcements in the ceasefire areas other than the provision of administrative support, emergency medical support and routine rotation of troops; avoid building new military bases and supplying of ammunition and weaponry, except those already agreed by both parties. In the event of a threat to national security or to defend against external threats, the aforementioned activities may be undertaken in consultation between the parties.
  - d. Avoid using any religious buildings, schools, hospitals, clinics and their premises as well as culturally important places and public spaces as military outposts or encampments.
  - e. Undertake de-mining activities to clear mines laid by troops from all sides in accordance with the progress of the peace process and coordinate mine action activities in close consultation with the Government of the Republic of the Union of Myanmar.

- f. Avoid hostile propaganda, defamatory, untruthful or derogatory statements, both within and outside the country.
- g. Collaborate to carry out relief and rescue efforts and provision of medical supplies in the case of a natural disaster causing an emergency situation in a ceasefire area.
- h. Administer rule of law in ceasefire areas and take action against perpetrators in accordance with the law in coordination with each other.
- i. Undertake the administration of military matters in ceasefire areas in consultation with each other.
- j. Notify the signing of this Nationwide Ceasefire Agreement to all levels of the respective command structures within twenty-four (24) hours of the signing and explain the provisions contained in this Agreement within five (5) days of the signing.
- k. Avoid resorting to force to resolve conflicts arising at lower levels and ranks.

6. We shall negotiate and implement matters regarding troop recruitment by the Ethnic Armed Organizations in accordance with the implementation of this Nationwide Ceasefire Agreement and the security reintegration process.

#### **Deployment of military forces to avoid confrontations**

7. In order to avoid military confrontation, the Tatmadaw and forces of the Ethnic Armed Organizations shall abide by the following provisions governing the deployment of troops:

- a. Avoid confrontations in areas where there is direct contact between the troops, by acting immediately using radio, ground or other methods of communication.
- b. Undertake repositioning of troops in consultation with each other to avoid confrontations.
- c. In areas where repositioning of troops is still under discussion or remains difficult to undertake, commanders should regularly contact and consult with each other.
- d. Tatmadaw and the Ethnic Armed Organizations shall confine their troops within the designated areas.

- e. Coordinate in consultation with each other on the number of military bases in areas of direct contact between the troops to avoid confrontation.
- f. Consult with each other based on this Agreement to ensure communication channels are securely maintained between the respective military bases and areas.

#### **Free movement of troops**

8. The Tatmadaw and the Ethnic Armed Organizations shall abide by the following provisions governing the free movement of troops:

- a. Free movement of unarmed troops is allowed in all areas except in security-restricted areas.
- b. Movement of armed troops in the areas controlled by the other is allowed only after obtaining prior agreement.

#### **Protection of Civilians**

9. The Tatmadaw and the Ethnic Armed Organizations shall abide by the following provisions regarding the protection of civilians:

- a. Provide necessary support in coordination with each other to improve livelihoods, health, education, and regional development for the people.
- b. Avoid acts violating a person's dignity, violence, extrajudicial detention, kidnapping, torture, inhumane treatment, imprisonment, killing or otherwise causing the disappearance of the individual.
- c. Avoid forcible displacement or relocation of local populations.
- d. Avoid forcibly taking money, property, food, labor or services from civilians.
- e. Avoid unlawful and arbitrary arrest, entrapment, prosecution and pronouncement of judgment against civilians. Any action against civilians shall be undertaken in accordance with the law.
- f. Avoid forcible confiscation and transfer of land from local populations.
- g. Avoid the destruction of public property, looting, theft, or the taking of property without permission.

- h. Avoid restrictions on the right to education in accordance with the law; destruction of schools and educational buildings, including educational tools; and the disturbance and hindrance of students and teachers.
- i. Avoid impeding an individual's right to health or access to healthcare; or restricting public health resources and the legal transportation of medicines for public use.
- j. Avoid impeding the small-scale storage, transport, sale and trade of food and supplies.
- k. Avoid the destruction or actions that would lead to the destruction of schools, hospitals, clinics, religious buildings and their premises and the use of such places as military bases or outposts.
- l. Avoid either directly or indirectly interfering, humiliating or damaging the reputation of public activities to preserve religion, literature, and cultural and traditional practices.
- m. Avoid any form of sexual attack on women, including sexual molestation, sexual assault or violence, rape and sex slavery.
- n. Avoid killing or maiming, forced conscription, rape or other forms of sexual assault or violence, or abduction of children.
- o. Avoid enslavement or forced labor of civilians.
- p. Ensure the security and development of civilians living in ceasefire areas.
- q. Permit civilians to move freely inside ceasefire areas.

**Provision of humanitarian assistance**

10. The Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations shall abide by the following provisions regarding the provision of humanitarian assistance:

- a. Relevant Government ministries, the Ethnic Armed Organizations and local organizations shall coordinate with each other when implementing delivery of humanitarian assistance by the NGOs and INGOs to Internally Displaced Persons (IDPs) and conflict victims with the approval of the Government of the Republic of the Union of Myanmar.

- b. Ensure the safety and dignity of the IDPs when undertaking a prioritized voluntary return of IDPs to their places of origin or resettlement of IDPs into new villages in suitable areas.
- c. Collaborate on the resettlement process including verification of IDPs and refugees.

## **Chapter 4**

### **Maintaining and Strengthening Ceasefire**

#### **Ceasefire related rules and regulations and military code of conduct**

11. We shall enact, in accordance with the provisions in this agreement, the military code of conduct and ceasefire-related rules and regulations within one (1) month of the signing of this Agreement.

#### **Joint Ceasefire Monitoring Committee**

12. To ensure compliance with this Agreement, the Nationwide Ceasefire Agreement Joint Implementation Coordination Meeting shall form the Joint Ceasefire Monitoring Committee as follows:

- a. To coordinate the parties' compliance with this Agreement, we shall form a Joint Ceasefire Monitoring Committee, comprised of members of the Union Peace-Making Work Committee, representatives of the Ethnic Armed Organizations, and trusted and well-respected individuals.
- b. The Joint Ceasefire Monitoring Committee shall comprise a nationwide joint ceasefire monitoring committee, state-level joint ceasefire monitoring committee, local-level joint ceasefire monitoring committee, and verification teams.
- c. We shall jointly decide on the basis of mutual agreement, the role of representatives from foreign governments and international organizations that are involved in the ongoing peace process, either as observers, advisors or to provide necessary technical assistance at different levels of the Joint Ceasefire Monitoring Committee.

13. The responsibilities, rights and guiding principles for the respective committees are as follows:

- a. Determine in the Nationwide Ceasefire Agreement Joint Implementation Coordination Meeting, the procedures, standards, guidelines and detailed organizational structure of the ceasefire implementation mechanism.
- b. Accountably carry out ceasefire implementation and monitoring related responsibilities, and when necessary, report to the Nationwide Ceasefire Agreement Joint Implementation Coordination Meeting.

- c. Coordinate humanitarian assistance provided for Internally Displaced Persons (IDPs) of both man-made and natural disasters, and victims of conflict.
- d. Monitor the implementation of the plan for repositioning of troops as agreed by the parties.
- e. Assist the peace process by monitoring the condition of nationwide ceasefire, compliance with the Nationwide Ceasefire Agreement, the agreed troop-related provisions, the military code of conduct, ceasefire related rules and regulations, and resolving disputes in a transparent and unbiased manner.

14. The Joint Ceasefire Monitoring Committee shall use its best efforts to reach decisions by consensus.

15. To allow the Joint Ceasefire Monitoring Committee to effectively resolve issues, we agree to provide all information requested by the Committee, except information related to national defense and security matters, in accordance with the terms of this Agreement.

#### **Liaison Offices**

16. To ensure the smooth functioning of the operations of the Ethnic Armed Organizations that are signatories to this agreement, liaison offices shall be established in mutually agreed areas and in areas specified in existing union-level peace agreements.

17. We shall coordinate in determining procedures to enable liaison office staff to achieve prompt and efficient resolution of disputes and difficulties.

18. We shall provide protection to liaison office staff and the Ethnic Armed Organizations as needed.

### **Chapter 5**

#### **Guarantees for Political Dialogue**

19. After signing the Nationwide Ceasefire Agreement to end armed conflict and resolve political issues through peaceful political means, we shall undertake the implementation of all basic principles, terms and conditions as provided in the Agreement.

#### **The political roadmap**



20. The Republic of the Union of Myanmar Government and the Ethnic Armed Organizations shall abide by the following political roadmap:

- a. Signing of the Nationwide Ceasefire Agreement.
- b. Drafting and adopting the "Framework for Political Dialogue" by representatives of the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations.
- c. Holding national political dialogue based on the adopted Framework for Political Dialogue, and negotiating security reintegration matters and undertaking other necessary tasks that both parties agree can be carried out in advance.
- d. Holding the Union Peace Conference.
- e. Signing the Pyidaungsu Accord.
- f. Submitting the Pyidaungsu Accord to the Pyidaungsu Hluttaw for ratification.
- g. Implementing all provisions contained in the Pyidaungsu Accord, and carrying out security reintegration matters.

### **Political dialogue**

21. The Republic of the Union of Myanmar Government and the Ethnic Armed Organizations agree to the following provisions with regards to political dialogue:

- a. In order to begin political dialogue and jointly undertake the implementation of all provisions contained in this Nationwide Ceasefire Agreement, we shall undertake the following as soon as the Agreement is signed:
  - (1) Hold a Nationwide Ceasefire Agreement Joint Implementation Coordination Meeting.
  - (2) Form the nationwide ceasefire Joint Monitoring Committee, Union Peace Dialogue Joint Committee and other necessary committees during this meeting, (The Union Peace Dialogue Joint Committee is also responsible for drafting a framework for political dialogue).

- b. Jointly draft and adopt a framework for political dialogue—including dialogue process plan, agendas for discussion, and structure of the political dialogue—within sixty (60) days of signing this Nationwide Ceasefire Agreement in collaboration with all relevant stakeholders.
- c. We shall begin political dialogue within ninety (90) days of signing this Nationwide Ceasefire Agreement.
- d. We shall set the agenda for the framework for political dialogue by including basic principles of this Agreement and other topics but avoiding issues that violate the three main national causes of non-disintegration of the union, non-disintegration of national solidarity, and perpetuation of national sovereignty.
- e. During the decision-making process, we, the organizations participating in political dialogue, commit to engaging constructively so as to find mutually acceptable solutions in order to achieve lasting and sustainable peace.

### **Holding of inclusive political dialogue**

22.

- a. Representatives from the government, Hluttaws and the Tatmadaw, representatives from the Ethnic Armed Organizations, representatives from registered political parties, ethnic representatives and other relevant representatives shall participate in political dialogue that is based on an all inclusive principle.
- b. The participation of ethnic representatives, civil society organizations, scholars, experts, business associations, and other relevant stakeholders at different stages of political dialogue will be discussed and determined during the drafting of the Framework for Political Dialogue.
- c. The proportion of representatives participating in political dialogue shall be negotiated during discussions on the Framework for Political Dialogue.
- d. We agree that all decisions adopted by the Union Peace Conference shall be the basis for amending, repealing and adding provisions to the Constitution and laws, in line with established procedures.

23. We shall include a reasonable number/ratio of women representatives in the political dialogue process.

## **Chapter 6**

### **Future Tasks**

**Confidence building measures:**

24.

- a. No person (or) organization shall be subject to arrest or legal repercussion due to their involvement in negotiating this Agreement or in the peace process, except for otherwise violating the law.
- b. It is agreed that the removal of all the Ethnic Armed Organizations that are signatories to this Nationwide Ceasefire Agreement from the list of unlawful associations shall be undertaken. Further, no person (or) organization associating with the signatories to this agreement shall be subject to prosecution under the Political Parties Registration Law or Unlawful Associations Act.
- c. After the signing of this Nationwide Ceasefire Agreement, any person charged or detained for alleged association with the Ethnic Armed Organizations under the Unlawful Associations Act, shall be released in accordance with the law.

#### **Tasks to be implemented during the interim period**

25.

- a. The Ethnic Armed Organizations that are signatories to this agreement have been responsible in their relevant capacities, for development and security in their respective areas. During the period of signing ceasefire and political dialogue, we shall carry out the following programs and projects in coordination with each other in said areas.
  - (1) Projects concerning the health, education and socio-economic development of civilians.
  - (2) Environmental conservation.
  - (3) Efforts to preserve and promote ethnic culture, language, and literature.
  - (4) Matters regarding peace and stability, and the maintenance of rule of law in the said areas.
  - (5) Receiving aid from donor agencies both inside and outside the country for regional development and capacity-building projects.

(6) Eradication of illicit drugs.

- b. Planning of projects that may have a major impact on civilians living in ceasefire areas shall be undertaken in consultation with local communities in accordance with the Extractive Industries Transparency Initiative (EITI) Standard procedures and coordinated with relevant the Ethnic Armed Organizations for implementation.
- c. The government and the individual the Ethnic Armed Organizations shall coordinate the implementation of tasks that are specific to the areas of the respective Ethnic Armed Organization.

#### **Submission to Pyidaungsu Hluttaw for ratification**

26. We shall submit this Agreement to the Pyidaungsu Hluttaw for ratification in accordance with established procedures.

### **Chapter 7**

#### **Miscellaneous**

27. We shall hold separate negotiations between the signatories to reach an agreement on any issues that are beyond the scope of this agreement and the outcome of such discussions shall not contradict any provisions of this Agreement.

28. This agreement shall be written in Myanmar and translated into English. Each shall be legally valid, however in the event of any dispute or ambiguity over the wording and essential meaning of the agreement between the two versions, the original meaning and intention of the Myanmar version shall prevail.

29. We shall undertake jointly to ensure the successful implementation of this Nationwide Ceasefire Agreement. Any issues faced during the implementation of the Nationwide Ceasefire Agreement shall be resolved in the regularly held Nationwide Ceasefire Agreement Joint Implementation Coordination Meetings composed of representatives of the signatories.

30. We agree that, in consultation with each other, decisions contained in the agreed meeting minutes taken during negotiations for the Nationwide Ceasefire Agreement shall be referred to in the implementation of the Agreement.

#### **Joint dispute resolution**

31.

- a. We shall resolve through peaceful negotiation means any issues that may arise in complying with the terms and conditions of this Agreement.

- b. We shall submit any issue that cannot be resolved in accordance with paragraph 31(a) to the Nationwide Ceasefire Agreement Joint Implementation Coordination Meeting for resolution.

### **Entry into force**

32. This agreement shall enter into force on the date of the signing by the signatories. If needed, a review of the implementation of this Agreement shall be undertaken by the signatories in consultation with each other.

### **Signing of the Agreement**

33. The Nationwide Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations is signed on this 15th day of October 2015 by the following representatives.

#### Witnesses

- 1) National
- 2) International