

Country/entity	Myanmar
Region	Asia and Pacific
Agreement name	Code of Conduct for political parties and candidates
Date	26 Jun 2015
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict
	Myanmar Conflict (1948 -)
	<p>Internal conflict, mostly along ethno-political fault lines, has been a constant feature of Myanmar since its independence in 1948. The conflict has two distinct dynamics. First a struggle between an authoritarian government and a pro-democracy opposition which has the characteristics of authoritarian conflicts; and second a struggle between the government and ethnic armed groups which has the characteristics of an identity conflict. The two oldest and strongest militias fighting the government are the Karen National Union (KNU), which has remained active since the late 1940s, and the Kachin Independence Organisation, which was formed in the early 1960s. In total, there are more than a dozen mostly ethnic-based guerrilla groups active throughout the country. Especially in the period of junta dictatorship that lasted until 2011 the government attempted to crush the rebellions, which led to numerous human rights violations. With the start of democratic reforms in the aftermath of the 2010 elections, peace negotiations have taken place and resulted in the signing of various agreements, although conflicts remain active.</p> <p>Close</p> <p>Myanmar Conflict (1948 -)</p>
Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Myanmar ceasefires process with ethnic armed groups
Parties	Drafted by the ad hoc Working Committee (FDA, NBF, NLD, NUP, UNA, USDP). Consulted and accepted by all political parties.
Third parties	-
Description	Agreement between political parties designed to maintain a level of ethnical behaviour and prevent the stoking of further conflict. Includes disavowing the use of media for libel or targeting of personalities and parties on personal grounds; a greater participation of women; equality and neutrality of religious groups, and cooperation with electoral bodies.

Agreement document	MM_141021_Code of Conduct for Political Parties and Candidates_EnMM g.pdf (opens in new tab) Download PDF
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Groups

Children/youth	<p>Groups→Children/youth→Rhetorical</p> <p>Page 29, 7. Gender and differently abled people</p> <p>1. The parties shall strive, during all stages of the electoral process, to provide equal opportunities and criteria for the greater participation of women, youth and the elderly, and to make as much effort as possible to encourage and facilitate participation of marginalised, poor and low-income sectors of society. The time of campaigning should be arranged so as to enable women working in households to be easily able to participate.</p>
Disabled persons	<p>Groups→Disabled persons→Rhetorical</p> <p>Page 21, 5. Security, 5.3. Violations and the integrity of the process</p> <p>...</p> <p>3. The Parties shall refrain from:</p> <p>...</p> <p>c) deceiving or exercising any form of pressure on voters with special needs, illiterate voters or those voters with limited capacity, or resorting to abuse of power to restrict voters' freedom of choice;</p> <p>Page 29, 7. Gender and differently abled people</p> <p>...</p> <p>2. The Parties shall not incite or encourage any person to commit gender-based violence. Campaigning for the election should be gender friendly and sensitive towards differently abled people.</p>
Elderly/age	<p>Groups→Elderly/age→Rhetorical</p> <p>Page 29, 7. Gender and differently abled people</p> <p>1. The parties shall strive, during all stages of the electoral process, to provide equal opportunities and criteria for the greater participation of women, youth and the elderly, and to make as much effort as possible to encourage and facilitate participation of marginalised, poor and low-income sectors of society. The time of campaigning should be arranged so as to enable women working in households to be easily able to participate.</p>
Migrant workers	No specific mention.

**Racial/ethnic/
national group**

Groups→Racial/ethnic/national group→Substantive

Page 12, 3. To Coordinate and cooperate with other Parties in settling disputes

... 2. The Parties and the UEC undertake to cooperate for the elections as required. The Parties commit to participate actively in consultation and coordination mechanisms that may be established in the future. In this spirit of cooperation and with the aim of national reconciliation, there should be no discrimination against other Parties, whether small or big Parties, competing Parties and ethnic parties.

Page 13, 4. To Campaign on party policies and promote diversity

4.1. To not slander other Parties during the campaign.

the Parties shall refrain from incorrectly criticizing leaders, candidates and supporters of other Parties on the basis of aspects of their private lives. They will also refrain from making criticism based on unverified allegation or facts that have been distorted, and from insulting or making tendentious innuendos about the candidates or their family member based on race, religion, creed, gender, social or regional origin, education or any other similar reason. Polite and respectful language should be used in speeches and announcements.

Page 15, 4.3 Not to use religious and racial discriminatory messages in campaigns

1. In line with the Political Parties Registration Law Chapter II (article 6d), the parties commit to abstaining from "writing, delivering speech or organising and instigating that can cause conflict or that can affect dignity and moral relating to nationality, religious, individual or public."

Page 17, 4.3. ... 2. The Parties commit themselves, when addressing the public at political rallies or as part of their communications through mass media, including the social media, to refrain:

... c) fuelling regionalist, racial, sectarian or tribal trends that could threaten national unity;

Religious groups

Groups→Religious groups→Substantive

Page 9, Page 4, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

... d. the neutrality of administrative or religious organisations, and the principle of not mis-using financial and human resources and materials of public and private institutions, the principles of non-abuse of the decision-making process for electioneering purposes.

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... b) defamation and incitement to hatred, or accusation of apostasy, treason, terrorism or any other serious charges.

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... c) fuelling regionalist, racial, sectarian or tribal trends that could threaten national unity;

Page 17, Page 9, 4.3. ... 3. An election campaign should not be implemented in a manner that encourages hatred between any religion, tribe, group, gender, language or community.

Page 17, Page 9, 4.3. ... 4. Respecting the Article 407(d) of the Constitution, the Parties shall not "abuse religion for political purposes". When there is no other place for campaigning, the Parties may use places for social gathering in religious buildings, with the agreement of the religious organisations of the site.

Indigenous people

No specific mention.

Other groups

Groups→Other groups→Substantive

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... c) fuelling regionalist, racial, sectarian or tribal trends that could threaten national unity;

Refugees/displaced persons No specific mention.

Social class

Groups→Social class→Rhetorical

Page 29, 7. Gender and differently abled people

1. the parties shall strive, during all stages of the electoral process, to provide equal opportunities and criteria for the greater participation of women, youth and the elderly, and to make as much effort as possible to encourage and facilitate participation of marginalised, poor and low-income sectors of society. The time of campaigning should be arranged so as to enable women working in households to be easily able to participate.

Groups→Social class→Anti-discrimination

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Gender

Women, girls and gender

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2. The Parties shall not incite or encourage any person to commit gender-based violence. Campaigning for the election should be gender friendly and sensitive towards differently abled people.

Men and boys

No specific mention.

LGBTI

No specific mention.

Family

No specific mention.

State definition

Nature of state (general)

No specific mention.

State configuration

No specific mention.

Self determination

No specific mention.

Referendum

No specific mention.

State symbols

No specific mention.

**Independence/
secession** No specific mention.

**Accession/
unification** No specific mention.

Border delimitation No specific mention.

**Cross-border
provision** No specific mention.

Political No specific mention.
institutions (new or
reformed)

Elections

Page 3, 1. Preamble, 1. The 2015 Election is an important milestone and a step in the historic democratic transition of the Republic of the Union of Myanmar. In this context, political parties commit to fostering democratic dialogue and to cooperating together accepting and recognising diversity.

Page 3, 1. Preamble, 3. The most important objectives of the CoC are: to contribute to the success of the electoral process; to ensure the continuity of that process; to build confidence among individuals, organizations and stakeholders involved in the process; to create a positive and tolerant atmosphere and to encourage open, free and fair competition. On this basis, the Parties are determined to contribute responsibly, voluntarily and willingly to create an environment conducive to the success of the electoral process, irrespective of the differences in their positions.

Page 4-5, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

[Summary] Articles talk of campaigning.

Page 5, 3. In addition, the Parties are committed to

... b. ensure full freedom of voters in exercising their voting rights without being exposed to any form of harassment or hindrance.

Page 9, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

... d. the neutrality of administrative or religious organisations, and the principle of not mis-using financial and human resources and materials of public and private institutions, the principles of non-abuse of the decision-making process for electioneering purposes.

Page 10, 3. In addition, the Parties are committed to

a. work with responsible staff of the Union Election Commission (the 'UEC') to ensure peaceful and well-organized elections.

Page 12, 3. To Coordinate and cooperate with other Parties in settling disputes

... 2. The Parties and the UEC undertake to cooperate for the elections as required. The Parties commit to participate actively in consultation and coordination mechanisms that may be established in the future. In this spirit of cooperation and with the aim of national reconciliation, there should be no discrimination against other Parties, whether small or big Parties, competing Parties and ethnic parties.

Page 19, Security,

5.1. To maintain peace and stability while campaigning

... 2. The Parties shall cooperate with each other for the security of voters. They shall agree to cooperate with law enforcement services such as Myanmar Police Force to promote a peaceful electoral environment and maintain public order.

Page 20, Security,

5.3. Violations and the integrity of the process

1. In line with the respective Hluttaw Laws, Chapter XIV, the Parties commit not to engage in violations such as impersonation, casting votes more than once in the same election (multiple voting) and giving or taking bribes. The parties also commit not to abuse the advanced voting procedures.

2. The Parties shall cooperate with UEC and sub-commissions, security and judicial authorities, and organisations active in electoral observation, in preventing and addressing the above issues.

**Electoral
commission**

Page 10, 3. In addition, the Parties are committed to
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2. The Parties shall cooperate with UEC and sub-commissions, security and judicial authorities, and organisations active in electoral observation, in preventing and addressing the above issues.

Page 31, 8. Monitoring and implementation

8.1. To establish a standard procedure for monitoring compliance and take actions

The Parties shall:

... 4. in the implementation of the CoC, to be accountable to and work together with civil society organisations that have been accredited by the UEC for election observation.

Political parties reform

Governance→Political parties reform→Other political parties reform

Page 3, 1. Preamble, 1. The 2015 Election is an important milestone and a step in the historic democratic transition of the Republic of the Union of Myanmar. In this context, political parties commit to fostering democratic dialogue and to cooperating together accepting and recognising diversity.

Page 4, 1. Preamble, 2. Code of Conduct for political parties and candidates (the 'COC') is a set of ethical principles developed with the consensus of political parties. The political parties have consented to follow these principles. This CoC will apply to political parties officially registered in the Republic of the Union of Myanmar, political parties' appliances, coalitions of parties and independent candidates running in the elections (including but not limited to political parties' officials, election candidates, members, agents, and representatives), referred to here as 'Parties'. The Parties will observe the content of this CoC in both letter and spirit.

Page 5, 1. Preamble, 3. The most important objectives of the CoC are: to contribute to the success of the electoral process; to ensure the continuity of that process; to build confidence among individuals, organizations and stakeholders involved in the process; to create a positive and tolerant atmosphere and to encourage open, free and fair competition. On this basis, the Parties are determined to contribute responsibly, voluntarily and willingly to create an environment conducive to the success of the electoral process, irrespective of the differences in their positions.

Page 6, 1. Preamble, 5. The CoC is a voluntary instrument for the use and guidance of the Parties, who will endeavor to act according to the values and principles it promotes. The CoC is not legally binding and does not impose any legal obligation on the Parties. For the avoidance of any doubt, the CoC cannot be used as a legal basis for any legal action or prosecution in the Republic of Union of Myanmar or in any other country. In case of any conflict or discrepancy between this CoC and the Myanmar legal and regulatory framework, the existing laws will prevail.

Page 7, 2. To respect all Parties contesting the elections

1. The parties under to respect the rights of all other Parties to the CoC, and to take all necessary and reasonable measures to respect other Parties' right to conduct their campaigns in an atmosphere of serenity.

Page 24, Security,

5.4. Engagement with supporters

2. Candidates are responsible for the behaviour of the representative and activists undertaking their campaigns; they must explicitly approve all documents in their campaign by endorsing them clearly.

Page 25-26, 6. Level Playing Field

6.1. To not use state resources and security apparatus to threaten or influence voters.

1. The Parties agree to refrain from;

a) abusing positions of power, influence or privilege for electoral purposes by offering rewards, using intimidation or any other means.

b) using national-level, regional, local or any other state-owned resources for campaign purposes or to prevent others from engaging in political activities permitted by law.

2. the Parties shall commit not to obtain or buy votes using public property; a senior government official must not campaign for a candidate using his/her position, authority and financial means. When travelling under orders or in connection with duty assignment, a candidate must not use his/her current positions and authorities to conduct a campaign.

Civil society	<p>Page 31, 8. Monitoring and implementation</p> <p>8.1. To establish a standard procedure for monitoring compliance and take actions</p> <p>The Parties shall:</p> <p>... 4. in the implementation of the CoC, to be accountable to and work together with civil society organisations that have been accredited by the UEC for election observation.</p>
Traditional/ religious leaders	No specific mention.
Public administration	<p>Page 9, Page 4, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.</p> <p>... d. the neutrality of administrative or religious organisations, and the principle of not mis-using financial and human resources and materials of public and private institutions, the principles of non-abuse of the decision-making process for electioneering purposes.</p>
Constitution	<p>Governance→Constitution→Constitution affirmation/renewal</p> <p>Page 5, 1. Preamble, 4. This CoC sits within the framework of respect for the 2008 Constitution, and the laws and decisions of the official institutions of the Republic of the Union of Myanmar. These laws include as the Pyithu Hluttaw Law, the Amoytha Hluttaw Law, the State-Region Hluttaw Law and the Political Parties Registration Law.</p>

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Freedom of association

Page 8, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

a. other Parties' right and freedom to: assemble peacefully and to hold public meetings; to campaign; to have access to and contact voters; to present their ideas, basic principles, and political agendas; to have free access to mass media for political canvassing; and to publish and distribute their electoral documents and materials without hinderance, intimidation or coercion, as set out in existing laws or regulations.

Human rights and equality→Civil and political rights→Vote and take part

Page 4, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

... b. the right of citizens to participate in political activities.

Page 5, 3. In addition, the Parties are committed to

... b. ensure full freedom of voters in exercising their voting rights without being exposed to any form of harassment or hindrance.

Page 21, Security,

5.3. Violations and the integrity of the process

... 3. The Parties shall refrain from:

... c) deceiving or exercising any form of pressure on voters with special needs, illiterate voters or those voters with limited capacity, or resorting to abuse of power to restrict voters' freedom of choice;

Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

Page 8, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

a. other Parties' right to freedom to: assemble peacefully and to hold public meetings; to campaign; to have access to and contact voters; to present their ideas, basic principles, and political agendas; to have free access to mass media for political canvassing; and to publish and distribute their electoral documents and materials without hinderance, intimidation or coercion, as set out in existing laws or regulations.

Page 26, 6. Level Playing Field

6.2. Media

1. The Parties should:

a. respect the freedom of the media.

Socio-economic rights

No specific mention.

Rights related issues

Citizenship	Rights related issues→Citizenship→Citizens, specific rights Page 4, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following. ... b. the right of citizens to participate in political activities.
Democracy	Page 3, 1. Preamble, 1. The 2015 Election is an important milestone and a step in the historic democratic transition of the Republic of the Union of Myanmar. In this context, political parties commit to fostering democratic dialogue and to cooperating together accepting and recognising diversity.
Detention procedures	No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles

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a. other Parties' right to freedom to: assemble peacefully and to hold public meetings; to campaign; to have access to and contact voters; to present their ideas, basic principles, and political agendas; to have free access to mass media for political canvassing; and to publish and distribute their electoral documents and materials without hinderance, intimidation or coercion, as set out in existing laws or regulations.

Page 9, 2. To Achieve this goal, the Parties are committed to respecting and promoting the following.

... c. to follow the letter and the spirit of the procedures set out in laws and regulations with regard to the use of funds, the use of media and participating in campaigning.

Page 11, 3. To Coordinate and cooperate with other Parties in settling disputes

1. The parties shall actively seek rapid and peaceful dialogue for amicable resolution between Parties of any dispute or conflict that may arise during the electoral process. Parties shall refrain from actions or issuing statements that might fuel tensions. The parties shall not interfere with actions taken by the authorities of the Republic of the Union of Myanmar to resolve disputes.

Page 13, 4. To Campaign on party policies and promote diversity

4.1. To not slander other Parties during the campaign.

the Parties shall refrain from incorrectly criticizing leaders, candidates and supporters of other Parties on the basis of aspects of their private lives. They will also refrain from making criticism based on unverified allegation or facts that have been distorted, and from insulting or making tendentious innuendos about the candidates or their family member based on race, religion, creed, gender, social or regional origin, education or any other similar reason. Polite and respectful language should be used in speeches and announcements.

Page 14, 4.2. To Campaign on party policies and promote diversity

Criticism of any Party or candidate shall be confined only to the policies and programs of the Party or candidate and his/her past performances. No criticism may be made without basis or by distorting the facts. No incorrect or false criticism regarding personal matters unrelated to political responsibilities shall be made of political party leaders, activists and candidates.

Page 16, 4.3. ... 2. The Parties commit themselves, when addressing the public at political rallies or as part of their communications through mass media, including the social media, to refrain: a) any form of intimidation or incitement to violence vis-a-vis any person or group of persons or beliefs;

b) defamation and incitement to hatred, or accusation of apostasy, treason, terrorism or any other serious charges.

... d) insult, libel, and degradation.

Page 18, Security,

5.1. To maintain peace and stability while campaigning

1. The Parties undertake to speak out against violence, and not to contribute to it whether directly or indirectly. They must not destroy posters or advertisements of other Parties. They must ensure that their campaigns do not incite violence, encourage hatred, or cause or aggravate tensions between different groups or communities. They shall try in good faith to take all necessary measures to avoid violent confrontations.

Page 29, 7. Gender and differently abled people

Mobility/access	Page 28, 6. Level Playing Field 6.3 To abide by the regulations relating to campaign expenditure ... 3. During campaigning, candidates are permitted to use commercial flights if travelling to distant locations or those locations that can only be reached by airplane; however, the use of helicopters or charter flights should be avoided.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Delimitation of powers in Criminal Justice System
Page 6, 1. Preamble, 5. The CoC is a voluntary instrument for the use and guidance of the Parties, who will endeavor to act according to the values and principles it promotes. The CoC is not legally binding and does not impose any legal obligation on the Parties. For the avoidance of any doubt, the CoC cannot be used as a legal basis for any legal action or prosecution in the Republic of Union of Myanmar or in any other country. in case of any conflict or discrepancy between this CoC and the Myanmar legal and regulatory framework, the existing laws will prevail.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees

Page 18, Security,

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Page 19, Security,

5.2. To not campaign with arms

The Parties, in public gatherings, commit to not carry torches, arms and ammunition, and not to display or use sharp and dangerous weapons such as sticks, swords, and knives.

Page 23, Security,

5.4. Engagement with supporters

1. The Parties agree to:

a. issue guidelines that strictly forbid their subordinates, candidates, members and those involved in their campaign from intimidating any person whatsoever at any time; and campaign against violence or threats of violence and against any act of vandalism or any act of disturbance of community peacefulness or endangering of public order.

Page 24, Security,

5.4. Engagement with supporters

1. The Parties agree to:

... c. upon the occurrence of acts of violence, denounce them publicly, and take the necessary disciplinary action within the Party when appropriate, and combat impunity.

Ceasefire

No specific mention.

Police

Page 19, Security,

5.1. To maintain peace and stability while campaigning

... 2. The Parties shall cooperate with each other for the security of voters. They shall agree to cooperate with law enforcement services such as Myanmar Police Force to promote a peaceful electoral environment and maintain public order.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

No specific mention.

Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	Page 16, 4.3. ... 2. The Parties commit themselves, when addressing the public at political rallies or as part of their communications through mass media, including the social media, to refrain: ... b) defamation and incitement to hatred, or accusation of apostasy, treason, terrorism or any other serious charges.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	Page 12, 3. To Coordinate and cooperate with other Parties in settling disputes ... 2. The Parties and the UEC undertake to cooperate for the elections as required. The Parties commit to participate actively in consultation and coordination mechanisms that may be established in the future. In this spirit of cooperation and with the aim of national reconciliation, there should be no discrimination against other Parties, whether small or big Parties, competing Parties and ethnic parties.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 30, 8. Monitoring and implementation
8.1. To establish a standard procedure for monitoring compliance and take actions
The Parties shall:
... 2. establish a 'CoC Monitoring Committee' in which the Parties shall commit to actively participate so as to discuss and facilitate the implementation of the CoC. The CoC Committee will rely on the communication each Party has with its various committee in constituencies as appropriate.

Page 31, 8. Monitoring and implementation
8.1. To establish a standard procedure for monitoring compliance and take actions
The Parties shall:
... 3. decide at the majority whether the CoC has been followed or not. If necessary, they can issue joint statements to request a retraction.
4. in the implementation of the CoC, to be accountable to and work together with civil society organisations that have been accredited by the UEC for election observation.
5. appoint representatives from respective parties to the Committee, and use the Committee throughout the electoral process as a primary channel to exchange information so as to contribute to resolve disputes informally, without delay, and without any discrimination against other Parties.
6. respect the confidentiality of the CoC Monitoring Committee during the period when a dispute is still under scrutiny. All parties must cooperate so as to ensure that the committee does not become a place that promotes propaganda for, or attacks, an individual party or group of parties.

Related cases No specific mention.

Source <https://www.idea.int/sites/default/files/tools/2015%20Code%20of%20Conduct%20for%20Political%20Parties%20and%20Candidates%20English.pdf>