Country/entity	Myanmar
Region	Asia and Pacific
Agreement name	Military Code of Conduct between the Government of Burma and Ethnic Armed Organisations (EAO) in Accordance with the National Ceasefire Agreement (NCA)
Date	18 Nov 2015
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Myanmar Conflict (1948 -)

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 stuggle 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, here 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.
Close
Myanmar Conflict (1948 -
)

Stage	Ceasefire/related
Conflict nature	Government/territory
Peace process	Myanmar ceasefires process with ethnic armed groups

Parties	Government of Burma represented by Representatives of the Government 1. Lt. Gen. Ya Pyit, Commander, No. 2 Special Operation 2. U Khin Maung Soe, Union Minister 3. Lt. Gen. Ye Aung, Chief, Military Law 4. Maj. Gen. Tun Tun Naung, Commander, No. 1 Special Operation 5. Maj. Gen. Aung Kyaw Zaw, Commander, No. 3 Special Operation 6. Maj. Gen. Min Naung, Commander, No. 4 Special Operation 7. U Myint Soe, Retired Lt. Gen. 8. Maj. Gen. Aung Soe, Deputy Minister, Ministry of Interior 9. Col. Wun Na Aung, Office of the Ministry of Defense (Army) 10. Dr. Min Zaw Oo, Director, MPC Ethnic Armed Organizations, represented by; 1. Maj. Gen. Saw Isaac Poe, Quartermaster General, KNLA and Permanent Central Committee, KNU 2. Maj. Gen. Saw Nay Soe Mya, Adjutant General, KNU/KNLA (PC) 3. Dr. Shwe Kah, Joint Secretary, CNF 4. Col. Saw Kyaw Than Htay, Chief Liaison Officer, DKBA 5. Lt. Col. Khun Aung Mang, PNLO 6. Salai Yaw Aung, ABSDF 7. Lt. Col Khine Myo Chit, ALP 8. Col. Hsaung Han, RCSS 9. Padoh Saw Ta Doh Moo, KNU 10. Sai Liang, RCSS
Third parties	-
Description	Agreement affirming commitment to the National Ceasefire Agreement and affirming the parametres of conduct between government and Ethnic Armed Organisation groups.

Agreement document	MM_151118_Code of Conduct.pdf (opens in new tab) | Download PDF

Groups

Children/youth	Groups→Children/youth→Substantive Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (N) There shall be no killing of children or the mutilation of their body parts, or the recruitment of children into military services, or rape or other sexual violence, arrest and kidnapping against children.
Disabled persons	No specific mention.
Elderly/age	No specific mention.

Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	Groups→Religious groups→Substantive Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (K) There shall be no destruction of schools, healthcare facilities, and religious infrastructures without a reason nor shall there be any stationing of military units in such places. Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (L) There shall be no direct or indirect activities that hinder or harm the dignity of the preservation of people's religions, literature, and traditions Page 3, Chapter 3, Military Code of Conduct during a Ceasefire (8) The government and EAOs agreed to comply with the following provisions regarding military matters. ... (E) No military base or camp shall be set up in religious buildings, schools, hospitals, clinics, cultural sites, and public places.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	Groups→Refugees/displaced persons→Rhetorical Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (C) No civilians shall be forcefully relocated.
Social class	No specific mention.

Gender

Women, girls and gender	Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (M) There shall be no sexual harassment, sexual violence, and rape or sexual slavery against women. (N) There shall be no killing of children or the mutilation of their body parts, or the recruitment of children into military services, or rape or other sexual violence, arrest and kidnapping against children.
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	Page 1, Objectives 3. By upholding this Code of Conduct, both parties aim to prevent burden on the public, reduce hostility between troops of both parties, and build trust and stability. Subsequently, a federal union shall be established in accordance with the results of political dialogues.
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.

Governance

Political institutions (new or reformed)	No specific mention.
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

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	pages 2-3, Chapter 2 Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ..

Treaty incorporation

Page 3, Chapter 3, Military Code of Conduct during a Ceasefire
(8) The government and EAOs agreed to comply with the following provisions regarding military matters.
... (M) Both parties shall treat military personnel who are captured or who surrender during an accidental encounter in accordance with the 3 common articles of the 4 Geneva Conventions.

Civil and political rights

Human rights and equality→Civil and political rights→Torture
Page 2, Chapter 2, Code of Conduct Regarding the Civilians
7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians.
... (B) No violence, arbitrary arrest, kidnapping, torture, inhumane treatment, imprisonment, killing, disappearance of a person, and act that will harm the dignity of a person shall be conducted.
Human rights and equality→Civil and political rights→Slavery
Page 2, Chapter 2, Code of Conduct Regarding the Civilians
7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians.
... (M) There shall be no sexual harassment, sexual violence, and rape or sexual slavery against women.
(N) There shall be no killing of children or the mutilation of their body parts, or the recruitment of children into military services, or rape or other sexual violence, arrest and kidnapping against children.

Page 2, Chapter 2, Code of Conduct Regarding the Civilians
7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians.
... (O) There shall be no slavery or force labor on the people.
Human rights and equality→Civil and political rights→Liberty and security of person
Page 2, Chapter 2, Code of Conduct Regarding the Civilians
7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians.
... (N) There shall be no killing of children or the mutilation of their body parts, or the recruitment of children into military services, or rape or other sexual violence, arrest and kidnapping against children.
Human rights and equality→Civil and political rights→Humane treatment in detention
Page 3, Chapter 3, Military Code of Conduct during a Ceasefire
(8) The government and EAOs agreed to comply with the following provisions regarding military matters.
... (M) Both parties shall treat military personnel who are captured or who surrender during an accidental encounter in accordance with the 3 common articles of the 4 Geneva Conventions.
Human rights and equality→Civil and political rights→Fair trial
Page 2, Chapter 2, Code of Conduct Regarding the Civilians
7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians.
... (E) No arrest and punishment of civilians shall be done arbitrarily or done through a set up. Should there be reasons for arrest, it must be done accordingly with the law.

Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (E) No arrest and punishment of civilians shall be done arbitrarily or done through a set up. Should there be reasons for arrest, it must be done accordingly with the law.
Media and communication	Rights related issues→Media and communication→Media roles Page 3, Chapter 3, Military Code of Conduct during a Ceasefire (8) The government and EAOs agreed to comply with the following provisions regarding military matters. ... (G) No hostile propaganda, statements that are false or that harm the dignity of either party shall be issued either domestically or abroad.
Mobility/access	Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (I) The right of individual to health shall not be harmed, nor shall the transportation of medical supplies and drug and the services of medical personnel be hindered. Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (J) There shall be no interference in the civilians' storage of food items, or the transporting or trading of their goods and crops. Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (Q) Civilians shall be allowed to travel freely in ceasefire areas without fear. Page 4, Movement of the Troops (10) Tamataw and the EAOs agreed to the following terms concerning the movement of their troops. (A) Except in areas restricted for security purpose, members of the armed forces of both parties shall be allowed to travel freely in civilian clothes, without arms.
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	No specific mention.
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	Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development Page 1, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. (A) Cooperation to assist in the livelihood, health, education, and regional development of the people. Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (H) No one shall interfere with the right to education, destroy academic facilities, and prevent educators from working and students from learning. Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (I) The right of individual to health shall not be harmed, nor shall the transportation of medical supplies and drug and the services of medical personnel be hindered. Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (K) There shall be no destruction of schools, healthcare facilities, and religious infrastructures without a reason nor shall there be any stationing of military units in such places.
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	Land, property and environment→Land reform/rights→Property return and restitution Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (D) No money, properties, foods, labor, and services shall be demanded from the civilians. ... (F) There shall be no force confiscation or transfer of the lands of civilians. ... (G) No public property shall be destroyed, stolen, looted, and taken without permission.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	Land, property and environment→Cultural heritage→Tangible Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (K) There shall be no destruction of schools, healthcare facilities, and religious infrastructures without a reason nor shall there be any stationing of military units in such places. Page 3, Chapter 3, Military Code of Conduct during a Ceasefire (8) The government and EAOs agreed to comply with the following provisions regarding military matters. ... (E) No military base or camp shall be set up in religious buildings, schools, hospitals, clinics, cultural sites, and public places. Land, property and environment→Cultural heritage→Intangible Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (L) There shall be no direct or indirect activities that hinder or harm the dignity of the preservation of people's religions, literature, and traditions
Environment	Page 3, Chapter 3, Military Code of Conduct during a Ceasefire (8) The government and EAOs agreed to comply with the following provisions regarding military matters. ... (H) In the event of a natural disaster in a ceasefire area, both parties shall cooperate in relief efforts.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	Page 2, Chapter 2, Code of Conduct Regarding the Civilians 7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians. ... (P) Security and development for the public shall be guaranteed in the ceasefire areas. Page 3, Chapter 3, Military Code of Conduct during a Ceasefire (8) The government and EAOs agreed to comply with the following provisions regarding military matters. ... (F) Landmines laid by both parties shall be cleared in accordance with the progress of the peace process, and such activity shall be conducted in consultation and cooperation with the government step by step.

Ceasefire

Security sector→Ceasefire→Ceasefire provision
Page 1, Introduction
1. The military personnel of the Government of Burma and EAOs agreed to uphold and precisely implement the terms of the NCA. In the event when terms of the agreement are violated or when disputes arise, both parties agreed to abide by the ruling of the Joint Monitoring Committee.

Page 1, Chapter 1, Basic Principles
4. By signing the NCA, both Tamataw and the EAOs have ceased all activities that incite hostility either directly or indirectly, or activities that imply hostility. Furthermore, both parties also agreed to cease all military activities against the public and prevent illegal activities that harm the public in ceasefire areas.

Page 1, Chapter 1, Basic Principles
... 6. While NCA between the government and the EAOs is being implemented, the code of conduct shall apply to all involved in the ceasefire areas.

Page 2, Chapter 2, Code of Conduct Regarding the Civilians
7. The Tamataw and EAOs agreed to comply and implement the following terms in order to protect the civilians.
... (N) There shall be no killing of children or the mutilation of their body parts, or the recruitment of children into military services, or rape or other sexual violence, arrest and kidnapping against children.

Page 3, Chapter 3, Military Code of Conduct during a Ceasefire
(8) The government and EAOs agreed to comply with the following provisions regarding military matters.
(A) All activities concerning territorial control, patrolling, reinforcement of troops, armed attacks, planting of landmines, terrorist attacks, destruction of properties, and military offensives shall be ceased in the ceasefire areas.
(B) No activity that directly or indirectly incites hostility between the two parties, or activity that insults the other party, shall be allowed.
(C) Except for the administrative assistance needed with the deployment of troops, emergency medical treatments, and the activities regarding the rotation of troops, there shall be no troops reinforcement, construction of new military posts besides the current ones agreed upon between the two parties, and addition of arms and ammunition in the ceasefire areas. For matters concerning the defense of the country or in the event that the country is under a foreign threat, both parties in ceasefire areas shall cooperate for the defense of the country.
(D) Troops recruitment of the EAOs shall be negotiated and implemented in accordance with the implementation of the NCA and the procedure of Security Sectors Reforms.
(E) No military base or camp shall be set up in religious buildings, schools, hospitals, clinics, cultural sites, and public places.
(F) Landmines laid by both parties shall be cleared in accordance with the progress of the peace process, and such activity shall be conducted in consultation and cooperation with the government step by step.
(G) No hostile propaganda, statements that are false or that harm the dignity of either party shall be issued either domestically or abroad.
(H) In the event of a natural disaster in a ceasefire area, both parties shall cooperate in relief efforts.
(I) Both parties shall cooperate in matters concerning the rule of law in the ceasefire area and consult with each other to prosecute any suspect in accordance with the law.
(J) Both parties shall negotiate in the matters concerning the administration of their armed forces.
(K) Each level of the armed forces shall be notified within 24 hours of the signing of the

Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.

Parastatal/rebel and opposition group forces

Page 1, Chapter 1, Basic Principles
... 5. By complying with the Code of Conduct, mutual trust can be established between the troops of both parties, or between the troops of both parties and the public, so that the implementation the peace process will be more successful.

Page 3, Chapter 3, Military Code of Conduct during a Ceasefire
(8) The government and EAOs agreed to comply with the following provisions regarding military matters.
... (C) Except for the administrative assistance needed with the deployment of troops, emergency medical treatments, and the activities regarding the rotation of troops, there shall be no troops reinforcement, construction of new military posts besides the current ones agreed upon between the two parties, and addition of arms and ammunition in the ceasefire areas. For matters concerning the defense of the country or in the event that the country is under a foreign threat, both parties in ceasefire areas shall cooperate for the defense of the country.

Page 3, Chapter 3, Military Code of Conduct during a Ceasefire
(8) The government and EAOs agreed to comply with the following provisions regarding military matters.
... (D) Troops recruitment of the EAOs shall be negotiated and implemented in accordance with the implementation of the NCA and the procedure of Security Sectors Reforms.

Page 3, Chapter 3, Military Code of Conduct during a Ceasefire
(8) The government and EAOs agreed to comply with the following provisions regarding military matters.
... (L) No force shall be used to resolve disputes occur at the lower level of the armed forces.

Page 4, The Deployment of Armed Forces to Avoid Clashes
(9) To avoid clashes, Tamataw and the EAOs agreed to the following terms regarding the deployment of their troops.
(A) To avoid clashes in areas where forces of both parities meet, communication in the forms of radio, land and others shall be established.
(B) Both parties shall negotiate the deployments for their troops to avoid clashes.
(C) In the event when negotiation is ongoing and the location for troops deployment is undecided, officers from both sides shall maintain regular communication and negotiation.
(D) Both Tamataw and the EAOs shall keep their troops in the designated areas only.
(E) To avoid clashes in areas where both parties meet, the numbers of outposts shall be negotiated.
(F) For the security of communication routes between outposts and bases, both parties shall negotiate based on the terms of the NCA.

Page 4, Movement of the Troops
(10) Tamataw and the EAOs agreed to the following terms concerning the movement of their troops.
... (B) Should traveling with arms in the controlled area of a party is necessary, both parties shall negotiate the terms for such travelling.

Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	Page 3, Chapter 3, Military Code of Conduct during a Ceasefire (8) The government and EAOs agreed to comply with the following provisions regarding military matters. (A) All activities concerning territorial control, patrolling, reinforcement of troops, armed attacks, planting of landmines, terrorist attacks, destruction of properties, and military offensives shall be ceased in the ceasefire areas.

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	No specific mention.

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 1, Introduction 1. The military personnel of the Government of Burma and EAOs agreed to uphold and precisely implement the terms of the NCA. In the event when terms of the agreement are violated or when disputes arise, both parties agreed to abide by the ruling of the Joint Monitoring Committee.