

CNF-Government Ceasefire Agreement

7 May 2012

Chinland Guardian is pleased to present the unofficial translation by CG of the 15-point agreement between the Chin National Front and the Myanmar Union-level Peace Team specifying the *Terms of Reference* for the original preliminary 9-point agreement in January.

Points of Agreement between the Chin National Front and the Union-level Peace Delegation in the Presence of Witnesses from Peace Facilitators

The following agreement having been solemnly reached on the 7th of May 2012 between the Chin National Front and Union-level Peace Team in the presence of witnesses from peace facilitators upon frank and sincere discussion, is aimed at specifying the terms of reference that each party is obligated to observe, implement and materialize on a step-by-step basis, based on the nine-point original preliminary agreement on the 6th of January 2012 at Hakha, Chin State between the CNF and State Govt-level Peace Team, towards realizing eternal peace, justice, equality and socio-economic development through peaceful cooperation.

Point of Agreement (No 1) On Ceasefire

The Union-level Peace Team reaffirms the preliminary agreement between the Chin State Government-level peace team and the Chin National Front Peace Team reached on January 6, 2012 as having valid and effective on the date of entry with the view of putting a stop to military confrontation and other kinds of hostilities between the two parties towards finding solution to a permanent peace. On this basis, the two parties agreed to work together in ensuring that conflicts are put to an end throughout the Union so that there are no longer military and other hostilities.

Point of Agreement (No 2) Agreement Relating to the Establishment of Temporary Bases in Accordance with the Preliminary Agreement

The parties further agreed to enable members of the Chin National Front and the Chin National Army to establish bases and move freely, without limitation, within the areas designated for such temporary bases as outlined in the original preliminary mutual agreement between the Chin National Front and Chin State/Union Government: Tlangpi, Dawn and Zangtlang Village Tracts of Thantlang Township, and Zampi and Bukphir Village Tracts of Tedim Township. With regards to the establishment of CNF bases in Kung Pyin,

Para and Pathiantlang Village Tracts of Paletwa Townships, the parties also agreed to carry on further discussion at the second-round Union-level talks considering that those areas fall within the command responsibility of the Western Command. Furthermore, the parties agree to discuss further at the second-round Union-level talks matter pertaining to additional demand regarding the establishment of CNF bases within Thantlang Township's Belhar, Vanzang, Lungding Village Tracts, as well as Lulpilung village; Tedim Township's Dampi, Tui Dial Village Tracts; Paletwa Township's Ra O and Shweletwa Village Tracts, as well as Ra Kan Village.

Effective from the date of signing this Union-level agreement, if the Myanmar Army and Myanmar Police Force wishes to carry out activities to facilitate the peace process within the temporary base areas designated for the Chin National Front and Chin National Army, they can only do so by pre-informing such a plan to pertinent Liaison Offices, which shall have been agreed to by both sides in advance. In case of emergency situation, both sides may execute troop movements upon informing the pertinent local commanders from the other side. However, the pertinent Liaison Office shall be informed of this at the earliest possible time.

Outside of the designated temporary bases, all members of the Chin National Front and the Chin National Army, barring wearing military uniforms or bearing arms, have the same rights as other citizens of the Union of Burma to freely move legally within all territories of the Union of Myanmar effective upon this Union-level agreement, in accordance with the original preliminary agreement. Where situation arises for the need to make troop movement or other matters in which arms should be carried, prior permission must be sought with the nearest Myanmar Army camps and after obtaining approval from both sides, which shall have granted such permission for travel within designated routes.

Point of Agreement (No 3) Rights and Responsibilities of Liaison Offices

The preliminary agreement stipulated that Liaison Offices shall be established in Thanglang, Tedim and Matupi Towns. Such establishment was to carry out upon that agreement. In this context, the parties agreed to ensure that the Liaison Officer will be provided treatment consistent with diplomatic protocols that reflect his position within the CNF if such a person is a member of the Central Committee of the CNF. The Chin State Government shall provide necessary measures to ensure the physical security of the Liaison Officer. The parties agreed to observe the agreed rules of ceasefire within the above-mentioned territorial areas and in accordance with the existing laws of the Chin State Government.

Point of Agreement (No 4)
Basic Principles for Political Dialogue

As was agreed upon during the State-level talks, the political talks at the Union-level dialogue will be based on the ideals of the “Three National Causes’: Non-disintegration of the Union, Non-disintegration of national solidarity, and the perpetuation of national sovereignty. The parties agreed that such a dialogue will be held with the view to establish a genuine Union based on the ideals of equality and self-determination rooted in the Spirit of Panglong.

Point of Agreement (No 5)
On Matters Regarding International Agreements

During the Union-level talks, consideration will be made regarding the international agreements that have been acceded to by the Government of the Union of Myanmar, as well as other international human rights moral obligations.

Point of Agreement (No 6)
On Public Consultation

The parties agreed that the Chin National Front can freely hold consultations with relevant responsible persons and the larger public towards durable peace in the Union of Myanmar based on its three objectives and the ‘Three National Causes’.

Point of Agreement (No 7)
On Matters Regarding Humanitarian Organizations

The parties agreed on principle that the relevant Union Ministries will issue licenses to both international and local humanitarian organizations desiring to implement humanitarian work inside Chin State when such requests have been made to the CNF. The parties agreed that in carrying out humanitarian work inside Chin State, the CNF shall be consulted when a Memorandum of Understanding (MoU) will be signed between the Chin State Government and a humanitarian organization that has been granted permission by the Union Government.

Point of Agreement (No 8)
Promoting Human Resources and Capitals

Organizations working for the promotion of socio-economic progress and development of human resources, whether based inside the country or exile, for the benefit of Chin State and Chin people, shall freely operate in Chin State with prior consultation with relevant governments and in accordance with the existing laws.

Point of Agreement (No 9)
Joint Effort to Eradicate Illegal Drugs

The Chin National Front will cooperate with different levels of drug eradication bodies at the State, District, Township, Wards and Village Tracts, which has been established in accordance with the Government's Order No. 17/2011 towards curbing narcotics and other mind-altering drugs.

Point of Agreement (No 10)
On Visas

The parties agreed that the Union-level Peace Team will assist in issuing visas and necessary permits for Chin nationals who have made such a request to CNF, who have obtained citizenship from other countries wanting to make a visit to the Union of Myanmar.

Point of Agreement (No 11)
Chin National Day

The parties shall strive towards official re-recognition of February 20 as the Chin National Day. They will strive towards recognizing February 3 as the Chin State Day.

Point of Agreement (No 12)
Matters Regarding the Chin National Front and Chin National Army

The Chin National Front and Chin National Army remain unlawful organizations under the existing laws. The parties, therefore, agreed to do away with this designation once sufficient level of confidence has been built towards eternal peace.

The parties agreed that the Union-level Peace Team submit to the President the need to declare amnesty to anyone who have been arrested and

imprisoned on account of CNF and CNA since the establishment of the organization, effective the date of the signing of this agreement.

The parties agreed to provide the immigration department of Chin State each copies of CNF identity card. All individuals who have been issued identity cards by the CNF shall have the right to obtain the National Identity Card from the Immigration Department.

The parties agreed that the Union-level Peace Team shall carry forward with removing such names in accordance with the law that have been blacklisted as members of the CNF.

The parties agreed that there shall be complete immunity for any members of Chin National Front and Chin National Army after the signing of this CNF-Union-level agreement from retrospective criminal prosecution.

Point of Agreement (No 13) On Basic Human Rights

The Constitution of the Union of Myanmar, Article (449), states that ‘the Constitution is the basic law of the nation.’ As such, freedom from interference, obstruction, restrictions, discrimination and physical abuse against religious practice under articles 34, 348, 362, 363, 354 (e) of the Constitution, cannot be alienated except in situations of “Widespread civil war, foreign invasion and civil uprising in the whole Union”. The parties agreed to cooperate in working towards ensuring the non-violation of these constitutional provisions.

The parties agreed to cooperate in ensuring unconditional and due punishment for anyone for violations of basic human rights in accordance with the law, as well as ensuring that no parties violates the constitutional basic human rights of the people in the future during the course of the ceasefire agreement. This is grounded in the Constitution of the Republic of the Union of Burma under Chapter 8 “Citizens, Fundamental Rights and Duties of Citizens” – rights that cannot be abrogated except in situation of “Widespread civil war, foreign invasion and civil uprising in the whole Union”.

Both parties agreed to not engage in activities that run counter to the constitution, in Chin State such as forced labor, slavery, human trafficking etc. during the term of the ceasefire agreement in accordance with Article 358 of the Constitution of the Republic of the Union of Burma.

Point of Agreement (No 14)
Ceasefire Monitoring Body

It is agreed that both parties shall consultatively form a “Ceasefire Monitoring Body”, whose role will be to monitor observance of the peace agreements by the two parties with the view of materializing permanent peace out of the initial ceasefire. This group will primarily consist of the Chin Peace and Tranquility Committee with the participation of other legal experts.

The parties agreed that the Ceasefire Monitoring Body shall immediately send notice to the ‘Crisis Mediation Group’ in the event that the Union Government, the Myanmar Army, Myanmar Police Force, Chin State Government, Chin National Front and Chin National Army failed to observe any of points of the agreements, including the preliminary 9-point ceasefire agreements.

The parties agreed in principle to institute and duly authorize independent and impartial international observer groups when such need arises.

Point of Agreement (No 15)
Institution of Peace Mediating Body

While both parties have agreed to strictly avoid accidental confrontation and to strictly observe the mutual agreement, the parties shall accept the final arbitration of the crisis mediating body should there be any such physical violence resulting from the accidental nature.

It is agreed that such a mediating body shall be formed under the leadership of the Chin State Border Areas and Security Affairs Minister that will also involve Liaison Officer of the Chin National Front and the Chin National Army in charge of the areas where such incident took place, or commander or in-charge of the Chin National Army, commander of the Myanmar Army or Police Force, and Chairman of the Chin Peace Monitoring Body or such duly authorized person.

The Minister (Chin State Border Areas and Security Affairs Minister) call a meeting within seven days of receiving a report of allegations about a breach of any of the preliminary or Union-level agreements having been reported by Liaison Officer of the Chin National Front/Chin National Army, responsible person(s) of the Myanmar Army, the Ceasefire Monitoring Body so that such matters can be resolved peacefully. If the two parties agreed on a decision having been reached by the Crisis

Mediation Body, which is based on the preliminary 9-point agreement, such a decision will be considered final.

If such a decision cannot be agreed to by one or both parties, an alternative peaceful solution will be sought with the involvement of leaders of the CNF/CNA, members of the Chin State Government, relevant members of the Western and Northwestern Commands of the Myanmar Army, members of the Union Peace Team and Crisis Mediating Body.

The above 15-point has been solemnly entered into an agreement on 7th May 2012, 2 Kasone 1374 of the Myanmar Calendar, at the Union Guesthouse in Hakha, the capital of Chin State. In signing this agreement, the parties mutually recognize without reservation, the obligation for full observation and, of following through the terms of the agreement, having accepted the non-disintegration of the Union, non-disintegration of national solidarity, perpetuation of national sovereignty, and the flourishing of the ethnic affairs and democracy as the basic principles of the agreement.