

# **Administrative Arrangement between the Government of Malaysia and the Communist Party of Malaya Pursuant to the Agreement to terminate Hostilities**

The Government of MALAYSIA hereinafter referred to as the Government, and the Communist Party of Malaya, hereinafter referred to as the CPM, hereby agree to the following Administrative Arrangement for the implementation of the Agreement signed on 2 DEC 1989 in HAADYAI, THAILAND to terminate all hostilities.

## **ITEM 1 - TERMINATION OF ARMED ACTIVITIES**

1.1 The Government and the CPM shall terminate all armed activities upon the signing of the Agreement.

### **1.2 Press Statement**

All press statements issued by either Party thereafter shall be in the spirit of the Agreement and shall not contain any slanderous terms such as "mass surrender" and "capitulation".

## **ITEM 2 - DISBANDMENT OF ARMED UNITS**

### **2.1 Announcement of Disbandment**

The CPM shall disband all its armed units, namely the Malayan People's Army (MPA) in MALAYSIA and THAILAND and shall announce the disbandment not later than two and a half months from the date of the signing of the Agreement.

### **2.2 Nominal List**

The CPM shall furnish the Malaysian authorities with a nominal list containing personal particulars of its members and members of its disbanded armed units, who decide to take up residence in MALAYSIA, for purposes of verification by the Malaysian authorities. The list of such members shall be given to the Malaysian authorities as soon as possible, and in any case not later than one year from the date of the signing of the Agreement.

### **2.3 Withdrawal From The Jungle**

All members of the disbanded armed units led by the CPM shall assemble at the pre-designated places in Thailand not later than two months from the date of the signing of the Agreement.

### **2.4 Destruction Of Firearms, Ammunition And Explosives**

2.4.1 All members of the disbanded armed units shall destroy their firearms, ammunition and explosives not later than fifteen days from the date of their arrival at the pre-designated

places in Thailand and not later than two and a half months from the date of the signing of the Agreement.

2.4.2 The CPM shall provide the Malaysian and Thai authorities a list containing the description and quantity of such firearms, ammunition and explosives for purposes of verification before destruction. Such destruction shall be witnessed by the Malaysian and Thai authorities.

2.4.3 Such destruction shall not be photographed or videotaped.

## **2.5 Location And Destruction Of Booby-Traps**

2.5.1 Members of the disbanded armed units of the CPM shall locate and destroy all booby-traps in MALAYSIA that can be found, to be witnessed by the Malaysian authorities.

2.5.2 The CPM shall furnish the Malaysian authorities with all existing sketch plans of the locations of booby-traps in MALAYSIA.

2.5.3 The location and destruction of booby-traps shall commence as soon as possible and shall be completed without unnecessary delay.

2.5.4 The Malaysian authorities shall provide medical treatment, allowances and compensation for any death or injuries suffered by members of the CPM's disbanded armed units in the course of locating and destroying such booby-traps.

2.5.5 All expenses incurred in locating and destroying the booby-traps in MALAYSIA shall be borne by the Malaysian authorities.

## **2.6 Radio Suara Demokrasi Malaya**

The CPM shall within one month from the date of the signing of the Agreement close down the Radio Suara Demokrasi Malaya (SDM) station. During the period of one month, the SDM shall not broadcast any slanderous statement against the Government.

## **ITEM 3 - PERSONAL BELONGINGS**

All personal belongings including souvenirs, photographs and other daily necessities of members of the CPM and members of its disbanded armed units, the possession of which is not unlawful in MALAYSIA, shall be retained by them after inspection before their entry into MALAYSIA

## **ITEM 4 - RESIDENCE IN THAILAND AND FREEDOM OF MOVEMENT**

4.1 The Malaysian authorities shall not object to members of the CPM and members of its disbanded armed units taking up residence in THAILAND.

4.2 Those who have settled down in THAILAND are free to enter MALAYSIA through legal means to visit their relatives, friends and for vocation.

4.3 Those who have been allowed to settle down in MALAYSIA are free to visit their relatives and friends in THAILAND through legal means.

4.4 Relatives and friends of those who have settle down in THAILAND and MALAYSIA shall be free to visit them in either country through legal means.

#### **ITEM 5 - RESIDENCE IN MALAYSIA**

5.1 Members of the CPM and members of its disbanded armed units shall be allowed to take up residence in MALAYSIA if they so desire, after they have stayed in the pre-designated places in THAILAND for a minimum period of six months.

5.2 Members of the CPM and members of its disbanded armed units, who are not of Malaysian origin, may be allowed to take up residence in MALAYSIA, if they so desire, after having stayed in the pre-designated places in THAILAND for a minimum period of six months.

5.3 Those who seek to settle down in MALAYSIA must notify the Malaysian authorities of their intention to do so not later than one year from the date of the signing of the Agreement.

5.4 With regard to Item 5.1 and 5.2, the CPM shall provide the necessary particulars to the Malaysian authorities for processing and verification. In this connection, the Government shall despatch relevant officers to deal with those cases in THAILAND.

5.5 Those who wish to settle down in MALAYSIA shall be categorised as follows:

5.5.1 Malaysian citizens

5.5.2 Non-citizen spouses and children of Malaysian citizens, and

5.5.3 Aliens

5.6 Those who are allowed to settle down in MALAYSIA shall be given identification papers upon their entry into MALAYSIA before they proceed to their respective places of residence of their choice.

5.7 Non-citizen spouses and children of those who are of Malaysian origin may be allowed to settle down in MALAYSIA in accordance with the laws of MALAYSIA if they so desire.

5.8 Those who have taken up residence of their own choice in MALAYSIA shall notify the MALAYSIAN authorities of their current addresses to facilitate disbursement of financial assistance.

5.9 Those who are allowed to settle down in MALAYSIA shall be taken into the country in small batches and any search that may be conducted shall be in a manner so as not to cause any embarrassment.

5.10 There shall be no publicity of their entry into MALAYSIA.

## **ITEM 6 - LEGAL REQUIREMENT**

### **6.1 Loyalty to King And Country**

Members of the CPM and members of its disbanded armed units who have returned to settle down in MALAYSIA shall be loyal to the King and country and shall abide by the Federal Constitution and the laws of MALAYSIA.

### **6.2 No Detention, Interrogation Or Prosecution**

6.2.1 The Government shall not apply the Internal Security Act, 1960 or any other laws on members of the CPM and members of its disbanded armed units who have returned to settle down in MALAYSIA, for their past CPM-related activities.

6.2.2 Members of the CPM and members of its disbanded armed units shall be liable under the laws of MALAYSIA for any unlawful activities committed by them in the future.

### **6.3 Citizenship And NRICs**

6.3.1 Those who were in possession of Blue and Red NRICs and citizenship certificates before they joined the CPMs or its armed units shall continue to use them as valid documents. Any such documents which have been lost or damaged shall be replaced expediently after verification.

6.3.2 Non-citizen spouses and children of those of Malaysian origin who have settled down in MALAYSIA shall be issued with RED NRICs. They can apply for citizenship after two years of continuous stay in MALAYSIA in accordance with the laws of MALAYSIA.

6.3.3 Those who are aliens and those whose citizenship have been revoked shall be issued with RED NRICs should they be allowed to settle down in MALAYSIA. They can subsequently apply for citizenship in accordance with the laws of MALAYSIA.

6.3.4 Those who are of Malaysian origin and who joined the CPM and its armed units before the implementation of the National Registration, shall be issued with RED NRICs should they be allowed to settle down in MALAYSIA. They can subsequently apply for citizenship in accordance with the laws in MALAYSIA.

### **6.4 Privileges And Obligations**

6.4.1 Those who are Malaysian citizens and have settled down in MALAYSIA shall enjoy the

same privileges as any other citizens under the Federal Constitution and the laws of MALAYSIA.

6.4.2 Those not of Malaysian origin and non-citizens who have settled down in MALAYSIA shall be governed by the Federal Constitution and the laws of MALAYSIA.

#### **ITEM 7 - PARTICIPATION IN POLITICAL ACTIVITIES**

7.1 Members of the CPM and members of its disbanded armed units who are Malaysian citizens are free to participate in political activities including the formation of a political party or parties within the confines of the Federal Constitution and the laws of MALAYSIA.

7.2 The Malaysian authorities shall expeditiously consider any application that may be submitted by them for the registration of any political party in accordance with the due process of the law and upon registration such party shall be accorded the same status as any other legally registered political parties.

#### **ITEM 10 - SIGNING OF AGREEMENT AND ADMINISTRATIVE ARRANGEMENT**

10.1 The Agreement and the Administrative Arrangement shall be signed separately at pre-determined venues agreed by both sides.

10.2 The Agreement shall be signed by both sides in public and the spirit of this Agreement shall be announced in a Joint Communique immediately after the signing.

10.3 The Administrative Arrangement shall also be signed by both sides but it shall not be publicised.

\* Signing the Administrative Arrangement Between The Government of Malaysia And The Communist Party of Malaya Pursuant To The Agreement To Terminate Hostilities for and on behalf of the Government of Malaysia were (a) Datuk Abdul Rahim bin Mohd. Noor as Deputy Inspector-General, Royal Malaysia Police and (b) Dato Zulkifli bin Abdul Rahman as Director of Special Branch, Royal Malaysia Police.

\* Signing the Administrative Arrangement Between The Government Of Malaysia And The Communist Party Of Malaya Pursuant To The Agreement To Terminate Hostilities for and on behalf of the Communist Party of Malaya were (a) Ong Boon Hua @ Chin Peng as Secretary-General and (b) Rashid Maidin as Central Committee Member.

(Source: Kitti Ratanachaya., The Communist Party of Malaya, Malaysia and Thailand: Truce Talks Ending The Armed Struggle of the Communist Party, Bangkok, Dungkaew, 1996)