Peace Agreement Access Tool PA-X https://test.pax.peaceagreements.org/

Country/entity Nepal

Region Asia and Pacific

Agreement name Agreement between the GoN and Kirant Janawadi Workers Party

Date 18 Jan 2009

Agreement status Multiparty signed/agreed

Interim Yes

arrangement

Agreement/conflict Intrastate/local conflict

level

Nepalese Insurgency (1996 - 2006)

Inspired by the Maoist insurgency in Peru in the early 1990s, the Communist Party of Nepal (Maoist) – CPN(M) – declared war on the Nepalese government in February 1996. A key demand was the transformation of Nepal from a monarchy into a 'People's Republic'. Following a pronounced Maoist military strategy, the CPN(M) focused their insurgency on the rural areas. They gained significantly in strength and it took heavy international military support to stabilize the Nepalese government in 2002. After public protests escalated in Kathmandu in 2004, the Nepalese King Gyanendra took authoritarian control over the government. In the cities, a strong popular movement for democracy emerged, forcing the government into fast progressing peace negations in 2006 that concluded with the signing of a Comprehensive Peace Accord on 21 November 2006.

Close

Nepalese Insurgency (1996 - 2006)

Stage Ceasefire/related

Conflict nature Government

Peace process Nepal related-local processes

Parties On behalf of Kirant Janawadi Workers Party Sd.

Anant Kranti Coordinator

On behalf of GoN Talks Team

Sd.

Janardhan Sharma 'Prabhakar'

Coordinator

Third parties -

Description An agreement in the Government of Nepal agree to consider the demands of the Kirant

Janawadi Workers Party in the next round of talks and the Kirant Janawadi Workers Party

agree to suspend violent activities in order to participate in the negotiations.

Agreement document

NP_090118_GoN and Kirant Janawadi Workers.pdf (opens in new tab) | Download PDF

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/ national group No specific mention.

Religious groups No specific mention.

Indigenous people Groups→Indigenous people→Substantive

Page 1, 4: The GoN has already ratified ILO Convention 169. In the course of its

implementation, the acts and laws shall be amended, as necessary.

Other groups No specific mention.

Refugees/displaced No specific mention.

persons

Social class No specific mention.

Gender

Women, girls and

gender

No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general)

Page 1, Untitled Preamble: A dialogue was held in a cordial atmosphere between the Talks Team of the Government of Nepal (GoN) and the Talks Team of the Kirant Janawadi Workers Party on January 18, 2009 in Dharan. With the belief that the institutional development, strengthening of Nepal's progressive transformation and federal democratic republic can take place only through a new people-centric constitution, and embracing the principles of sovereignty, integrity, national interest and national unity, an agreement was reached on the following points.

State configuration Page 1, Untitled Preamble: A dialogue was held in a cordial atmosphere between the Talks Team of the Government of Nepal (GoN) and the Talks Team of the Kirant Janawadi Workers Party on January 18, 2009 in Dharan. With the belief that the institutional development, strengthening of Nepal's progressive transformation and federal democratic republic can take place only through a new people-centric constitution, and embracing the principles of sovereignty, integrity, national interest and national unity, an agreement was reached on the following points.

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 No specific mention.

institutions (new or

reformed)

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

Governance→Constitution→Constitutional reform/making

Page 1, Untitled Preamble: A dialogue was held in a cordial atmosphere between the Talks Team of the Government of Nepal (GoN) and the Talks Team of the Kirant Janawadi Workers Party on January 18, 2009 in Dharan. With the belief that the institutional development, strengthening of Nepal's progressive transformation and federal democratic republic can take place only through a new people-centric constitution, and embracing the principles of sovereignty, integrity, national interest and national unity, an

agreement was reached on the following points.

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 No specific mention.

general

Bill of rights/similar No specific mention.

Treaty

Page 1, 4: The GoN has already ratified ILO Convention 169. In the course of its

incorporation

implementation, the acts and laws shall be amended, as necessary.

Civil and political

rights

No specific mention.

Socio-economic

rights

No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 1, Untitled Preamble: A dialogue was held in a cordial atmosphere between the

> Talks Team of the Government of Nepal (GoN) and the Talks Team of the Kirant Janawadi Workers Party on January 18, 2009 in Dharan. With the belief that the institutional development, strengthening of Nepal's progressive transformation and federal

> democratic republic can take place only through a new people-centric constitution, and embracing the principles of sovereignty, integrity, national interest and national unity, an

agreement was reached on the following points.

Detention

procedures

No specific mention.

Media and

communication

No specific mention.

Mobility/access

No specific mention.

Protection measures

No specific mention.

Other

No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international

No specific mention.

international human rights institutions

Justice sector reform

 $\label{lem:criminal} \textbf{Criminal justice and} \ \ \text{No specific mention}.$

emergency law

State of emergency No specific mention.

provisions

Judiciary and

No specific mention.

courts

Prisons and

No specific mention.

detention

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or

No specific mention.

socio-economic reconstruction

National economic No specific mention.

plan

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/

No specific mention.

nomadism rights
Cultural heritage

No specific mention.

Environment

No specific mention.

Water or riparian rights or access

No specific mention.

Security sector

Security Guarantees Page 1, 1: The GoN shall be responsible for the security of the members of the talks

committee during the period of dialogue.

Ceasefire Security sector→Ceasefire provision

Page 1, 2: The Kirant Janawadi Workers Party shall suspend its violent activities and shall not engage in any unlawful activities. In addition, the GoN shall treat the party leaders

and activists as political actors.

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, 2: The Kirant Janawadi Workers Party shall suspend its violent activities and shall not engage in any unlawful activities. In addition, the GoN shall treat the party leaders and activists as political actors.

Page 1, 3: The Kirant Janawadi Workers Party shall make available to the GoN a list of the people imprisoned in the course of agitation, and the GoN shall immediately release them after investigations.

Page 1, 5: Many of the demands put forth on the negotiation table by the Kirant Janawadi Workers Party shall be reconsidered and the GoN shall categorize the demands, carry out additional studies and homework, and discuss them in the next round of talks. The date of the next round of talks shall be decided on mutual understanding.

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

Crime/organised

crime

No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice No specific mention.

general

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release Page 1, 3: The Kirant Janawadi Workers Party shall make available to the GoN a list of the

people imprisoned in the course of agitation, and the GoN shall immediately release

them after investigations.

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 No specific mention.

signatory

Referendum for agreement

No specific mention.

International mission/force/

No specific mention.

similar

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source

Asian Study Center for Peace & Conflict Transformation (2011), From Conflict to Peace in

Nepal: Peace Agreements 2005-2010.