

Country/entity	Nepal
Region	Asia and Pacific
Agreement name	9-Point Agreement between the Maoists and the CPN (UNML)
Date	12 Apr 2009
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

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 negotiations in 2006 that concluded with the signing of a Comprehensive Peace Accord on 21 November 2006.

Close
Nepalese Insurgency (1996 - 2006)

Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Nepal peace process
Parties	Pushpa Kamal Dahal ‘Prachanda’ Chairman, UCPN Maoist Jhala Nath Khanal Chairperson, CPN UML
Third parties	-
Description	An agreement between the UCPN (M) and the CPN (UML) to end a stalemate in the Constituent Assembly

Agreement document	NP_090412_9PointAgreement.pdf (opens in new tab) Download PDF
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Groups

Children/youth	Groups→Children/youth→Other Page 1, 1: ...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his 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	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.

Family	Page 1, 1: ...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his children. (d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.
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State definition

Nature of state (general) Page 2, 8. Both the parties make a special appeal to all parties, other forces concerned and the general people to focus on taking the peace process to its logical conclusion to establish sustainable peace [in the country], and drafting a new constitution within a definite timeframe for the purpose of democratic and progressive restructuring of the state and society through a progressive constitution since these are the nation's major historic responsibilities at this moment.

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 institutions (new or reformed)	Governance→Political institutions (new or reformed)→General references Page 1, 3: (a) The pacts between the two parties that remained non- implemented while the parties were in the Government shall be implemented without any delay. (b) The memorandum submitted by the CPN (UML) with regard to running the government shall be discussed in the mechanisms of both parties. Page 1, 4: (a) The political mechanism between the two parties shall be run regularly and systematically. Solutions shall be pursued by holding timely discussions in the mechanism regarding the important decisions about functioning of the government and about resolution of the controversial bilateral issues or incidents. Page 2, 5: A high-level¹ of the parties involved in the government shall be held regularly. Consensus of the high-level mechanism [of the political parties] shall be maintained on all important decision of the government. Page 2, 6: Keeping at core the aim of maintaining national consensus on the decisions on the issues of national importance, a regular consultation process with the coalition partners and the main opposition party as well as other parties shall be initiated.
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	Page 2, 9: With this agreement, the CPN (UML) has withdrawn all [announced] protest programmes.
Traditional/religious leaders	No specific mention.

Public administration	No specific mention.
Constitution	Governance→Constitution→Constitutional reform/making Page 1, Untitled Preamble: A serious discussion has taken place between the Unified Communist Party of Nepal-Maoist (UCPN-M) and the Communist Party of Nepal (UML) regarding the solution to the deadlock that has surfaced between the two parties. Concluding that an end to the stalemate between the political parties is indispensable for drafting a new constitution and for the success of the peace process, understanding has been reached as follows: Page 2, 8. Both the parties make a special appeal to all parties, other forces concerned and the general people to focus on taking the peace process to its logical conclusion to establish sustainable peace [in the country], and drafting a new constitution within a definite timeframe for the purpose of democratic and progressive restructuring of the state and society through a progressive constitution since these are the nation's major historic responsibilities at this moment.
Power sharing	
Political power sharing	Power sharing→Political power sharing→General State level Summary: A form of consultation that provides an element of power sharing is provided for, see below. Power sharing→Political power sharing→Executive coalition State level Page 2, 5: A high-level mechanism of the parties involved in the government shall be held regularly. Consensus of the high-level mechanism [of the political parties] shall be maintained on all important decision of the government. Page 2, 6: Keeping at core the aim of maintaining national consensus on the decisions on the issues of national importance, a regular consultation process with the coalition partners and the main opposition party as well as other parties shall be initiated.
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 Page 1, 2: Both the UCPN (M) and the CPN (UML) express strong commitment to strictly curb impunity and anarchy in the nation as well as to enforcing rule of law in the country. We request the Government to take serious and effective action with regard to these issues and make an appeal to all parties to provide positive support.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 2, 8. Both the parties make a special appeal to all parties, other forces concerned and the general people to focus on taking the peace process to its logical conclusion to establish sustainable peace [in the country], and drafting a new constitution within a definite timeframe for the purpose of democratic and progressive restructuring of the state and society through a progressive constitution since these are the nation's major historic responsibilities at this moment.

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 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 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** No specific mention.

Ceasefire No specific mention.

Police Page 1, 1: (a) The UCPN (M) expresses its regret over the Butwal incident. The UCPN (M) requests the Government to take active initiative for arresting Sujit BK, accused in the incident, and book him under the law, and also urges the entire Party line of command to support this task.
The UCPN (M) acknowledges its weakness in not being able to exercise due caution with regard to the possibility of Sujit BK's escape, accused in the murder of Butwal's Prachanda Thaiba during the implementation of the party's directive [issued for his] surrender to the Police, and also in the consequent failure to ensure the handover of the accused to the Police.

Armed forces No specific mention.

DDR No specific mention.

**Intelligence
services** No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 1, 1: (a) The UCPN (M) expresses its regret over the Butwal incident. The UCPN (M) requests the Government to take active initiative for arresting Sujit BK, accused in the incident, and book him under the law, and also urges the entire Party line of command to support this task.

The UCPN (M) acknowledges its weakness in not being able to exercise due caution with regard to the possibility of Sujit BK's escape, accused in the murder of Butwal's Prachanda Thaiba during the implementation of the party's directive [issued for his] surrender to the Police, and also in the consequent failure to ensure the handover of the accused to the Police.

(b) Carrying out attacks, arson and vandalism in the district party office of the UCPN (M) as well as torching houses and vehicles of the central leaders of the UCPN (M) the day after Thaiba's murder were [indeed] very wrong and sad acts. Similarly, the acts of arson and vandalism carried out in the regional office of the CPN (UML) were also very wrong and sad incidents. Both the parties direct their cadres not to indulge in any kind of provocative action with the intension of vengeance, and express commitment to initiate necessary actions against everyone who make mistakes.

Page 1, 2: Both the UCPN (M) and the CPN (UML) express strong commitment to strictly curb impunity and anarchy in the nation as well as to enforcing rule of law in the country. We request the Government to take serious and effective action with regard to these issues and make an appeal to all parties to provide positive support.

Page 1, 3:

(a) The pacts between the two parties that remained non- implemented while the parties were in the Government shall be implemented without any delay.

Page 2, 9: With this agreement, the CPN (UML) has withdrawn all [announced] protest programmes.

**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
general** No specific mention.

Amnesty/pardon No specific mention.

Courts	Transitional justice→Courts→National courts Page 1, 1: (a) The UCPN (M) expresses its regret over the Butwal incident. The UCPN (M) requests the Government to take active initiative for arresting Sujit BK, accused in the incident, and book him under the law, and also urges the entire Party line of command to support this task. The UCPN (M) acknowledges its weakness in not being able to exercise due caution with regard to the possibility of Sujit BK's escape, accused in the murder of Butwal's Prachanda Thaiba during the implementation of the party's directive [issued for his] surrender to the Police, and also in the consequent failure to ensure the handover of the accused to the Police.
Mechanism	Page 1, 1: ...(d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	Page 1, 1: ...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his children. (d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi. Page 2, 7: The Government shall be requested to form a taskforce to define and identify martyrs and to provide them due respect.
Missing persons	No specific mention.
Reparations	Transitional justice→Reparations→Material reparations Page 1, 1: ...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his children. (d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.
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 2, 4:
...(b) A mechanism comprising district-level representatives of both parties shall be formed to prevent any physical attacks or any unwanted and untoward incidents, and to resolve them immediately by investigating at local level if such incidents take place.
(c) If sensitive incidents of serious nature take place between the two parties, an investigation team at central level shall be formed to reach a concrete decision about the solution through immediate investigation.

Related cases No specific mention.

Source Asian Study Center for Peace & Conflict Transformation (2011), From Conflict to Peace in Nepal: Peace Agreements 2005-2010.
