

Country/entity Nepal

Region Asia and Pacific

Agreement name The Seven Point Agreement

Date 1 Nov 2011

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 Signed by:
Pushpa Kamal Dahal (Prachanda), Chairman, UCPN (Maoist)
Sushil Koirala, President , Nepali Congress
Jhala Nath Khanal, Chairman, CPN (UML)
Bijay Kumar Gachchhadar, On behalf of United Democratic Madhesi Front

Third parties -

Description A short agreement outlining provisions for the integration and rehabilitation of Maoist combatants; the establishment of a TRC and a commission to investigate forced disappearances; relief packages for conflict victims; implementation of past agreements; and drafting the constitution.

Agreement document

[NP_111101_The Seven Point Agreement.doc_.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth	Groups→Children/youth→Other Page 3, 6. Implementation of past agreements and trust-building:...c) The paramilitary structure of the YCL [Youth Communist League] would be dismantled, while all the public and private properties seized by the YCL would be returned to the rightful organizations and individuals by Nov 23.
Disabled persons	Groups→Disabled persons→Substantive Page 2, 5. Relief packages for conflict victims Relief packages would be made available without discrimination to the kin of those killed and disappeared, maimed, displaced and those whose properties were damaged in the armed conflict. The relief packages to be distributed after the signing of the Comprehensive Peace Agreement would be provided equally and without discrimination.
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	Groups→Refugees/displaced persons→Substantive Page 2, 5. Relief packages for conflict victims: Relief packages would be made available without discrimination to the kin of those killed and disappeared, maimed, displaced and those whose properties were damaged in the armed conflict. The relief packages to be distributed after the signing of the Comprehensive Peace Agreement would be provided equally and without discrimination.
Social class	Groups→Social class→Substantive Page 2, 6. Implementation of past agreements and trust-building: ...b) The rights of the peasants would be guaranteed as per the letter and spirit of the Comprehensive Peace Agreement, Interim Constitution 2007, and scientific land reforms.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family Page 2, 5. Relief packages for conflict victims: Relief packages would be made available without discrimination to the kin of those killed and disappeared, maimed, displaced and those whose properties were damaged in the armed conflict. The relief packages to be distributed after the signing of the Comprehensive Peace Agreement would be provided equally and without discrimination.

State definition

Nature of state (general) Page 3, 7. Constitution-drafting and national consensus government: ...b) The process of writing the new constitution will be accelerated. In order to make recommendations on state restructuring, a team of experts will be formed immediately on the basis of consensus in Constituent Assembly and the process of formulating a draft of the new constitution will be initiated within a month.

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.

Governance

Political institutions (new or reformed)	Governance→Political institutions (new or reformed)→Temporary new institutions Page 3, 7. Constitution-drafting and national consensus government: a) In order to take the ongoing peace process to a logical end and to complete the task of writing a constitution, the ongoing dialogues among the political parties will be continued. For that, a high level political mechanism will be formed. ...c) In line with the progress made in the peace process and constitution writing, the process of formulating a national consensus government will move forward.
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: National consensus is a must in order to take the peace process to a logical conclusion and to complete the task of drafting the new constitution. Therefore, as per the Comprehensive Peace Agreement (CPA) 2006 and various other understandings reached between the political parties at different times, the following understanding has been reached to complete the remaining task of constitution-drafting and move forward on the basis of national consensus. Page 3, 7. Constitution-drafting and national consensus government: a) In order to take the ongoing peace process to a logical end and to complete the task of writing a constitution, the ongoing dialogues among the political parties will be continued. For that, a high level political mechanism will be formed. b) The process of writing the new constitution will be accelerated. In order to make recommendations on state restructuring, a team of experts will be formed immediately on the basis of consensus in Constituent Assembly and the process of formulating a draft of the new constitution will be initiated within a month. c) In line with the progress made in the peace process and constitution writing, the process of formulating a national consensus government will move forward.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing Power sharing→Military power sharing→Merger of forces
Page 1, 1. Integration and rehabilitation of the Maoist combatants:
a) Existing records of the Maoist combatants residing in cantonments will be updated.
b) The number of the Maoist combatants to be integrated will be 6,500 at the maximum. Integration will be done under a directorate of Nepal Army and 65 percent of the personnel of the directorate will come from Nepal Army while remaining 35 percent from the Maoist combatants. The directorate will have the mandate of carrying out development related activities, forest conservation, industrial security and crisis management.
c) Combatants of the Maoist army opting for integration will have to meet the standard norms of the security agency on an individual basis. However, the existing recruitment policy on age bar, educational requirements and marital status will be made flexible. In this regard, one level in the educational requirements fixed for a specific post of the security agency will be relaxed. Similarly, age bar has also been relaxed up to three years of the maximum age set for entry into the security agency.
d) The rank harmonization of the Maoist army opting for integration will be done as per the standard of the security agency. Integration of the Maoist combatants into the security agency will be done in such a way that it does not bring any negative consequences in the career development of existing officers and other ranks.
e) Maoist combatants opting for integration will get responsibilities in the security agency after completing bridge course and training.
f) All the weapons stored in cantonments will automatically come under the government's ownership once the process of integration begins.
Power sharing→Military power sharing→Joint command structures
Page 1, 1. Integration and rehabilitation of the Maoist combatants:
...
d) The rank harmonization of the Maoist army opting for integration will be done as per the standard of the security agency. Integration of the Maoist combatants into the security agency will be done in such a way that it does not bring any negative consequences in the career development of existing officers and other ranks.
...

Human rights and equality

Human rights/RoL general No specific mention.

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 No specific mention.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, 1. Integration and rehabilitation of the Maoist combatants:
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National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business Page 1, 1. Integration and rehabilitation of the Maoist combatants:
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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, 6. Implementation of past agreements and trust-building:
a) The UCPN (Maoist) would take an official decision to return the private and public properties seized by the party during the armed conflict to the rightful owners for their use by Nov 23. Due compensations would be paid to the owners for the loss caused by the seizure of properties.
... c) The paramilitary structure of the YCL would be dismantled, while all the public and private properties seized by the YCL would be returned to the rightful organizations and individuals by Nov 23.
...e) The local administration would monitor - and enforce if necessary -- the implementation of the agreement on returning the seized properties to the rightful owners. The political parties should cooperate with the government for its implementation.
Land, property and environment→Land reform/rights→Other land rights
Page 2, 6. Implementation of past agreements and trust-building:
... b) The rights of the peasants would be guaranteed as per the letter and spirit of the Comprehensive Peace Agreement, Interim Constitution 2007, and scientific land reforms.

**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 No specific mention.

Armed forces Sections 1 and 3 of this agreement cover integration of Maoist combatants into the Nepal Army. See Military Power Sharing and DDR for further details.

DDR

Security sector→DDR→DDR programmes

Page 1, 1. Integration and rehabilitation of the Maoist combatants

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- c) Combatants of the Maoist army opting for integration will have to meet the standard norms of the security agency on an individual basis. However, the existing recruitment policy on age bar, educational requirements and marital status will be made flexible. In this regard, one level in the educational requirements fixed for a specific post of the security agency will be relaxed. Similarly, age bar has also been relaxed up to three years of the maximum age set for entry into the security agency.
- d) The rank harmonization of the Maoist army opting for integration will be done as per the standard of the security agency. Integration of the Maoist combatants into the security agency will be done in such a way that it does not bring any negative consequences in the career development of existing officers and other ranks.
- e) Maoist combatants opting for integration will get responsibilities in the security agency after completing bridge course and training.
- f) All the weapons stored in cantonments will automatically come under the government's ownership once the process of integration begins.

Page 2, 2. Rehabilitation of Maoist combatants

- a) An alternative package of education, training and vocational opportunity will be provided to combatants opting for rehabilitation. Depending on the nature and timeframe, the cost of the package will vary from Rs 600,000 to Rs 900,000.
- b) Depending upon their responsibilities, the combatants opting for voluntary retirement and cash instead of the package will be categorized into four levels and those falling in the highest category will get Rs 800,000 while remaining three levels in the descending order will get Rs 700,000, Rs 600,000 and Rs 500,000 respectively. The amount will be made available in two installments in two fiscal years. A formal decision to this effect will be made at a meeting of the Special Committee within two days.

Page 2, 3. Regrouping:

The task of regrouping the combatants opting for integration and those for rehabilitation will begin after the Special Committee takes a procedural decision in this regard within seven days and this will be completed by Nov 23.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces Page 3, 6. Implementation of past agreements and trust-building:...c) The paramilitary structure of the YCL would be dismantled, while all the public and private properties seized by the YCL would be returned to the rightful organizations and individuals by Nov 23.

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Sections 1 and 3 of this agreement cover integration of Maoist combatants into the Nepal Army. See Military Power Sharing and DDR for further details.

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 No specific mention.

Mechanism Page 2, 4. Formation of commissions as per previous agreement: a) As per the CPA, the bill on the Truth and Reconciliation Commission (TRC) and the Commission to Investigate Forced Disappearances would be endorsed by the legislature parliament after building consensus in the spirit of reconciliation. These commissions would be formed within a month.
b) The legal cases of the conflict period would be looked into as per the letter and spirit of the Comprehensive Peace Agreement and the Interim Constitution, 2007.

Prisoner release No specific mention.

Vetting No specific mention.

Victims Page 2, 5. Relief packages for conflict victims: Relief packages would be made available without discrimination to the kin of those killed and disappeared, maimed, displaced and those whose properties were damaged in the armed conflict. The relief packages to be distributed after the signing of the Comprehensive Peace Agreement would be provided equally and without discrimination.

Missing persons Page 2, 4. Formation of commissions as per previous agreement: a) As per the CPA, the bill on the Truth and Reconciliation Commission (TRC) and the Commission to Investigate Forced Disappearances would be endorsed by the legislature parliament after building consensus in the spirit of reconciliation. These commissions would be formed within a month.

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Reparations Transitional justice→Reparations→Material reparations
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Reconciliation Page 2, 4. Formation of commissions as per previous agreement: a) As per the CPA, the bill on the Truth and Reconciliation Commission (TRC) and the Commission to Investigate Forced Disappearances would be endorsed by the legislature parliament after building consensus in the spirit of reconciliation. These commissions would be formed within a month.

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

No specific mention.

Related cases

No specific mention.

Source

UN Peacemaker: <http://peacemaker.un.org/>
Link to agreement: <http://peacemaker.un.org/nepal-sevenpoint2011>
