

## **Procedures of the National Monitoring Committee on Code of Conduct for Ceasefire, 2006**

1. **Name:** These procedures shall be referred to as the of the National Monitoring Committee on Code of Conduct for Ceasefire, 2006
2. **Date of Commencement:** These procedures shall come into force on the date of its approval by the negotiating after these are adopted by the meeting of the Committee.
3. **Definition**
  - (a) "Committee" means the National Monitoring Committee on Code of Conduct for Ceasefire.
  - (b) "Negotiating Team" means the negotiating teams of the Government of Nepal and the CPN (Maoists).
  - (c) "Coordinator" means the Coordinator of the committee.
  - (d) "Member" means the member of the committee.
  - (e) "Code of Conduct" means the 25 points Code of Conduct for Ceasefire framed after an agreement between the Government of Nepal and the CPN (Maoists) on 26 May 2006.
  - (f) "Procedures" means the procedures of National Monitoring Committee on Code of Conduct for Ceasefire, 2006.
  - (g) "Office" means the Central office or the other offices also of the committee.
  - (h) "Joint Committee" means the joint committee to be formed by the negotiating teams.
  - (i) "Sub-Committee" means the sub-committee formed by the committee as per the necessity.
  - (j) "Contact agency, cooperation and monitoring team" means the contact agency, cooperation and monitoring team formed or developed by the committee for any specific incident, issue or area as per the need.
  - (k) "Peace Process" means all the activities to be carried according to the principles of international peace process for the peaceful transformation of the violent insurgency in Nepal started from 1995 and the existing conflicts in the Nepalese society according to the dialogue, understandings, consensus and agreements reached between Government of Nepal, the Seven Political Parties and the CPN (Maoists) who had participated in the People's Movement - 2006.
4. **Jurisdiction:** The jurisdiction of the committee shall be according to the 17 points terms of reference and power as specified negotiating teams on 26 June 2006
5. **Meeting of the Committee:**
  - (a) The coordinator shall call the meeting of the committee.
  - (b) The meeting of the committee shall be generally be held twice a month.

- (c) The meeting shall be chaired by the coordinator or by a member assigned by him in his absence. If no one is assigned, the meeting shall be chaired by persons/from among the members according to the alphabetical order.
- (d) The quorum of the meeting shall be considered to have been constituted in case more than 50 percent of the members are present in the meeting. In the meeting called for second time because of want of a quorum, the presented number of the members will be considered as the required quorum.

**6. Decision of the meeting:**

- (a) While taking a decision by the committee, it shall be taken through consensus, as far as possible.
- (b) It shall be the responsibility of the Coordinator to authenticate and send the decision of the meeting to the concerned agency.

**7. Office:** The Central Office of the committee shall be located within forward the Kathmandu valley. The offices may be established even in other parts of the country as per the need.

**8. Sub Committee:** The committee may in order to carry out its work in an efficient manner form issue wise, area wise and other subcommittees and fix the responsibility.

**9. Contact agency, cooperation and Monitoring team:** The contact agency, cooperation and monitoring teams may be formed and deploy for any incident, issue or area.

**10. Responsibility of the Coordinator**

- (a) To coordinate the necessary works and activities and give directions by taking up the leadership of the committee,
- (b) To represent or cause to be represented the committee,
- (c) To operate or cause to be making operated the office,
- (d) To assign responsibility to the member if cooperation from any member is required in course of conducting the work of the committee,
- (e) To prepare the agenda for issues for discussion in the meeting of the committee,
- (f) To implement or cause to be implemented the decisions of the committee.

**11. Basic responsibilities to be abided by the members of the committee**

- (a) To be neutral and independent,
- (b) To be conscious and committed towards the Code of Conduct and jurisdiction,
- (c) To be effortful for promoting the mutual trust and respect between the concerned parties in order to make the peace process efficient and dynamic,

- (d) To accomplish the assigned responsibilities,
- (e) Not to give expression or participate in the activities that may cause an adverse effect on the peace process,
- (f) To hold up the confidentiality and companionship in course of the activities of the Committee,
- (g) To follow the 17-point terms of reference and power while performing the activities and expressing statements in the capacity of a member of the committee provided that it shall not be deemed to be restricted by this clause, while being active or express statements on the basis of the profession or the belief.

**12. Collection of facts and information:** The committee shall collect the facts and information through the following medium:-

- (a) To collect the facts and information from the public - in - general,
- (b) To assign the contact agency, cooperation and monitoring team for the collection of the facts and information of the incident,
- (c) To collect the facts and information through different media,
- (d) To collect the facts and information through the medium of the office,
- (e) To collect the facts and information through the medium of the committee members,
- (f) To collect the facts and information from different organizations and the civil society,
- (g) To carry out the investigation and monitoring of a particular incident, if the demand for investigation and monitoring is made by the concerned parties,

**13. Report**

- (a) The committee shall prepare a report by studying investigating and analyzing the facts and information received by the committee from different sources in an independent, impartial and objective manner,
- (b) The report, according to the clause (a), shall be submitted to the negotiations teams or the joint committee along with recommendations,
- (c) Normally, the report shall be made public,
- (d) The committee shall remain active to implement the report,
- (e) The regular monitoring report shall be presented to the concerned agency fortnightly.

**14. Financial management and operation**

The arrangement of necessary financial resources for the committee shall be as provided by the Government of Nepal.

**15. Staff Provision**

The provision of the required staff for the committee shall be as provided by the Government of Nepal.

**16. Stamp and letter pad of the committee**

The samples of the stamp and letter pad of the committee are included in the annex-1

**17. Amendment**

The committee may by a decision, may make the necessary amendments if any amendment in these procedures is required to be made. The amendments shall be effective only after the ratification by the negotiating teams.