

Country/entity	Nepal
Region	Asia and Pacific
Agreement name	Agreement between the GoN and Samyukta Janatrantrik Terai Mukti Morcha
Date	26 Dec 2008
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/local 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	Ceasefire/related
Conflict nature	Government/territory
Peace process	Nepal related-local processes
Parties	On behalf of SJTMM Sd. Sanjaya Kumar Gupta ‘Kautilya’ Coordinator On behalf of GoN Talks Team Sd. Janardhan Sharma ‘Prabhakar’ Coordinator
Third parties	-

Description An agreement in which the amyukta Janatrantrik Terai Mukti Morcha agree to suspend their violent activities and engage in dialogue with the Government of Nepal.

Agreement document	NP_081226_GoN and Samyukta Janatrantrik Terai Mukti Morcha.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	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	No specific mention.
---------------	----------------------

State definition

Nature of state (general) Page 1, Untitled Preamble: On December 26, 2008 in Janakpur, a dialogue was held in a cordial atmosphere between the Talks Teams of the GoN and the Samyukta Janatrantrik Terai Mukti Morcha [Joint Democratic Terai Liberation Front]. With the belief that the institutional development and strengthening of Nepal's progressive transformation and of the federal democratic republic can take place only through a new people-centric constitution and embracing of the principles of sovereignty, integrity, national interest and national unity, an agreement was reached on the following points.

State configuration Page 1, Untitled Preamble: On December 26, 2008 in Janakpur, a dialogue was held in a cordial atmosphere between the Talks Teams of the GoN and the Samyukta Janatrantrik Terai Mukti Morcha [Joint Democratic Terai Liberation Front]. With the belief that the institutional development and strengthening of Nepal's progressive transformation and of the federal democratic republic can take place only through a new people-centric constitution and embracing of 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 institutions (new or reformed) No specific mention.

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: On December 26, 2008 in Janakpur, a dialogue was held in a cordial atmosphere between the Talks Teams of the GoN and the Samyukta Janatrantrik Terai Mukti Morcha [Joint Democratic Terai Liberation Front]. With the belief that the institutional development and strengthening of Nepal's progressive transformation and of the federal democratic republic can take place only through a new people-centric constitution and embracing of 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 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 Page 1, Untitled Preamble: On December 26, 2008 in Janakpur, a dialogue was held in a cordial atmosphere between the Talks Teams of the GoN and the Samyukta Janatrantrik Terai Mukti Morcha [Joint Democratic Terai Liberation Front]. With the belief that the institutional development and strengthening of Nepal's progressive transformation and of the federal democratic republic can take place only through a new people-centric constitution and embracing of 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 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** Page 1, 1: The GoN shall be responsible for the security of the members of the Talks Teams during the period of dialogue.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 1, 2: The Samyukta Janatrantrik Terai Mukti Morcha shall suspend its violent and aggressive activities and the GoN shall recognise 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 Samyukta Janatrantrik Terai Mukti Morcha shall suspend its violent and aggressive activities and the GoN shall recognise the party leaders and activists as political actors.

Page 1, 4: Initiative shall be taken for bringing the other agitating political groups operating in the Terai to the negotiation table.

Page 1, 5: The Samyukta Janatrantrik Terai Mukti Morcha shall furnish its list of demands at the next round of talks to be held in Kathmandu and the date of talks shall be fixed with mutual agreement. If necessary, mediators shall be appointed with the consent of both parties.

**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	No specific mention.
Prisoner release	Page 1, 3: The Samyukta Janatrantrik Terai Mukti Morcha shall make available to the GoN a list of its people arrested in the course of agitation and of those against whom cases have been filed, and the GoN shall gradually 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 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 Asian Study Center for Peace & Conflict Transformation (2011), From Conflict to Peace in Nepal: Peace Agreements 2005-2010.
