

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

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

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**Agreement document** [NP\\_090412\\_9PointAgreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

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## Groups

<b>Children/youth</b>	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.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.

<b>Family</b>	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.

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**Governance**

<b>Political institutions (new or reformed)</b>	<p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 1, 3:</p> <p>(a) The pacts between the two parties that remained non- implemented while the parties were in the Government shall be implemented without any delay.</p> <p>(b) The memorandum submitted by the CPN (UML) with regard to running the government shall be discussed in the mechanisms of both parties.</p> <p>Page 1, 4:</p> <p>(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.</p> <p>Page 2, 5: A high-level<sup>1</sup> 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.</p> <p>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.</p>
<b>Elections</b>	No specific mention.
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	Page 2, 9: With this agreement, the CPN (UML) has withdrawn all [announced] protest programmes.
<b>Traditional/religious leaders</b>	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.

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**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.

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## 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.

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## 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.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **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.

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## **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.

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## **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.

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## **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.

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**Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

<b>Courts</b>	<p>Transitional justice→Courts→National courts</p> <p>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.</p> <p>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.</p>
<b>Mechanism</b>	<p>Page 1, 1:</p> <p>...(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.</p>
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	<p>Page 1, 1:</p> <p>...(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.</p> <p>(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.</p> <p>Page 2, 7: The Government shall be requested to form a taskforce to define and identify martyrs and to provide them due respect.</p>
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 1, 1:</p> <p>...(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.</p> <p>(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.</p>
<b>Reconciliation</b>	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.

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