

<b>Country/entity</b>	Nepal
<b>Region</b>	Asia and Pacific
<b>Agreement name</b>	The Seven Point Agreement
<b>Date</b>	1 Nov 2011
<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>	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
<b>Third parties</b>	-
<b>Description</b>	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.

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**Agreement document**

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**Groups**

<b>Children/youth</b>	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.
<b>Disabled persons</b>	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.
<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>	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.
<b>Social class</b>	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.

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## 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.

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## 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.

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## **Governance**

<b>Political institutions (new or reformed)</b>	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.
<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>	No specific mention.
<b>Traditional/religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	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.

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## 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.  
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## 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.

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#### **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.

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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** Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 1, 1. Integration and rehabilitation of the Maoist combatants:  
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.

**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:  
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.

**Taxation** No specific mention.

**Banks** No specific mention.

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## 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.

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## 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

- 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.

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.

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## **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.

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.

**Reparations** Transitional justice→Reparations→Material reparations  
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.

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.

**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.

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## **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>

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