

Country/entity	Nepal
Region	Asia and Pacific
Agreement name	25-Point Ceasefire Code of Conduct Agreed between the Government of Nepal and SPN (Maoist)
Date	25 May 2006
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	Ceasefire/related
Conflict nature	Government
Peace process	Nepal peace process
Parties	On behalf of the CPN (Maoist) Coordinator: Krishna Bahadur Mahara On behalf of the Govt. of Nepal Coordinator: KrishnaPrasad Sitaula
Third parties	-
Description	A ceasefire code of conduct establishing rules for the two parties in which they agree to guarantee a fearless civilian life by avoiding engaging in any hostile military activity. They undertake to create a peaceful environment, refrain from using any hostile language, halt collecting any form of levy and to facilitate the functioning of essential services to the people. They also agree to release all prisoners, engage in further talks and to request for internationalPage monitoring of the ceasefire agreement.

Agreement document	NP_060525_Code of Conduct for Ceasefire.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/ national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	Groups→Refugees/displaced persons→Rhetorical Page 3, Release and Rehabilitation, para 18: To assist to the displaced persons to return to their respective houses and on the act of peaceful, comfortable and dignifiedly rehabilitation thereof.
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Social class	No specific mention.
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Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family page 3, Release and Rehabilitation, para 19: To return the properties that are seized, locked up or prohibited to use during the conflict, of the leaders and the workers of political parties and public -in- general, to the concerned persons or families and to allow them to consume. To resolve the problems through the mutual agreement, this may arise while returning the properties

State definition

Nature of state (general) Page 1, preamble: ...Expressing commitment towards democratic values and norms, including a competitive multi-party system of governance, civil liberties, fundamental rights, human rights, press freedom and the concept of the rule of law;
Guaranteeing the fundamental rights of the Nepali people to participate in the process of framing a constitution through participating in the election of constitution assembly without being influenced by any fear, threats, or violence; and
Placing in centre the democracy, peace, prosperity, and progressive social change, and the independence, sovereignty, and dignity of the country;...

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) No specific mention.

Elections Page 1, preamble: Guaranteeing the fundamental rights of the Nepali people to participate in the process of framing a constitution through participating in the election of constitution assembly without being influenced by any fear, threats, or violence;...

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 2, Creating an environment of trust among the people, para 7: Not to make any hindrance and give any mental and physical pressure from either side to the workers of political parties and members of social organizations or individuals to disseminate their opinion, to conduct meetings and assemblies, to conduct the act of extending organizations through movement around any part of the country.

Page 3, Facilitating in the Negotiations, para 20: No hurdle or of any obstruction shall be created in the movement and activities of individuals of both the parties involving in the negotiations.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making
Page 1, preamble: Guaranteeing the fundamental rights of the Nepali people to participate in the process of framing a constitution through participating in the election of constitution assembly without being influenced by any fear, threats, or violence;...

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/RoL general page 1, preamble;...Remaining committed towards the Universal Declaration of Human Rights 1948, and the basic principles and norms concerning international humanitarian law and human rights;...
...Expressing commitment towards democratic values and norms, including a competitive multi-party system of governance, civil liberties, fundamental rights, human rights, press freedom and the concept of the rule of law;
Guaranteeing the fundamental rights of the Nepali people to participate in the process of framing a constitution through participating in the election of constitution assembly without being influenced by any fear, threats, or violence; and

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Freedom of movement
Page 2, Creating an environment of trust among the people, para 7: Not to make any hindrance and give any mental and physical pressure from either side to the workers of political parties and members of social organizations or individuals to disseminate their opinion, to conduct meetings and assemblies, to conduct the act of extending organizations through movement around any part of the country.

Human rights and equality→Civil and political rights→Freedom of association
Page 3, Creating an environment of trust among the people, para 7: Not to make any hindrance and give any mental and physical pressure from either side to the workers of political parties and members of social organizations or individuals to disseminate their opinion, to conduct meetings and assemblies, to conduct the act of extending organizations through movement around any part of the country.

Page 2, On basic services to the people, the development and construction, para 8: No programs like general strike and transport strike shall be organized during the period of ceasefire. However, peaceful assemblies and processions may be organized.

Human rights and equality→Civil and political rights→Vote and take part
page 1, preamble: ...Guaranteeing the fundamental rights of the Nepali people to participate in the process of framing a constitution through participating in the election of constitution assembly without being influenced by any fear, threats, or violence;...

Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

Page 2, Creating an environment of trust among the people, para 7: Not to make any hindrance and give any mental and physical pressure from either side to the workers of political parties and members of social organizations or individuals to disseminate their opinion, to conduct meetings and assemblies, to conduct the act of extending organizations through movement around any part of the country.

Socio-economic rights

Human rights and equality→Socio-economic rights→Health

Page 2, On basic services to the people, the development and construction, para 11: No restriction imposed nor hindrance created transport food, medicines, development and construction materials and goods for daily consumption.

Human rights and equality→Socio-economic rights→Adequate standard of living

Page 2, On basic services to the people, the development and construction, para 11: No restriction imposed nor hindrance created transport food, medicines, development and construction materials and goods for daily consumption.

Rights related issues

Citizenship	Rights related issues→Citizenship→Citizen, general Page 2, Release and Rehabilitation, para 17: To disclose, as soon as possible, the whereabouts of the citizens who have been disappeared thereof.
Democracy	Page 1, Preamble: Respecting the popular mandate expressed through the historic people's movement in favor of full democracy, progress and peace;...Expressing commitment towards democratic values and norms, including a competitive multi-party system of governance, civil liberties, fundamental rights, human rights, press freedom and the concept of the rule of law;...Placing in centre the democracy, peace, prosperity, and progressive social change, and the independence, sovereignty, and dignity of the country...
Detention procedures	No specific mention.
Media and communication	Rights related issues→Media and communication→Media roles Page 1, preamble: ...Expressing commitment towards democratic values and norms, including a competitive multi-party system of governance, civil liberties, fundamental rights, human rights, press freedom and the concept of the rule of law;... Page 2, Support from media for the peace talks: 13. To circulate information in favor of ceasefire, code of conduct, and while conducting to peace process and political dissemination use cultured and dignified language. 14. No one shall express one's statement through media in a manner of having adverse impact to the negotiations and the peace process.
Mobility/access	Page 2, On basic services to the people, the development and construction, para 8: No programs like general strike and transport strike shall be organized during the period of ceasefire. However, peaceful assemblies and processions may be organized. Page 2, On basic services to the people, the development and construction, para 9: To allow the essential services and facilities to the people to be operated without any restriction. Page 2, On basic services to the people, the development and construction, para 11: No restriction imposed nor hindrance created transport food, medicines, development and construction materials and goods for daily consumption.
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 2, On basic services to the people, the development and construction, para 10: Not to create any hindrance in peacefully carrying out the regular development works and other works for the interest of the people.

Page 2, Operation of educational institutions, Hospitals and industrial enterprises, para 12: To create an environment for the smooth operation of schools, colleges, universities, hospitals, health centers and industrial enterprises from both the sides.

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 2, Ensuring a fearless civic life, para 3: Not to attack or commit disruptive acts in each other's military or security units, not to carry out actions like laying down land mines or setting up ambushes, not to recruit new people in their respective armies and not to spy.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Code of conduct for ceasefire commenced on 26/05/2006. Ceasefire is presumed to be permanent.

The whole agreement provides for a ceasefire and its modalities.

Police No specific mention.

Armed forces	Page 1, Ensuring a fearless civic life, para 2: Both the parties shall not mobilize, demonstrate or use their armed forces in a manner that may spread fear amongst the people -in-general. Page 1, Ensuring a fearless civic life, para 3: Not to attack or commit disruptive acts in each other's military or security units, not to carry out actions like laying down land mines or setting up ambushes, not to recruit new people in their respective armies and not to spy. Page 1, Ensuring a fearless civic life, para 5: Regarding the issue of management of arms and armies, the discussion and understanding will be continued on the basis of mutual consent. Page 1, Creating an environment of trust among the people, para 6: Both the parties will not participate in public meetings, conference or any other political activities in combat dresses or in possession of arms.
DDR	No specific mention.
Intelligence services	Page 2, Ensuring a fearless civic life, para 3: Not to attack or commit disruptive acts in each other's military or security units, not to carry out actions like laying down land mines or setting up ambushes, not to recruit new people in their respective armies and not to spy.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	Page 2, Not to collect donation and financial support forcefully, para 15: Not to collect or mobilize donation or financial support, in cash or in kinds or services against one's will.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 2, Release and Rehabilitation, para 16: To withdraw the accusation, prosecution and cases induced against various individuals by both the parties and release the detainees gradually.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release Page 2, Release and Rehabilitation, para 16: To withdraw the accusation, prosecution and cases induced against various individuals by both the parties and release the detainees gradually.

Vetting No specific mention.

Victims No specific mention.

Missing persons Page 2, Release and Rehabilitation, para 17: To disclose, as soon as possible, the whereabouts of the citizens who have been disappeared thereof.

Reparations Transitional justice→Reparations→Material reparations
Page 3, Release and Rehabilitation, para 19: To return the properties that are seized, locked up or prohibited to use during the conflict, of the leaders and the workers of political parties and public -in- general, to the concerned persons or families and to allow them to consume. To resolve the problems through the mutual agreement, this may arise while returning the properties

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 Page 3, Monitoring, para 21: Monitor of ceasefire by national and international monitoring teams shall be caused to be done on the basis of mutual agreement between both the parties.

Enforcement mechanism page 3, Monitoring, para 21: Monitor of ceasefire by national and international monitoring teams shall be caused to be done on the basis of mutual agreement between both the parties.

Page 3, Miscellaneous, para 22: If any dispute arises in the interpretation of this code of conduct, the problem shall be resolved through the agreement of both the parties.
