

<b>Country/entity</b>	Nepal
<b>Region</b>	Asia and Pacific
<b>Agreement name</b>	12-Point Understanding between the Seven Political Parties and Nepal Communist Party (Maoists)
<b>Date</b>	22 Nov 2005
<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>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Nepal peace process
<b>Parties</b>	Agreement Unsigned but composed by the Nepal Communist Party (CPN) (Maoists) and the Seven Political Parties
<b>Third parties</b>	-
<b>Description</b>	A 12-point understanding uniting the CPN (Maoists) and the Seven Political Parties against the Monarchy. The agreement touches on a range of issues including the institution of democracy, elections, relations with neighbouring states and the international community, and human rights.

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<b>Agreement document</b>	<a href="#">NP_051122_12 Point Understanding.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## 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** Groups→Refugees/displaced persons→Rhetorical  
Page 3, Para 5: The CPN (Maoists) has expressed its commitment to create an environment to allow the people and the leaders and workers of the political parties, who are displaced during the course of armed conflict, to return and stay with dignity in their respective places, to return their homes, land and property that was seized in an unjust manner and to allow them to carry out the political activities without any hindrance.

**Social class** Groups→Social class→Rhetorical  
Page 1, Untitled Preamble: The struggle between absolute monarchy and democracy running for a long time in Nepal has now been reached in a very grave and new turn. It has become the need of today to establish peace by resolving the 10-year old armed conflict through a forward - looking political outlet. Therefore, it has become an inevitable need to implement the concept of full democracy through a forward - looking restructuring of the state to resolve the problems related to class, cast, gender, region and so on of all sectors including the political, economic, social and cultural, by bringing the autocratic monarchy to an end and establishing full democracy. We hereby disclose that in the existence of aforesaid context and reference in the country, the following understanding has been reached between the Seven Political Parties within the parliament and the CPN (Maoists) through holding talks in different manners.

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## **Gender**

<b>Women, girls and gender</b>	Page 1, Untitled Preamble:...Therefore, it has become an inevitable need to implement the concept of full democracy through a forward-looking restructuring of the state to resolve the problems related to class, cast, gender, region and so on of all sectors including the political, economic, social and cultural, by bringing the autocratic monarchy to an end and establishing full democracy.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## **State definition**

### **Nature of state (general)**

Page 1, Untitled Preamble: The struggle between absolute monarchy and democracy running for a long time in Nepal has now been reached in a very grave and new turn. It has become the need of today to establish peace by resolving the 10-year old armed conflict through a forward - looking political outlet. Therefore, it has become an inevitable need to implement the concept of full democracy through a forward - looking restructuring of the state to resolve the problems related to class, cast, gender, region and so on of all sectors including the political, economic, social and cultural, by bringing the autocratic monarchy to an end and establishing full democracy. We hereby disclose that in the existence of aforesaid context and reference in the country, the following understanding has been reached between the Seven Political Parties within the parliament and the CPN (Maoists) through holding talks in different manners.

Page 1, para 1: The democracy, peace, prosperity, social advancement and an independent, sovereign Nepal is the principal wish of all Nepali people in the country today. We are fully agreed that the autocratic monarchy is the main hurdle for this. We have a clear opinion that the peace, progress and prosperity in the country is not possible until and full democracy is established by bringing the absolute monarchy to an end. Therefore, an understanding has been reached to establish full democracy by bringing the autocratic monarchy to an end through creating a storm of nation- wide democratic movement of all the forces against autocratic monarchy by focusing their assault against the autocratic monarchy from their respective positions.

Page 2, Para 2: The agitating Seven Political Parties are fully committed to the fact that the existing conflict in the country can be resolved and the sovereignty and the state powers can completely be established in people only by establishing full democracy by restoring the parliament through the force of agitation and forming an power full - party Government by its decision, negotiating with the Maoists, and on the basis of agreement, holding the election of constituent assembly...

Page 3, Para 4: Making public its commitment, institutional in a clear manner, towards the democratic norms and values like the competitive multiparty system of governance, civil liberties, fundamental rights, human rights, principle of rule of law etc., the CPN (Maoists) has expressed its commitment to move forward its activities accordingly.

Page 4, Para 10: The people and their representative political parties are the real guardians of nationality. Therefore, we are firmly committed towards the protection of the independence, sovereignty and the geographical integrity and the national unity of the country. It is our common obligation to maintain friendly relations based on the principle of peaceful co-existence with all countries of the world and a good-neighborhood relationship with neighboring countries, especially with India and China. But we request all the patriotic peoples to remain cautious against the false attempt of the King and the monarchists to create confusion in the patriotic people by projecting the illusory the fake ('Mandale') nationalism to prolong the autocratic and illegitimate rule of the King and to raise question mark over the patriotism of the political parties, and we appeal to the international powers and the communities to support the democratic movement against the autocratic monarchy in Nepal in every possible way.

**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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**Political****institutions (new or reformed)**

Governance→Political institutions (new or reformed)→General references

Page 2, para 2: The agitating Seven Political Parties are fully committed to the fact that the existing conflict in the country can be resolved and the sovereignty and the state powers can completely be established in people only by establishing full democracy by restoring the parliament through the force of agitation and forming an power full - party Government by its decision, negotiating with the Maoists, and on the basis of agreement, holding the election of constituent assembly. The CPN (Maoists) has the view and commitment that the aforesaid goal can be achieved by holding a national political conference of the agitating democratic forces, and through its decision, forming an Interim Government and holding the election of constituent assembly. On the issue of this procedural agenda, an understanding has been made to continue dialogue and seek for a common agreement between the agitating Seven Political Parties and the CPN (Maoists). It has been agreed that the force of people's movement is the only alternative to achieve this goal.

Page 2, Para 3: The country, today, demands the establishment of a permanent peace along with a positive resolution of the armed conflict. We are, therefore, firmly committed to establish a permanent peace by bringing the existing armed conflict in the country to an end through a forward-looking political outlet of the establishment of the full democracy by ending the autocratic monarchy and holding an election of the constituent assembly that would come on the basis of aforesaid procedure...

## **Elections**

Page 2, para 2: The agitating Seven Political Parties are fully committed to the fact that the existing conflict in the country can be resolved and the sovereignty and the state powers can completely be established in people only by establishing full democracy by restoring the parliament through the force of agitation and forming an power full - party Government by its decision, negotiating with the Maoists, and on the basis of agreement, holding the election of constituent assembly. The CPN (Maoists) has the view and commitment that the aforesaid goal can be achieved by holding a national political conference of the agitating democratic forces, and through its decision, forming an Interim Government and holding the election of constituent assembly. On the issue of this procedural agenda, an understanding has been made to continue dialogue and seek for a common agreement between the agitating Seven Political Parties and the CPN (Maoists). It has been agreed that the force of people's movement is the only alternative to achieve this goal.

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Page 4, para 9: As the announcement of the election of municipality is pushed forward for an ill-motive of deluding the people and the international community and of giving continuity to the autocratic and illegitimate rule of the King, and the rumour of the election of the parliament are a crafty ploy, announcing to boycott it actively in our own respective way, the general public are appealed to make such elections a failure.

### **Electoral commission**

No specific mention.

### **Political parties reform**

No specific mention.

### **Civil society**

Page 4, para 11: We heartily invite the civil society, professional organizations, various wings of parties, people of all communities and regions, the press community, intellectuals all the Nepali people to make the Movement succeed by actively participating in the peaceful People's Movement launched on the basis of these understandings reached by keeping the democracy, peace, prosperity, forward-looking social transformation and the independence, sovereignty, and dignity of the country in centre.

### **Traditional/ religious leaders**

No specific mention.



<b>Public administration</b>	No specific mention.
<b>Constitution</b>	No specific mention.

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## **Power sharing**

<b>Political power sharing</b>	<p>Power sharing→Political power sharing→General State level</p> <p>Page 2, para 2: The agitating Seven Political Parties are fully committed to the fact that the existing conflict in the country can be resolved and the sovereignty and the state powers can completely be established in people only by establishing full democracy by restoring the parliament through the force of agitation and forming an power full - party Government by its decision, negotiating with the Maoists, and on the basis of agreement, holding the election of constituent assembly. The CPN (Maoists) has the view and commitment that the aforesaid goal can be achieved by holding a national political conference of the agitating democratic forces, and through its decision, forming an Interim Government and holding the election of constituent assembly. On the issue of this procedural agenda, an understanding has been made to continue dialogue and seek for a common agreement between the agitating Seven Political Parties and the CPN (Maoists). It has been agreed that the force of people's movement is the only alternative to achieve this goal.</p>
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

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## **Human rights and equality**

<b>Human rights/RoL general</b>	<p>Page 3, Para 4: Making public its commitment, institutional in a clear manner, towards the democratic norms and values like the competitive multiparty system of governance, civil liberties, fundamental rights, human rights, principle of rule of law etc., the CPN (Maoists) has expressed its commitment to move forward its activities accordingly.</p> <p>Page 3, Para 8: The commitment has been made to fully respect the norms and values of the human rights and to move forward on the basis of them, and to respect the press freedom in the context of moving the peace process ahead.</p>
<b>Bill of rights/similar</b>	No specific mention.
<b>Treaty incorporation</b>	No specific mention.

**Civil and political rights**

Human rights and equality→Civil and political rights→Other  
page 3, para 5: The CPN (Maoists) has expressed its commitment to create an environment to allow the people and the leaders and workers of the political parties, who are displaced during the course of armed conflict, to return and stay with dignity in their respective places, to return their homes, land and property that was seized in an unjust manner and to allow them to carry out the political activities without any hindrance.

**Socio-economic rights**

Human rights and equality→Socio-economic rights→Property  
page 3, para 5: The CPN (Maoists) has expressed its commitment to create an environment to allow the people and the leaders and workers of the political parties, who are displaced during the course of armed conflict, to return and stay with dignity in their respective places, to return their homes, land and property that was seized in an unjust manner and to allow them to carry out the political activities without any hindrance.

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**Rights related issues**

**Citizenship**

No specific mention.

## Democracy

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<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	Rights related issues→Media and communication→Media roles page 3, para 8: The commitment has been made to fully respect the norms and values of the human rights and to move forward on the basis of them, and to respect the press freedom in the context of moving the peace process ahead.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	Rights related issues→Protection measures→Other Page 4, Para 10: The people and their representative political parties are the real guardians of nationality. Therefore, we are firmly committed towards the protection of the independence, sovereignty and the geographical integrity and the national unity of the country.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	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** page 2, para 3: ...We also expect for the involvement of a reliable international community even in the process of negotiation.

Page 4, para 10:...we appeal to the international powers and the communities to support the democratic movement against the autocratic monarchy in Nepal in every possible way.

**Business** No specific mention.

**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 3, para 5: The CPN (Maoists) has expressed its commitment to create an environment to allow the people and the leaders and workers of the political parties, who are displaced during the course of armed conflict, to return and stay with dignity in their respective places, to return their homes, land and property that was seized in an unjust manner and to allow them to carry out the political activities without any hindrance.

**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**

<b>Security Guarantees</b>	page 2, para 3: ...In this very context, an understanding has been made to keep the Maoists armed force and the Royal Army under the United Nations or a reliable international supervision during the process of the election of constituent assembly after the end of the autocratic monarchy, to accomplish the election in a free and fair manner and to accept the result of the election. We also expect for the involvement of a reliable international community even in the process of negotiation.
<b>Ceasefire</b>	No specific mention.
<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.



**Corruption**

Page 2, para 3: The country, today, demands the establishment of a permanent peace along with a positive resolution of the armed conflict. We are, therefore, firmly committed to establish a permanent peace by bringing the existing armed conflict in the country to an end through a forward-looking political outlet of the establishment of the full democracy by ending the autocratic monarchy and holding an election of the constituent assembly that would come on the basis of aforesaid procedure. The CPN (Maoists) expresses its commitment to move forward in the new peaceful political stream through this process. In this very context, an understanding has been made to keep the Maoists armed force and the Royal Army under the United Nations or a reliable international supervision during the process of the election of constituent assembly after the end of the autocratic monarchy, to accomplish the election in a free and fair manner and to accept the result of the election. We also expect for the involvement of a reliable international community even in the process of negotiation.

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Page 5, para 12: Regarding the inappropriate conducts that took place among the parties in the past, a common commitment has been expressed to investigate the incidents raised objection and asked for the investigation by any party and take action over the guilty one if found and make informed publicly. An understanding has been made to resolve the problems if emerged among the parties now onwards through the dialogue by discussing in the concerned level or in the leadership level.

**Crime/organised crime**

No specific mention.

**Drugs**

No specific mention.

**Terrorism**

No specific mention.

## Transitional justice

**Transitional justice general** page 3, para 6: Making a self-assessment and a self-criticism of the past mistakes and weaknesses, the CPN (Maoists) has expressed its commitment for not allowing the mistakes and weaknesses to be committed in future.

Page 3, para 7: Making a self-assessment towards the mistakes and weaknesses committed while staying in the Government and parliament in the past, the seven political parties have expressed their commitment for not repeating such mistakes and weaknesses now onwards.

page 5, para 12: Regarding the inappropriate conducts that took place among the parties in the past, a common commitment has been expressed to investigate the incidents raised objection and asked for the investigation by any party and take action over the guilty one if found and make informed publicly. An understanding has been made to resolve the problems if emerged among the parties now onwards through the dialogue by discussing in the concerned level or in the leadership level.

**Amnesty/pardon** No specific mention.

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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## Implementation

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

<b>Referendum for agreement</b>	No specific mention.
<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	No specific mention.
<b>Related cases</b>	No specific mention.
<b>Source</b>	UN Peacemaker - <a href="http://peacemaker.un.org/nepal-12pointunderstanding2005">http://peacemaker.un.org/nepal-12pointunderstanding2005</a>

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