

17 | Agreement between the GoN and Nepal Adivasi Janajati Mahasangha and Adivasi Janajati Samyukta Sangharsha Samiti

On this day, August 7, 2007, the Government talks team and the representatives of Nepal Adivasi Janajati Mahasangha [Nepal Federation of Indigenous Nationalities] and Adivasi Janajati Samyukta Sangharsha Samiti [Indigenous Nationalities Joint Struggle Committee], Nepal conclude the following agreement:

1. While nominating candidates for the **'first-past-the-post electoral'** system for election to the Constituent Assembly under the provisions of the current Constitution, all parties shall nominate candidates keeping in mind so that all ethnic groups and indigenous nationalities have proportional representation.
2. While drawing up proportional list, all political parties participating in the election shall jointly make provision to ensure representation of each community of the listed indigenous nationalities.
3. On the question of how to constitutionally and legally ensure the representation of at least one representative of the listed indigenous nationalities that have not been able to secure representation through either of the electoral systems, the Government of Nepal shall reach a conclusion with the consent of the eight political parties.
4. A State Restructuring Commission shall immediately be formed to present to the forthcoming Constituent Assembly recommendations regarding a federal structure for the state based on ethnicity, language, geographical region, economic status and cultural characteristics while keeping national unity, integrity and sovereignty of Nepal above all. The Commission shall be composed of eminent experts from various classes, regions and communities, including indigenous nationalities, Madheshis, *Dalits* and women.

5. An Indigenous Nationalities Commission shall be formed.
6. While so far only Nepali has been recognised as the official language, the Constituent Assembly shall make provision to grant recognition to Nepali and other mother tongues spoken at local level. The Government shall remain committed towards ensuring the linguistic rights of citizens.
7. Protecting and respecting citizens' right to seek and receive information on matters of public interest, including on the Constituent Assembly, provision shall be made for the general public to receive such information in their mother tongues.
8. The GoN has agreed in principle that all classes, sexes, communities, and caste and ethnic groups would be represented in political parties at all levels. A taskforce with the representation of all shall be formed immediately to conduct a study to ensure inclusive, participatory and proportional representation of all ethnic groups, classes, communities, sexes and regions in all organs and at all levels of state.
9. All sectors shall take initiative to translate into action the legal and policy-level commitments that have been articulated to ensure inclusive and proportional representation of all sexes, classes, regions and communities, including indigenous nationalities, in all organs and at all levels of state functioning.
10. The practice of seeking advice and consultation from the parties and agencies concerned while making important decisions on issues that concern various classes, regions, sexes and communities, including indigenous nationalities, shall continued to be developed.
11. Provision shall be made to immediately sanction the proposal to ratify International Labour Organization Convention 169.
12. Appropriate steps shall immediately be taken to complete the necessary legal procedure for adopting the United Nations Declaration on the Rights of Indigenous Peoples.
13. Democratic and transparent processes shall be followed in the formation of a District Coordination Committee on Indigenous Nationalities. In addition, high importance shall be given to the involvement of Nepal Federation of Indigenous Nationalities and the National Federation of Indigenous Women in this process.

14. Internalising the spirit and aspiration of gender mainstreaming in the implementation of development projects and programmes, including the Interim Plan, and paying attention to gender diversity in programme implementation and benefit-sharing, emphasis shall be laid on the participation of women from indigenous nationalities, *Dalit* and Madheshi groups.
15. As party to the Convention on Biodiversity, the State shall pay special attention to the utilisation and preservation of the indigenous knowledge, skills, practices and technologies of indigenous nationalities.
16. The nation shall accord special honour to the renowned geographer Dr. Harka Gurung.
17. Provision shall be made to provide a compensation of Rs. 1 million as relief to the families of each of the Nepalese who died in the helicopter crash at Ghunsa, Taplejung.
18. The process started by the GoN to find a permanent solution to the problems faced by freed *kamaiyas* (bonded labourers) shall be continued in an effective manner as per the agreement.
19. The Government shall make a serious effort to reach an agreement for addressing the demands of various classes and communities, including Madheshis, women and *Dalits* through dialogues and discussions with the groups concerned.
20. Nepal Federation of Indigenous Nationalities, Indigenous Nationalities Joint Struggle Committee and National Indigenous Women Federation request all indigenous nationalities in the country to unite for the success of the upcoming Constituent Assembly election.

Agreement between the GoN and Nepal Adivasi Janajati Mahasangha
and Adivasi Janajati Samyukta Sangharsha Samiti

Sd.
Dr. Om Gurung,
Coordinator,
Nepal Adivasi Janajati Mahasangha

Sd.
Ram Chandra Poudel,
Coordinator,
GoN Talks Team

Sd.
KB Gurung,
Coordinator,
Adivasi Janajati Samyukta Sangharsha Samiti

Date: August 7, 2007