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Country/ entity	Nepal
Region	Asia and Pacific
Agreement name	Agreement between the GoN and Samyukta Muslim Rastriya Sangharsha Samiti
Date	16 Mar 2009
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/local conflict (Nepalese Insurgency (1996 - 2006))
Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Nepal related-local processes
Parties	On behalf of Samyukta Muslim Rastriya Sangharsha Samiti Talks Team Sd. Athar Hussein Faruki Coordinator of the Talks Team Sd. Taj Mohammed Miyan Coordinator, Kendriya Sangharsha Samiti (Central Struggle Committee) On behalf of GoN Talks Team Sd. Janardhan Sharma ‘Prabhakar’ Coordinator of the Talks Team and Minister for Peace and Reconstruction
Third parties	-
Description	An agreement between the Government of Nepal and the Samyukta Muslim Rastriya Sangharsha Samiti to amend the Interim Constitution.

Agreement document [NP_090316_GoN and Samyukta Muslim Rastriya Sangharsha Samiti.pdf](#)  | [Download PDF](#)

Groups

Children/ youth	No specific mention.
Disabled persons	<p>Groups→Disabled persons→Substantive</p> <p>Page 1, 2. Expressing commitment to Clause (d1) of Article 33 of the Interim Constitution of Nepal 2007, which states ‘to enable Madheshi, Dalits, Adivasi Janajati [indigenous nationalities], women, labourers, farmers, the physically impaired, disadvantages classes and disadvantaged regions to participate in all organs of the State structure on the basis of proportional inclusion’, the Government of Nepal shall take necessary initiative to ensure political, economic, social, cultural and educational rights of all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims.</p>
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	<p>Groups→Racial/ethnic/national group→Rhetorical</p> <p>Page 1, 1: The Government of Nepal is clear that all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims, have their own distinct identity. Hence, the existing constitutional and legal provisions that jeopardize or shadow their independent identity shall be amended by following the necessary procedure.</p> <p>Groups→Racial/ethnic/national group→Substantive</p> <p>Page 1, 2: Expressing commitment to Clause (d1) of Article 33 of the Interim Constitution of Nepal 2007, which states ‘to enable Madheshi, Dalits, Adivasi Janajati [indigenous nationalities], women, labourers, farmers, the physically impaired, disadvantages classes and disadvantaged regions to participate in all organs of the State structure on the basis of proportional inclusion’, the Government of Nepal shall take necessary initiative to ensure political, economic, social, cultural and educational rights of all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims.</p> <p>Page 1, 5: The report of the national census conducted in B.S. 2058 (2002), as per the policy of the Government of Nepal to carry out national census every ten years, has already been made public. The Government is committed to carrying out census in a manner that separate numerical and other particulars of all Adivasi, Janajati, Madheshi, Tharu, Dalit, minority communities of the country, including Muslim, are clearly reflected.</p>

Religious
groups

Groups→Religious groups→Rhetorical

Page 1, 1: The Government of Nepal is clear that all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims, have their own distinct identity. Hence, the existing constitutional and legal provisions that jeopardize or shadow their independent identity shall be amended by following the necessary procedure.

Groups→Religious groups→Substantive

Page 1, 2: Expressing commitment to Clause (d1) of Article 33 of the Interim Constitution of Nepal 2007, which states ‘to enable Madheshi, Dalits, Adivasi Janajati [indigenous nationalities], women, labourers, farmers, the physically impaired, disadvantages classes and disadvantaged regions to participate in all organs of the State structure on the basis of proportional inclusion’, the Government of Nepal shall take necessary initiative to ensure political, economic, social, cultural and educational rights of all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims.

Page 1, 3: The National Muslim Commission shall be constituted as soon as possible by conforming necessary procedures to carry out acts, including uplift and development of various sector in relation to the Nepalese Muslim community, formation of a permanent Hajj Committee and Madarasha Board.

Page 1, 5: The report of the national census conducted in B.S. 2058 (2002), as per the policy of the Government of Nepal to carry out national census every ten years, has already been made public. The Government is committed to carrying out census in a manner that separate numerical and other particulars of all Adivasi, Janajati, Madheshi, Tharu, Dalit, minority communities of the country, including Muslim, are clearly reflected.

Page 1, 6: Expressing commitment on behalf of the entire Muslim community of Nepal to conclude the peace process of the country and to draft a people-oriented Constitution, the Joint Muslim National Struggle Committee has called off all declared programmes of struggle.

Indigenous people	<p>Groups→Indigenous people→Rhetorical</p> <p>Page 1, 1: The Government of Nepal is clear that all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims, have their own distinct identity. Hence, the existing constitutional and legal provisions that jeopardize or shadow their independent identity shall be amended by following the necessary procedure.</p> <p>Groups→Indigenous people→Substantive</p> <p>Page 1, 2: Expressing commitment to Clause (d1) of Article 33 of the Interim Constitution of Nepal 2007, which states ‘to enable Madheshi, Dalits, Adivasi Janajati [indigenous nationalities], women, labourers, farmers, the physically impaired, disadvantages classes and disadvantaged regions to participate in all organs of the State structure on the basis of proportional inclusion’, the Government of Nepal shall take necessary initiative to ensure political, economic, social, cultural and educational rights of all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims.</p> <p>Page 1, 5: The report of the national census conducted in B.S. 2058 (2002), as per the policy of the Government of Nepal to carry out national census every ten years, has already been made public. The Government is committed to carrying out census in a manner that separate numerical and other particulars of all Adivasi, Janajati, Madheshi, Tharu, Dalit, minority communities of the country, including Muslim, are clearly reflected.</p>
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.

Social class Groups→Social class→Rhetorical

Page 1, 1: The Government of Nepal is clear that all Adivasi, Janajati, Madheshi, Tharu, Dalit and minority communities of the country, including Muslims, have their own distinct identity. Hence, the existing constitutional and legal provisions that jeopardize or shadow their independent identity shall be amended by following the necessary procedure.

Groups→Social class→Substantive

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Gender

Women, girls and gender Page 1, 2: Expressing commitment to Clause (d1) of Article 33 of the Interim Constitution of Nepal 2007, which states ‘to enable Madheshi, Dalits, Adivasi Janajati [indigenous nationalities], women, labourers, farmers, the physically impaired, disadvantages classes and disadvantaged regions to participate in all organs of the State structure on the basis of proportional inclusion’, the Government of Nepal shall take necessary initiative to ensure political, economic, social, cultural and educational rights of all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols Page 1, 4: The Government of Nepal shall positively consider the request for declaring the birthday of Hajarat Muhammad Sallallahu Alaihi Wa Sallam and Muharram festivals public holidays.

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 No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making

Page 1, 1: The Government of Nepal is clear that all Adivasi, Janajati , Madheshi, Tharu, Dalit and minority communities of the country, including Muslims, have their own distinct identity. Hence, the existing constitutional and legal provisions that jeopardize or shadow their independent identity shall be amended by following the necessary procedure.

Page 1, 6: Expressing commitment on behalf of the entire Muslim community of Nepal to conclude the peace process of the country and to draft a people-oriented Constitution, the Joint Muslim National Struggle Committee has called off all declared programmes of struggle.

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.
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Human rights and equality

Human rights/RoL general	No specific mention.
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Bill of rights/similar	No specific mention.
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Treaty incorporation	No specific mention.
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Civil and political rights	No specific mention.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/
access No specific mention.

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 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.

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.
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Ceasefire	No specific mention.
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Police	No specific mention.
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Armed forces	No specific mention.
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DDR	No specific mention.
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Intelligence services	No specific mention.
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Parastatal/ rebel and opposition group forces	Page 1, 6: Expressing commitment on behalf of the entire Muslim community of Nepal to conclude the peace process of the country and to draft a people-oriented Constitution, the Joint Muslim National Struggle Committee has called off all declared programmes of struggle.
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Withdrawal of foreign forces	No specific mention.
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Corruption	No specific mention.
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Crime/ organised crime	No specific mention.
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Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional
justice
general No specific mention.

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.

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 Asian Study Center for Peace & Conflict Transformation (2011), From Conflict to Peace in Nepal: Peace Agreements 2005-2010.
