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Country/ entity	Nepal
Region	Asia and Pacific
Agreement name	9-Point Agreement between the Maoists and the CPN (UNML)
Date	12 Apr 2009
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict ( Nepalese Insurgency (1996 - 2006) )
Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Nepal peace process
Parties	Pushpa Kamal Dahal 'Prachanda' Chairman, UCPN Maoist Jhala Nath Khanal Chairperson, CPN UML
Third parties	-
Description	An agreement between the UCPN (M) and the CPN (UML) to end a stalemate in the Constituent Assembly

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## Groups

Children/  
youth      Groups→Children/youth→Other  
Page 1, 1:  
...(c) [The parties] request the Government of Nepal to officially declare  
Prachanda Thaiba a martyr, provide financial assistance to his family and  
bear educational expenses of his children.

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	No specific mention.
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 1, 1:  
...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his children.  
(d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.

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## State definition

Nature of state (general) Page 2, 8. Both the parties make a special appeal to all parties, other forces concerned and the general people to focus on taking the peace process to its logical conclusion to establish sustainable peace [in the country], and drafting a new constitution within a definite timeframe for the purpose of democratic and progressive restructuring of the state and society through a progressive constitution since these are the nation's major historic responsibilities at this moment.

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

Political institutions (new or reformed)      Governance→Political institutions (new or reformed)→General references  
Page 1, 3:  
(a) The pacts between the two parties that remained non- implemented while the parties were in the Government shall be implemented without any delay.  
(b) The memorandum submitted by the CPN (UML) with regard to running the government shall be discussed in the mechanisms of both parties.

Page 1, 4:  
(a) The political mechanism between the two parties shall be run regularly and systematically. Solutions shall be pursued by holding timely discussions in the mechanism regarding the important decisions about functioning of the government and about resolution of the controversial bilateral issues or incidents.

Page 2, 5: A high-level<sup>1</sup> of the parties involved in the government shall be held regularly. Consensus of the high-level mechanism [of the political parties] shall be maintained on all important decision of the government.

Page 2, 6: Keeping at core the aim of maintaining national consensus on the decisions on the issues of national importance, a regular consultation process with the coalition partners and the main opposition party as well as other parties shall be initiated.

Elections      No specific mention.

Electoral commission      No specific mention.

Political parties reform      No specific mention.

Civil society      Page 2, 9: With this agreement, the CPN (UML) has withdrawn all [announced] protest programmes.

Traditional/  
religious  
leaders No specific mention.

Public  
administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making  
Page 1, Untitled Preamble: A serious discussion has taken place between the Unified Communist Party of Nepal-Maoist (UCPN-M) and the Communist Party of Nepal (UML) regarding the solution to the deadlock that has surfaced between the two parties. Concluding that an end to the stalemate between the political parties is indispensable for drafting a new constitution and for the success of the peace process, understanding has been reached as follows:

Page 2, 8. Both the parties make a special appeal to all parties, other forces concerned and the general people to focus on taking the peace process to its logical conclusion to establish sustainable peace [in the country], and drafting a new constitution within a definite timeframe for the purpose of democratic and progressive restructuring of the state and society through a progressive constitution since these are the nation's major historic responsibilities at this moment.

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## Power sharing

Political  
power  
sharing Power sharing→Political power sharing→General  
State level  
Summary: A form of consultation that provides an element of power sharing is provided for, see below.

Power sharing→Political power sharing→Executive coalition  
State level

Page 2, 5: A high-level mechanism of the parties involved in the government shall be held regularly. Consensus of the high-level mechanism [of the political parties] shall be maintained on all important decision of the government.

Page 2, 6: Keeping at core the aim of maintaining national consensus on the decisions on the issues of national importance, a regular consultation process with the coalition partners and the main opposition party as well as other parties shall be initiated.

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 Page 1, 2: Both the UCPN (M) and the CPN (UML) express strong commitment to strictly curb impunity and anarchy in the nation as well as to enforcing rule of law in the country. We request the Government to take serious and effective action with regard to these issues and make an appeal to all parties to provide positive support.

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 Page 2, 8. Both the parties make a special appeal to all parties, other forces concerned and the general people to focus on taking the peace process to its logical conclusion to establish sustainable peace [in the country], and drafting a new constitution within a definite timeframe for the purpose of democratic and progressive restructuring of the state and society through a progressive constitution since these are the nation's major historic responsibilities at this moment.

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 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.

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## 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.

Ceasefire

No specific mention.

Police

Page 1, 1: (a) The UCPN (M) expresses its regret over the Butwal incident. The UCPN (M) requests the Government to take active initiative for arresting Sujit BK, accused in the incident, and book him under the law, and also urges the entire Party line of command to support this task. The UCPN (M) acknowledges its weakness in not being able to exercise due caution with regard to the possibility of Sujit BK's escape, accused in the murder of Butwal's Prachanda Thaiba during the implementation of the party's directive [issued for his] surrender to the Police, and also in the consequent failure to ensure the handover of the accused to the Police.

Armed  
forces

No specific mention.

DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	<p>Page 1, 1: (a) The UCPN (M) expresses its regret over the Butwal incident. The UCPN (M) requests the Government to take active initiative for arresting Sujit BK, accused in the incident, and book him under the law, and also urges the entire Party line of command to support this task.</p> <p>The UCPN (M) acknowledges its weakness in not being able to exercise due caution with regard to the possibility of Sujit BK's escape, accused in the murder of Butwal's Prachanda Thaiba during the implementation of the party's directive [issued for his] surrender to the Police, and also in the consequent failure to ensure the handover of the accused to the Police.</p> <p>(b) Carrying out attacks, arson and vandalism in the district party office of the UCPN (M) as well as torching houses and vehicles of the central leaders of the UCPN (M) the day after Thaiba's murder were [indeed] very wrong and sad acts. Similarly, the acts of arson and vandalism carried out in the regional office of the CPN (UML) were also very wrong and sad incidents. Both the parties direct their cadres not to indulge in any kind of provocative action with the intension of vengeance, and express commitment to initiate necessary actions against everyone who make mistakes.</p> <p>Page 1, 2: Both the UCPN (M) and the CPN (UML) express strong commitment to strictly curb impunity and anarchy in the nation as well as enforcing rule of law in the country. We request the Government to take serious and effective action with regard to these issues and make an appeal to all parties to provide positive support.</p> <p>Page 1, 3:</p> <p>(a) The pacts between the two parties that remained non- implemented while the parties were in the Government shall be implemented without any delay.</p> <p>Page 2, 9: With this agreement, the CPN (UML) has withdrawn all [announced] protest programmes.</p>
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 Transitional justice→Courts→National courts  
Page 1, 1: (a) The UCPN (M) expresses its regret over the Butwal incident. The UCPN (M) requests the Government to take active initiative for arresting Sujit BK, accused in the incident, and book him under the law, and also urges the entire Party line of command to support this task.  
The UCPN (M) acknowledges its weakness in not being able to exercise due caution with regard to the possibility of Sujit BK's escape, accused in the murder of Butwal's Prachanda Thaiba during the implementation of the party's directive [issued for his] surrender to the Police, and also in the consequent failure to ensure the handover of the accused to the Police.

Mechanism Page 1, 1:  
...(d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.

Prisoner release No specific mention.

Vetting No specific mention.

Victims	<p>Page 1, 1:          ...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his children.          (d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.</p> <p>Page 2, 7: The Government shall be requested to form a taskforce to define and identify martyrs and to provide them due respect.</p>
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations          Page 1, 1:          ...(c) [The parties] request the Government of Nepal to officially declare Prachanda Thaiba a martyr, provide financial assistance to his family and bear educational expenses of his children.          (d) [The parties] request the Government of Nepal to provide financial support to the family of Raj Bahadur Malla who was murdered in Surkhet. Immediate investigations shall be carried out into the incidents that took place in various parts of the country, including Surkhet, Dhankuta, Parbat, Kailali, Sankhuwasabha, Lamjung and Baitadi.</p>
Reconciliation	No specific mention.

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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 Page 2, 4:  
...(b) A mechanism comprising district-level representatives of both parties shall be formed to prevent any physical attacks or any unwanted and untoward incidents, and to resolve them immediately by investigating at local level if such incidents take place.  
(c) If sensitive incidents of serious nature take place between the two parties, an investigation team at central level shall be formed to reach a concrete decision about the solution through immediate investigation.

Related cases No specific mention.

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

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