

## Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

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

---

**Agreement  
document** [NP\\_090412\\_9PointAgreement.pdf](#)  | [Download PDF](#)

---

### 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.

---

## **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.

---

## 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.

---

## 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.

---

## 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.

---

## 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.

---

## 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.

---

## **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.

---

## 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 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.</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.

---

## 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 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.

Page 2, 7: The Government shall be requested to form a taskforce to define and identify martyrs and to provide them due respect.

Missing persons No specific mention.

Reparations 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.

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 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.

---