

Country/entity	Nepal
Region	Asia and Pacific
Agreement name	Agreement of the Third Round Negotiations between the Government of Nepal and CPN (Maoists) at the Prime Minister's Baluwatar and 8-Point Agreement
Date	16 Jun 2006
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	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)
Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Nepal peace process

Parties	<p>Third Round negotiations: On behalf of the CPN-Maoist, Coordinator: Krishna Bahadur Mahara</p> <p>On behalf of the Government of Nepal, Coordinator: Krishna Prasad Sitaula</p> <p>8 point agreement: On behalf of CPN (Maoists): Prachanda Chairman CPN (Maoists);</p> <p>On behalf of the Seven Political Parties:</p> <p>Shree Girija Prasad Koirala, Prime Minister and President, Nepali Congress;</p> <p>Shree Madhav Kumar, Nepal General Secretary, CPN (UML);</p> <p>Shree Sher Bahadur Deuba President, Nepali Congress (Democratic);</p> <p>Shree Amik Sherchan, Deputy Prime Minister and Chairperson, Janamorcha Nepal;</p> <p>Shree Narayan Man Bijhuckchhe President, Nepal Majdur Kisan Party;</p> <p>Shree Bharat Bimal Yadav Vice President, Nepal Sadbhavana Party (Anandidevi);</p> <p>Shree Prabhu Narayan Chaudary Minister and Chairperson Bammorcha, Nepal.</p>
Third parties	-
Description	A short agreement reaffirming commitments to previous agreements, outlining areas for future talks, requesting UN assistance with DDR and election monitoring, and forming the committee to draft the interim constitution.
Agreement document	NP_060526_Third Round Negotiations.pdf (opens in new tab) Download PDF
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	<p>Groups→Racial/ethnic/national group→Rhetorical</p> <p>Page 2, Eight-Point Agreement of the Top leaders, 7: To make a forward-looking restructuring of the state so as to resolve the class-based, racial, regional and gender-based problems through the election of constituent assembly. To transform the ceasefire held between the Government of Nepal and CPN(Maoists) into a permanent peace by keeping in the centre the democracy, peace, prosperity, progress and the independence, sovereignty and dignity of the country, and to express commitment to resolve the problem through negotiations.</p>
Religious groups	No specific mention.

Indigenous people No specific mention.

Other groups Groups→Other groups→Rhetorical
Page 2, Eight-Point Agreement of the Top leaders, 7: To make a forward-looking restructuring of the state so as to resolve the class-based, racial, regional and gender-based problems through the election of constituent assembly. To transform the ceasefire held between the Government of Nepal and CPN(Maoists) into a permanent peace by keeping in the centre the democracy, peace, prosperity, progress and the independence, sovereignty and dignity of the country, and to express commitment to resolve the problem through negotiations.

Refugees/displaced persons No specific mention.

Social class Groups→Social class→Rhetorical
Page 2, Eight-Point Agreement of the Top leaders, 7: To make a forward-looking restructuring of the state so as to resolve the class-based, racial, regional and gender-based problems through the election of constituent assembly. To transform the ceasefire held between the Government of Nepal and CPN(Maoists) into a permanent peace by keeping in the centre the democracy, peace, prosperity, progress and the independence, sovereignty and dignity of the country, and to express commitment to resolve the problem through negotiations.

Gender

Women, girls and gender Page 2, Eight-Point Agreement of the Top leaders, 7: To make a forward-looking restructuring of the state so as to resolve the class-based, racial, regional and gender-based problems through the election of constituent assembly. To transform the ceasefire held between the Government of Nepal and CPN(Maoists) into a permanent peace by keeping in the centre the democracy, peace, prosperity, progress and the independence, sovereignty and dignity of the country, and to express commitment to resolve the problem through negotiations.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general)

Page 2, Eight-Point Agreement of the Top leaders, 2: To express the commitment to democratic norms and values including competitive multi-party governance system, civic liberties, fundamental rights, human rights, press freedom, and the concept of rule of law, and carry out each other's activities accordingly in a peaceful manner.

Page 26, Eight-Point Agreement of the Top leaders, 7: To make a forward-looking restructuring of the state so as to resolve the class-based, racial, regional and gender-based problems through the election of constituent assembly. To transform the ceasefire held between the Government of Nepal and CPN(Maoists) into a permanent peace by keeping in the centre the democracy, peace, prosperity, progress and the independence, sovereignty and dignity of the country, and to express commitment to resolve the problem through negotiations.

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.

Political**institutions (new or reformed)**

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

Page 2, Eight-Point Agreement of the Top leaders, 6: To guarantee the fundamental right of Nepali people to participate in the constitution making process without any fear, influence, threat and violence in the election of constituent assembly. To make a provision for international observation and monitoring during the elections as per the need.

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Governance→Political institutions (new or reformed)→Temporary new institutions

Page 2, Eight-Point Agreement of the Top leaders, 4: To frame an interim constitution to form an interim government accordingly; announce the date of the election for constituent assembly to dissolve the House of Representatives by making another alternative arrangement through consensus and to dissolve the People's Governments formed by the CPN (Maoists). by ensuring the democratic rights achieved through the Peoples Movement in 1990 and the recent historic People's Movement, and by making base to the commitment expressed in the 12-points understanding and the spirit of the preamble of the Code of Conduct on Ceasefire;

Elections

Page 2, Eight-Point Agreement of the Top leaders, 3: To request the United Nations to assist in the management of the armies and arms of both the parties and to monitor them for a free and fair election of the Constituent Assembly.

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Page 2, Eight-Point Agreement of the Top leaders, 6: To guarantee the fundamental right of Nepali people to participate in the constitution making process without any fear, influence, threat and violence in the election of constituent assembly. To make a provision for international observation and monitoring during the elections as per the need.

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	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1, Agreement of the Third Round Negotiations between the Government of Nepal and CPN (Maoists) at the Prime Minister's Baluwatar: The following agreement has been reached between the Government of Nepal and the CPN (Maoists):</p> <p>Ensuring the people's rights obtained by the people through the people's movement in 1990, the commitment expressed in 12 points understanding between the Seven Political Parties and the CPN (Maoists) and democratic rights achieved through the recently held historical peoples movement, the interim constitution drafting committee as follow has been formed to prepare a draft of the interim constitution as per the spirit of preamble of the Code of Conduct agreed between the Government of Nepal and the CPN (Maoists) on 26 May 2006:-</p> <ol style="list-style-type: none"> 1. Coordinator Mr. Laxman Prasad Aryal 2. Member Mr. Harihar Dahal 3. Member Mr. Sindhu Nath Pyakurel 4. Member Mr. Sambhu Thapa 5. Member Mr. Mahadev Yadav 6. Member Mr. Khimlal Devkota <p>The committee shall prepare and present a draft to the Government- Maoist Negotiating Team within 15 days and the Negotiating team shall submit the draft to the Government - Maoists high level negotiation as per the direction of the negotiation.</p> <p>Page 2, Eight-Point Agreement of the Top leaders, 4: To frame an interim constitution to form an interim government accordingly; announce the date of the election for constituent assembly to dissolve the House of Representatives by making another alternative arrangement through consensus and to dissolve the People's Governments formed by the CPN (Maoists). by ensuring the democratic rights achieved through the Peoples Movement in 1990 and the recent historic People's Movement, and by making base to the commitment expressed in the 12-points understanding and the spirit of the preamble of the Code of Conduct on Ceasefire;</p>

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.

Human rights and equality

Human rights/RoL general Page 2, Eight-Point Agreement of the Top leaders, 2: To express the commitment to democratic norms and values including competitive multi-party governance system, civic liberties, fundamental rights, human rights, press freedom, and the concept of rule of law, and carry out each other's activities accordingly in a peaceful manner.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights Human rights and equality→Civil and political rights→Vote and take part
Page 2, Eight-Point Agreement of the Top leaders, 6: To guarantee the fundamental right of Nepali people to participate in the constitution making process without any fear, influence, threat and violence in the election of constituent assembly. To make a provision for international observation and monitoring during the elections as per the need.

Socio-economic rights They are to bring about a forward-looking restructuring of the state so as to resolve class-based, racial, regional

Rights related issues

Citizenship No specific mention.

Democracy Page 1, Agreement of the Third Round Negotiations between the Government of Nepal and CPN (Maoists) at the Prime Minister's Baluwatar: Ensuring the people's rights obtained by the people through the people's movement in 1990, the commitment expressed in 12 points understanding between the Seven Political Parties and the CPN (Maoists) and democratic rights achieved through the recently held historical peoples movement, the interim constitution drafting committee as follow has been formed to prepare a draft of the interim constitution as per the spirit of preamble of the Code of Conduct agreed between the Government of Nepal and the CPN (Maoists) on 26 May 2006.

Page 2, Eight-Point Agreement of the Top leaders, 2: To express the commitment to democratic norms and values including competitive multi-party governance system, civic liberties, fundamental rights, human rights, press freedom, and the concept of rule of law, and carry out each other's activities accordingly in a peaceful manner.

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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 Security sector→Ceasefire→Ceasefire provision
ceasefire agreed on 26/05/06 and is presumed to be permanent.

Page 2, Eight-Point Agreement of the Top leaders, 1: To implement effectively and honestly the 12-points understanding reached between the Seven Political Parties and the CPN (Maoists) on November 22, 2005 and the 25-points Code of Conduct on Ceasefire reached in agreement between the Government of Nepal and CPN (Maoists) and made public by the Government -Maoist Negotiating team on 26 May 2006.

Page 2, Eight-Point Agreement of the Top leaders, 7: To make a forward-looking restructuring of the state so as to resolve the class-based, racial, regional and gender-based problems through the election of constituent assembly. To transform the ceasefire held between the Government of Nepal and CPN(Maoists) into a permanent peace by keeping in the centre the democracy, peace, prosperity, progress and the independence, sovereignty and dignity of the country, and to express commitment to resolve the problem through negotiations.

Police No specific mention.

Armed forces Page 2, Eight-Point Agreement of the Top leaders, 3: To request the United Nations to assist in the management of the armies and arms of both the parties and to monitor them for a free and fair election of the Constituent Assembly.

DDR No specific mention.

**Intelligence
services** No specific mention.

Parastatal/rebel and opposition group forces	No specific mention.
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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.
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Terrorism	No specific mention.
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Transitional justice

Transitional justice general	No specific mention.
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Amnesty/pardon	No specific mention.
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Courts	No specific mention.
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Mechanism	No specific mention.
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Prisoner release	No specific mention.
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Vetting	No specific mention.
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Victims	No specific mention.
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Missing persons	No specific mention.
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Reparations	No specific mention.
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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 Page 2, Eight-Point Agreement of the Top leaders, 3: To request the United Nations to assist in the management of the armies and arms of both the parties and to monitor them for a free and fair election of the Constituent Assembly.

Page 2, Eight-Point Agreement of the Top leaders, 6: To guarantee the fundamental right of Nepali people to participate in the constitution making process without any fear, influence, threat and violence in the election of constituent assembly. To make a provision for international observation and monitoring during the elections as per the need.

Enforcement mechanism Page 1, Agreement of the Third Round Negotiations between the Government of Nepal and CPN (Maoists) at the Prime Minister's Baluwatar: ...The committee shall prepare and present a draft to the Government- Maoist Negotiating Team within 15 days and the Negotiating team shall submit the draft to the Government -Maoists high level negotiation as per the direction of the negotiation.

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Related cases No specific mention.

Source Government of Nepal Peace Secretariat: http://www.ncf.org.np/upload/files/775_en_cover%20and%20con.pdf
