

Ceasefire Code of Conduct

Agreed between the Government of Nepal and CPN (Maoist) on 25 May 2006

Preamble:

Respecting the popular mandate expressed through the historic people's movement for total democracy, progress and peace;

Remaining committed towards the Universal Declaration of Human Rights -1948, and fundamental principles and values of international humanitarian law and human rights;

Remaining committed to fulfill the 12-point agreement between the seven political parties and the Maoists;

Remaining committed towards democratic values including the concept of competitive multiparty democracy, civic liberties, fundamental rights, human rights, press freedom and rule of law; Guaranteeing the fundamental rights of the Nepali people to participate in the process of constitution making through elections to the Constituent Assembly without any fear, threat and violence;

Placing democracy, peace, prosperity, forward-looking social transformation and freedom, sovereignty and dignity of the nation in the center; and In order to transform the ceasefire between the Government of Nepal and the CPN (Maoist) into permanent peace and resolve the problems through negotiations, a code of conduct has been issued as follows as per the wishes of the Nepali people:

Guaranteeing fearless civilian life

1. Not to issue any statement or engage in any activities which could provoke each other.
2. Both the parties shall not mobilise, display or use their armed forces in a manner that could spread fear and terror amongst the people.
3. Not to attack or destroy each other's military or security installations, not to lay down mines or ambushes, not to recruit new people in one's military and not to spy against each other.
4. Both sides will extend mutual cooperation in order to maintain peace and security.
5. Discussion and understanding will be made as per need regarding the issue of management of arms and armed personnel.

Creating an environment of trust among the people

6. Both the parties will not participate in public meetings, conference or any other political activities in combat dresses or along with arms.
7. No hindrance will be made from either side for political activists and members of social organisations to move around the country and express their views, organise meetings or

engage in their organisational works. They will not be subject to any mental or physical pressure. On basic services to the people and development activities

8. During the period of ceasefire, activities like `bandh` (general strike) and `chakka jam` (transport strike) will not be organised, but peaceful demonstrations may be organised.
9. Essential services and facilities to the people will be allowed to operate without any disruption.
10. Not to create hurdles in undertaking regular development works peacefully and other works aimed at people's benefit.
11. Transportation of items like food, medicines, materials used in development works and daily utility items will not be obstructed or banned.
12. Both the parties will create an environment for the smooth functioning of schools, colleges and universities, hospitals, health centres and industrial institutions.

Cooperation from media for peace talks

13. Use civilised and dignified language while disseminating information about ceasefire, code of conduct and the peace process and other political activities.
14. Nobody should issue statements through media in a manner, which could hamper the talks and peace process. Not to collect donation and other financial assistance forcefully
15. Donation or financial assistance in cash, kind or in the form of services will not be collected or mobilised against one's will.

Release and rehabilitation

16. Accusation, claims or cases filed by both the parties against various individuals will be withdrawn and the detainees will be released gradually.
17. Whereabouts of the people who have been disappeared will be publicized immediately.
18. To help in the rehabilitation of and extend cooperation to displaced people to return to their respective houses in a peaceful, comfortable and respectable manner .
19. Return the properties of the leaders of political parties, activists and civilians, which were seized, locked up or prohibited from being used during the period of the conflict, to concerned persons or their families. Problems arising while returning the properties will be resolved through mutual agreement.

Facilitating the talks

20. No hurdles will be created in the movement and activities of individuals involved in negotiations from both the parties.

Monitoring

21. On the basis of mutual agreement between the two parties, national and international monitoring teams will be asked to monitor the ceasefire.

Miscellaneous

22. Dispute, if any, in terms of interpretation of this code of conduct, will be resolved on the basis of agreement between the parties.

23. In accordance with the spirit of the preamble of this code, amendments could be made in the code of conduct through mutual agreement.

24. To enforce this code of conduct immediately after it is signed.

25. To make the code of conduct public immediately after it is signed.

Signed by:

Krishna Bahadur Mahara

On behalf of the CPN (Maoist)

Signed by:

Krishna Prasad Sitaula

On behalf of the govt. of Nepal

12-point understanding reached between the Seven Political Parties and Nepal Communist Party (Maoists)

The struggle between absolute monarchy and democracy running for a long time in Nepal has now been reached in a very grave and new turn. It has become the need of today to establish peace by resolving the 10-year old armed conflict through a forward - looking political outlet. Therefore, it has become an inevitable need to implement the concept of full democracy through a forward - looking restructuring of the state to resolve the problems related to class, cast, gender, region and so on of all sectors including the political, economic, social and cultural, by bringing the autocratic monarchy to an end and establishing full democracy. We hereby disclose that in the existence of aforesaid context and reference in the country, the following understanding has been reached between the Seven Political Parties within the parliament and the CPN (Maoists) through holding talks in different manners.

The points reached in understanding

1. The democracy, peace, prosperity, social advancement and an independent, sovereign Nepal is the principal wish of all Nepali people in the country today. We are fully agreed that the autocratic monarchy is the main hurdle for this. We have a clear opinion that the peace, progress and prosperity in the country is not possible until and full democracy is established by bringing the absolute monarchy to an end. Therefore, an understanding has been reached to establish full democracy by bringing the autocratic monarchy to an end through creating a storm of nationwide democratic movement of all the forces against autocratic monarchy by focusing their assault against the autocratic monarchy from their respective positions.
2. The agitating Seven Political Parties are fully committed to the fact that the existing conflict in the country can be resolved and the sovereignty and the state powers can completely be established in people only by establishing full democracy by restoring the parliament through the force of agitation and forming an power full - party Government by its decision, negotiating with the Maoists, and on the basis of agreement, holding the election of constituent assembly. The CPN (Maoists) has the view and commitment that the aforesaid goal can be achieved by holding a national political conference of the agitating democratic forces, and through its decision, forming an Interim Government and holding the election of constituent assembly. On the issue of this procedural agenda, an understanding has been made to continue dialogue and seek for a common agreement between the agitating Seven Political Parties and the CPN (Maoists). It has been agreed that the force of people's movement is the only alternative to achieve this goal.
3. The country, today, demands the establishment of a permanent peace along with a positive resolution of the armed conflict. We are, therefore, firmly committed to establish a permanent peace by bringing the existing armed conflict in the country to an end through a forward-looking political outlet of the establishment of the full democracy by ending the autocratic monarchy and holding an election of the constituent assembly that would come on the basis of aforesaid procedure. The CPN (Maoists) expresses its commitment to move forward in the new peaceful political stream through this process. In this very context, an understanding has been made to keep the Maoists armed force and the Royal Army under the United Nations or a reliable international supervision during the process of the election of constituent assembly after the end of the autocratic monarchy, to accomplish the election

in a free and fair manner and to accept the result of the election. We also expect for the involvement of a reliable international community even in the process of negotiation.

4. Making public its commitment, institutional in a clear manner, towards the democratic norms and values like the competitive multiparty system of governance, civil liberties, fundamental rights, human rights, principle of rule of law etc., the CPN (Maoists) has expressed its commitment to move forward its activities accordingly.

5. The CPN (Maoists) has expressed its commitment to create an environment to allow the people and the leaders and workers of the political parties, who are displaced during the course of armed conflict, to return and stay with dignity in their respective places, to return their homes, land and property that was seized in an unjust manner and to allow them to carry out the political activities without any hindrance.

6. Making a self-assessment and a self-criticism of the past mistakes and weaknesses, the CPN (Maoists) has expressed its commitment for not allowing the mistakes and weaknesses to be committed in future.

7. Making a self-assessment towards the mistakes and weaknesses committed while staying in the Government and parliament in the past, the seven political parties have expressed their commitment for not repeating such mistakes and weaknesses now onwards.

8. The commitment has been made to fully respect the norms and values of the human rights and to move forward on the basis of them, and to respect the press freedom in the context of moving the peace process ahead.

9. As the announcement of the election of municipality is pushed forward for an ill-motive of deluding the people and the international community and of giving continuity to the autocratic and illegitimate rule of the King, and the rumour of the election of the parliament are a crafty ploy, announcing to boycott it actively in our own respective way, the general public are appealed to make such elections a failure.

10. The people and their representative political parties are the real guardians of nationality. Therefore, we are firmly committed towards the protection of the independence, sovereignty and the geographical integrity and the national unity of the country. It is our common obligation to maintain friendly relations based on the principle of peaceful co-existence with all countries of the world and a good-neighborhood relationship with neighboring countries, especially with India and China. But we request all the patriotic peoples to remain cautious against the false attempt of the King and the monarchists to create confusion in the patriotic people by projecting the illusory the fake ('Mandale') nationalism to prolong the autocratic and illegitimate rule of the King and to raise question mark over the patriotism of the political parties, and we appeal to the international powers and the communities to support the democratic movement against the autocratic monarchy in Nepal in every possible way.

11. We heartily invite the civil society, professional organizations, various wings of parties, people of all communities and regions, the press community, intellectuals all the Nepali people to make the Movement succeed by actively participating in the peaceful People's

Movement launched on the basis of these understandings reached by keeping the democracy, peace, prosperity, forward-looking social transformation and the independence, sovereignty, and dignity of the country in centre.

12. Regarding the inappropriate conducts that took place among the parties in the past, a common commitment has been expressed to investigate the incidents raised objection and asked for the investigation by any party and take action over the guilty one if found and make informed publicly. An understanding has been made to resolve the problems if emerged among the parties now onwards through the dialogue by discussing in the concerned level or in the leadership level.

22 November 2005

Nepali Congress President Girija Prasad Koirala

NCP (UML) General Secretary Madhav Kumar Nepal

Nepali Congress (Democratic) President Gopal Man Shrestha

Janamorcha Nepal Chairperson Aamek Sherchan

Nepal Sadbhavana Party (Anandi Devi) Vice Chairperson Bharat Bimal Yadav

Samyukta Bammorcha Chairperson Krishna Das Shrestha

Nepal Mazdoor Kisan Party Member Prem Suwal