

**Status Quo ~ Anatomy of the 2006 Comprehensive Peace Agreement | State Actors: Seven Parties and Communist Party of Nepal (Maoists)**  
**In regards to the increasing order of violation and breach of the Peace Pact, questioning its validity and its binding nature.**

**STATUS QUO~ANATOMY OF THE 2006 COMPREHENSIVE PEACE AGREEMENT**

*Santosh Giri, December 21, 2009*

<b>B</b>	<b>Breached</b>
<b>Q</b>	<b>Questionable</b>
<b>P</b>	<b>Progress</b>

ARTICLE	PROVISION	STATUS
Preamble	People’s will in favor of democracy, <b>peace and progress</b>	Q
	<i>Commitment to the <a href="#">12-point agreement</a><sup>1</sup></i>	B
	<i><a href="#">8-point agreement</a> between the Seven Party Alliance and the NCP (Maoists)</i>	B
	<i><a href="#">25-point code of conduct</a> between Nepal Government and NCP (Maoist)</i>	B
	<i>UN Letters: <a href="#">the letters to the United Nations</a><sup>2</sup> with similar intentions<sup>3</sup></i>	B
	Commitment to competitive multiparty democratic system of governance, <b>individual freedom</b> <sup>4</sup> , civil liberties, <b>human rights</b> , complete <b>press freedom</b> <sup>5</sup> , <b>rule of law</b> as well as <b>democratic values</b>	B
	Universal Declaration of Human Rights, and <b>the basic principles and values of international law and human rights</b> ,	Q
	Citizens’ <b>rights to participate</b> in the Constituent Assembly <b>elections held in a free, impartial and fearless environment</b> <sup>6</sup>	B
	<b>Democracy, peace</b> , prosperity, eco-social transformation, nation’s freedom, integrity and sovereignty and <b>independence</b>	Q
	Commitment to hold Constituent Assembly <b>elections</b> , a Constituent Assembly,	P
	<b>Ending the armed conflict</b> since 2052	Q/B

<sup>1</sup> The Maoists continuation with their violent acts of killing people, extortion and abducting civilians, bombing offices and mounting small-scale attacks on police posts is clearly a breach of the 12-point understanding. <http://newsblaze.com/story/20060303183410nnnn.nb/topstory.html>

<sup>2</sup> <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Nepal%20S%202009%20360.pdf>

<sup>3</sup> <http://www.unmin.org.np/downloads/keydocs/RSG.SC.Briefing.06.11.09.ENG.doc.pdf>

<sup>4</sup> At least 27 journalists were killed during the 2 year period, mostly by the Maoists and the state. As the culture of impunity continues to grow and flourish, even identified suspects have not been arrested or brought to justice. Maoists have recently promoted two of those “wanted” in connection with the murder of journalist Birendra Saha in Southern Nepal’s Bara district two years ago, and assigned them the responsibility of the party’s district secretariat. 12/16/2009.

<http://www.indianexpress.com/news/balkanisation-of-nepal/554687/>

<sup>5</sup> <http://www.thehimalayantimes.com/fullNews.php?headline=5+more+arrested+in+Tika+Bista+case&NewsID=213835>

<sup>6</sup> Elections were held on April 10, 2008, but there were a number of attacks and killings of political rivals during the campaign. 5/23/2008.

<http://www.alertnet.org/thenews/newsdesk/HRW/a4452a3a132e6b7a13bc6a7c331604e4.htm>

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	Far-reaching political decision, <b>democratic restructuring<sup>7</sup> of the state<sup>8</sup></b> , and the economic-social-cultural change	B
	Transform the ceasefire between the Nepal Government and NCP (Maoist) into a <b>long-lasting peace</b>	Q
1.4	All agreements, understandings and codes of conduct, and decisions among the SPA, the Government, and the Maoists and included in the appendix will be considered the integral to this agreement	VOID
1.5	Any understanding and agreements to be reached in future, as required, in order to implement this agreement will also be considered integral to this agreement.	VOID
2.a	“Ceasefire” means the prohibition of all types of <b>attacks, abductions, disappearances, obstructions</b> , mobilization of armed forces, their strengthening, offensive and violent activities by the government and the Maoists aimed at both parties, and the and the <b>activities that induce anarchy, provocation, or instigation<sup>9</sup></b> .	B
2.f	“ <b>Verification<sup>10</sup></b> ” means the factual details to be prepared by the United Nations by <b>verifying the army, fighters and arms</b>	Q
3.3	<b>Nationalizing royal property<sup>11</sup></b> ; decision to <b>whether retain monarchy<sup>12</sup></b>	P
3.4	Adopt a political system that fully respects the concepts of universal human rights accepted worldwide, multiparty competitive democratic system, the sovereignty inherent in people and citizens’ supremacy, <b>constitutional balance and control, rule of law</b> , social justice and	Q/B/P

<sup>7</sup> Maoists declared 13 "autonomous" regions ('autonomous' states formed under the campaign include Limbuwan, Kochila, Seti Mahakali, Tharuwan, Kirant, Sherpa, Bheri Karnali, Bhote ALama, Tamsaling, Newa, Tamuwan, Magarat, and Madhesh) to set up a parallel government in the country. 12/18/2009,

<sup>8</sup> Maoists are committing mistakes by announcing the autonomous regions which is the jurisdiction of the Constituent Assembly.

[http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=12446](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=12446)

<sup>9</sup> See Three-Year Comprehensive Peace Accord (CPA), Summary Report 2006-2009, National Human Rights Commission for complete details.

[http://www.nhrcnepal.org///publication/doc/reports/3-year\\_CPA.pdf](http://www.nhrcnepal.org///publication/doc/reports/3-year_CPA.pdf)

<sup>10</sup> The country’s Permanent Representative to the UN Madhu Raman Acharya has fired a salvo at the Security Council to the UN Secretary-General’s report of Oct. 26, 2009 for making references which could imply parity of the former Maoist combatants with the national army. an Martin has now acknowledged that the Maoists were the ones to break the ban on new recruitment in late 2006 when they swelled the number through fresh recruitment of youths and minors with promises of salary payments and future integration into the security forces. The number was reduced a little after the verification, but not much. After the Shaktikhor videotape revelation, the true size of the ex-rebel numbers has become public. The number confessed in the videotape is less than one-fourth of the verified number. But the UN continues to defend the verification exercise. <http://www.ekantipur.com/2009/11/10/fresh/Questioning-the-UNs-impairality/302696/>

<sup>11</sup> The government committee formed to nationalize the King’s property sealed the registration, transfer and mortgage of all property owned by the King and the royal family on 08/23/2007. <http://www.cjreport.com/news/210/nepal-government-nationalises-king-gyanendra-properties.html>

<sup>12</sup> Nepal became the world’s newest republic when a freshly elected assembly voted Wednesday to abolish the Himalayan nation’s 239-year-old Hindu monarchy through an overwhelming 560 to 4, a foregone conclusion. <http://articles.latimes.com/2008/may/29/world/fg-nepal29>

<sup>13</sup> The press freedom organization is also shocked to learn that two members of the UCPN (Maoist) have been promoted within the party’s local secretariat in the southern district of Bara although they are suspects in the 2007 murder of journalist **Birendra Shah**. 12/10/2009 <http://www.rsf.org/Woman-journalist-attacked-Maoists.html>

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	equality, independent legislature, periodic elections, the monitoring of civil society, complete <b>press<sup>13</sup> freedom<sup>14</sup></b> , people's right to information, <b>transparency and accountability in the activities of the political parties</b> , people's participation, impartial, efficient and clean bureaucracy.	
3.5	End the current centralized and unitary mode of state by means of an <b>inclusive, democratic and far-reaching restructuring of the state<sup>15</sup></b> to end the discrimination based on class, caste, language, sex, culture, religion, and regionalism, and in order to address the problems of women, dalits, indigenous people, Madhesis, and oppressed, the ignored and minority groups, including the underdeveloped regions	B
3.6	Devise a <b>minimum common program</b> on economic and social transformation by means of consensus	<sup>16</sup> P
3.7	<b>Scientific land reform<sup>17</sup></b> program	BQ
4.	Constituent Assembly <b>elections in a peaceful, fair and fearless environment<sup>18</sup></b>	B
5.1.1	Both sides express their commitments to not carry out the <b>following activities<sup>19</sup></b> : (a) Using arms, directly or indirectly aimed at the other side, or attacking; (c) Any action that harms an individual or exerts psychological pressure; (e) Killings and violent activities; (f) Abductions/arrests/obstructions/disappearance; (g) Damaging public/private/government or army properties; (h) Air attacks or bombardments; (i) Mining and sabotages; (j) Spying on the army activities of the other side	B
5.1.2	Stop <b>additional recruitment<sup>20</sup></b> , and dont transfer weapons, ammunitions and explosives or show gestures against the army on the other side	B
5.1.4	Mapping and storing of their ambushes and <b>land mines<sup>21</sup></b> and to <b>neutralize and eliminate them in 60 days</b>	B

<sup>14</sup> Maoist cadres demonstrated their ruthlessness towards the press. At least five journalists were kidnapped and two were killed by former rebels.  
<http://www.rsf.org/Nepal.25674.html>

<sup>15</sup> Maoists declared 13 "autonomous" regions ('autonomous' states formed under the campaign include Limbuwan, Kochila, Seti Mahakali, Tharuwan, Kirant, Sherpa, Bheri Karnali, Bhote ALama, Tamsaling, Newa, Tamuwan, Magarat, and Madhesh) to set up a parallel government in the country.  
[http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=12446](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=12446)

<sup>16</sup> Limited to announcement only

<sup>17</sup> Maoists declared 13 "autonomous" regions disregarding the notion of scientific reform. 12/18/2009, Maoists are committing mistakes by announcing the autonomous regions which is the jurisdiction of the Constituent Assembly. [http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=12446](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=12446)

<sup>18</sup> Elections were held on April 10, 2008, but there were a number of attacks and killings of political rivals during the campaign. 5/23/2008.  
<http://www.alertnet.org/thenews/newsdesk/HRW/a4452a3a132e6b7a13bc6a7c331604e4.htm>

<sup>19</sup> See Three-Year Comprehensive Peace Accord (CPA), Summary Report 2006-2009, National Human Rights Commission for complete details.  
[http://www.nhrcnepal.org///publication/doc/reports/3-year\\_CPA.pdf](http://www.nhrcnepal.org///publication/doc/reports/3-year_CPA.pdf)

<sup>20</sup> Nepal's ruling Maoist party began to hire new fighters in its guerrilla army Tuesday, a move that is bound to rock the fragile peace process and draw the disapproval of the international community. Nanda Kishore Pun Pasang, the new chief who replaced Maoist Prime Minister Pushpa Kamal Dahal Prachanda as head of the Maoists' People's Liberation Army (PLA), has issued a statement, saying that the guerrilla army will start recruiting over 12,000 new fighters from Tuesday, in a bid to fill the positions left vacant due to a United Nations examination almost three years ago. The PLA is seeking young men and women who are 18, are physically fit and ready to make sacrifices. The move matches that by the Nepal Army that last year began fresh recruitment in defiance of the peace agreement and censure by the UN. 03/02/2009. [http://newshopper.sulekha.com/nepal-maoists-seek-to-recruit-over-12-000-new-fighters\\_news\\_1042803.htm](http://newshopper.sulekha.com/nepal-maoists-seek-to-recruit-over-12-000-new-fighters_news_1042803.htm)

<sup>21</sup> The ten year conflict has come to an end but the threat of explosive remnants of war (ERW) remains even three years after the end of the insurgency and the signing of the Comprehensive Peace Agreement (CPA). Both the army's landmines and the improvised explosive devices (IED) planted by the Maoists still lie

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5.1.8	<b>Prepare record of the seized</b> , padlocked government, public or private homes, land, as well as other properties or such <b>denied the use, and immediately return them</b> <sup>22</sup> .	B
5.2.1	<b>Cannot collect cash as well as kind, and collect taxes against the will and contrary to the current laws</b> <sup>23</sup>	B
5.2.3	Make public and inform family members of the <b>people disappeared</b> <sup>24</sup> by both sides within 60 days	BQV
5.2.8	<b>Enable the displaced during the armed conflict to return to their hereditary or former places of residence</b> <sup>25</sup> , to rebuild infrastructure destroyed due to war, and to respectfully rehabilitate and socialize the displaced people.	BQV
5.2.10	Not to discriminate and exert any kind of <b>pressure on family members</b> <sup>26</sup> based on a family member's affiliation	VB
5.2.11	not to create any kind of <b>obstruction on the of civil servants from Nepal Government and public sector</b> <sup>27</sup> , and not to let their free movement and fulfillment of their duties anywhere in the country be obstructed	BV
5.2.12	Agree to let the UN, international <b>donor community</b> , as well as Nepal-based diplomatic corps, national or <b>international Non-governmental organization</b> , the press, human rights activists, elections observers, and foreign tourists travel and move freely inside Nepal in accordance to law. <sup>28</sup>	VBQ

scattered across the land and in the barbed wire perimeters of army bases. This year alone, landmines, IEDs and unknown explosive devices accounted for 61 civilian casualties in Nepal, including 33 children. Victim activated explosions accounted for the loss of 13 people, of whom seven were children. This child-casualty rate is one of the highest among countries affected by victim-activated explosions. Earlier this week, Republica reported that the operation for disposing of IEDs laid by the Maoists during the conflict remained stalled for two months. After destroying a stockpile of 46,850 IEDs in six major cantonments, the United Nations Mine Action Team (UNMAT), which has been technically assisting the Nepal Army and the Maoists in clearing the landmines and defusing explosive devices faced obstacles from the Maoists at Dasharathpur Camp in Surkhet district from September 2009.

[http://theweek.myrepublica.com/details.php?news\\_id=12245](http://theweek.myrepublica.com/details.php?news_id=12245)

<sup>22</sup> Ex-PM Pushpa Kamal Dahal, still known by his nom de guerre 'Prachanda', will be able to fulfil solemn promises made in Parliament on Nov. 10 that seized property will be returned to owners by mid-December. Dahal had also promised to pay compensation to those who do not get their property back and create conditions to let more than 200,000 people return to their homes.

<sup>23</sup> Maoist cadres have released the buses they had seized in Kavre after the transport company reportedly agreed to donate Rs 5,000 per bus.

11/09/2009. <http://www.nepalnews.com/main/index.php/news-archive/2-political/2308-maoists-seize-dozen-passenger-buses-in-kavre-for-refusing-to-give-donation.html>

<sup>24</sup> 1200 Nepalis are still missing as a result of the decades long state-Maoist conflict.

[http://www.advocacynet.org/blogs/index.php/2008/07/11/disappeared\\_persons\\_in\\_post\\_conflict\\_nep?blog=125](http://www.advocacynet.org/blogs/index.php/2008/07/11/disappeared_persons_in_post_conflict_nep?blog=125)

<sup>25</sup> More than 18 months after a peace agreement between Maoist rebels and the Nepalese government, an estimated 50,000 to 70,000 people displaced by ten years of civil war remain unable to return to their homes. <http://www.internal-displacement.org/8025708F004CE90B/%28httpCountrySummaries%29/9B1D6D88074098E0C125746C00362957?OpenDocument&count=10000>

<sup>26</sup> October 25: YCL activists in Syuna VDC smeared the face of Satya Bahadur Shahi, a former vice-president of District Development Committee who had returned home nine years after the Maoists displaced his family. Shahi said, "Maoists have threatened to seize my land again and take action against members of my family." (<http://www.satp.org/satporgtp/countries/nepal/terroristoutfits/YCL.html>)

<sup>27</sup> Maoist Gherao Singhadurbar 11/12/2009 <http://www.thehimalayantimes.com/fullNews.php?headline=Maoists+gherao+Singha+Durbar&NewsID=46493>

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\*Advocate Santosh Giri, Supreme Court of Nepal. LLM-Golden Gate University 2007, Orientation in US Laws – UC Davis/Berkeley 2005, LLM/BL/IL-Tribhuvan University 2002. Currently Legal Consultant with The Chugh Firm, USA.

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5.2.13	<b>Conducting publicity campaigns in cordial and dignified manners<sup>29</sup>.</b>	VB
6.3	<b>Legally punishable to keep weapons, to demonstrate, instigate fear<sup>30</sup></b> or use violence and weapons in any way	VB
7.1.1	Non-discrimination against any people based on their color, sex, language, <b>religion<sup>31</sup></b> , age, <b>race<sup>32</sup></b> , <b>national or social origin</b> , wealth, disabilities, birth and other issues such as belief and faith.	VB
7.1.2	Citizens civic, <b>political<sup>33</sup></b> , and economic rights as well as creating an environment in which such rights to will not be abused.	VBQ
7.1.3	<b>Ensure that non-punishment will not be let go<sup>34</sup>.</b>	VBQ
7.1.4	No <b>torture, abductions<sup>35</sup></b> , force someone to do something and they will <b>take necessary actions to discourage such activities<sup>36</sup></b>	VB
7.3.1	No one, including those deprived of freedom in accordance with law, will be <b>subjected to torture or other cruel, inhuman and disrespectful behavior or punishment<sup>37</sup>.</b>	VB
7.3.2	<b>Unilateral or illegal custody<sup>38</sup>, or abduct or take hostage<sup>39</sup></b>	VB

<sup>28</sup> The Maoists cadres in the district of Surkhet vandalized the USAID office located in Kalunchowk of

Birendranagar. [http://telegraphnepal.com/news\\_det.php?news\\_id=6858&PHPSESSID=11c401db715ef4237e969029cc3687da](http://telegraphnepal.com/news_det.php?news_id=6858&PHPSESSID=11c401db715ef4237e969029cc3687da)

<sup>29</sup> United Nations monitors have said that despite an agreement among the political parties to maintain peace, “violence and intimidation by party workers continued,” but they accused the Maoists supporters of responsibility for a majority of attacks (NY Times) <http://www.blueverticalstudio.com/go/?p=4916>

<sup>30</sup> Large numbers of the Maoist guerillas are unaccounted who are working on the cover of body guards of their dozens of leaders with fully equipped arms and ammunition. <http://www.americanchronicle.com/articles/view/21710>

<sup>31</sup> Maoists leader who led the attacks on Indian priests and provided a personal security officer to the chief priest of the famous Pashupatinath shrine.9/5/2009. [http://www.thaindian.com/newsportal/india-news/nepal-arrests-kingpin-of-attack-on-pashupatinath-priests\\_100243188.html#ixzz0aOVUIIUr](http://www.thaindian.com/newsportal/india-news/nepal-arrests-kingpin-of-attack-on-pashupatinath-priests_100243188.html#ixzz0aOVUIIUr)

<sup>32</sup> Suman Thapa, ward in-charge of Chittapol-9 of Young Communist League (YCL) aligned to UCPN-Maoist, beat up a Dalit family here yesterday night. <http://www.thehimalayantimes.com/fullTODays.php?headline=YCL+leader+takes+umbrage+at+inter-caste+marriage+&NewsID=214953>

<sup>33</sup> Maoist Young Communist League (YCL) cadres on Monday beat up Nepali Congress leader Dhruba Panta in Gorkha district, Nepal Congress party said in a statement. 12/21/2009. [http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=13095](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=13095)

<sup>34</sup> *Impunity* flourishes as *Nepal* marks Human Rights Day. 12/10/2009. <http://timesofindia.indiatimes.com/world/south-asia/Impunity-flourishes-as-Nepal-marks-Human-Rights-Day-/articleshow/5323347.cms> AND <http://news.bbc.co.uk/2/hi/7917191.stm>

<sup>35</sup> Maoist cadres demonstrated their ruthlessness towards the press. At least five journalists were kidnapped and two were killed by former rebels. <http://www.rsf.org/Nepal.25674.html>

<sup>36</sup> The press freedom organization is also shocked to learn that two members of the UCPN (Maoist) have been promoted within the party’s local secretariat in the southern district of Bara although they are suspects in the 2007 murder of journalist **Birendra Shah**. 12/10/2009 <http://www.rsf.org/Woman-journalist-attacked-Maoists.html>

<sup>37</sup> Despite Nepal having ratified the Convention against Torture and other Cruel, Inhumane or Degrading Punishment, torture is still not a criminal offense in Nepal AND Human rights defenders, especially women defenders, continue to face attacks. The Youth Communist League has been involved in several violent attacks against defenders, journalists, and political opponents but such cases are usually not investigated by police. HRW 2008 Report. <http://www.hrw.org/en/world-report/2009/nepal>

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7.3.3.	Citizen's right to freedom of movement and the freedom to choose his or her place within limit of the law; <b>respect the rights of the displaced<sup>40</sup> individuals and their families<sup>41</sup> to return to their original place of residence<sup>42</sup></b> or to settle in any other place of their choice.	VB
7.4.1	<b>Right to freedom of thought, expression<sup>43</sup></b> , and the right to open organizations and peacefully participate in public meetings, and their rights against exploitations	VB
7.5.2	To respect and ensure <b>people's right to food security</b> ; no any interference in the production, consumption and <b>movement and distribution of food, and food products<sup>44</sup></b>	VBQ
7.5.3	<b>Citizen's right to health<sup>45</sup></b> . <b>None of the sides will hinder in the acquiring of medicine, assistance and medical campaigns<sup>46</sup></b> , and both sides express commitment to conduct medical treatment of people wounded due to conflict and to rehabilitate them.	VBQ

<sup>38</sup> A total of 215 arbitrary or illegal detention, lack of action on time, rejection of case and denial to register complaint cases occurred in the 3 year period. Three-Year Comprehensive Peace Accord (CPA), Summary Report 2006-2009, National Human Rights Commission.

[http://www.nhrcnepal.org//publication/doc/reports/3-year\\_CPA.pdf](http://www.nhrcnepal.org//publication/doc/reports/3-year_CPA.pdf)

<sup>39</sup> NHRC received 254 complaints in the last three years about individuals disappeared during the conflict. Three-Year Comprehensive Peace Accord (CPA), Summary Report 2006-2009, National Human Rights Commission. [http://www.nhrcnepal.org//publication/doc/reports/3-year\\_CPA.pdf](http://www.nhrcnepal.org//publication/doc/reports/3-year_CPA.pdf)

<sup>40</sup> In September 2009, the government estimated that a total of 70,425 people had been displaced by the conflict between 1996 and 2006 and that most had returned home since. [http://www.internal-](http://www.internal-displacement.org/idmc/website/countries.nsf/%28httpEnvelopes%29/1949E98C81942B55C12571FE004D8821?OpenDocument)

[displacement.org/idmc/website/countries.nsf/%28httpEnvelopes%29/1949E98C81942B55C12571FE004D8821?OpenDocument](http://www.internal-displacement.org/idmc/website/countries.nsf/%28httpEnvelopes%29/1949E98C81942B55C12571FE004D8821?OpenDocument)

<sup>41</sup> Scattered around the capital and other cities, nearly 50,000 displaced persons are estimated to be living in very unhygienic conditions in the poorest neighborhoods waiting for government help. 11/5/2008. <http://www.irinnews.org/Report.aspx?ReportId=81302>

<sup>42</sup> More than 18 months after a peace agreement between Maoist rebels and the Nepalese government, an estimated 50,000 to 70,000 people displaced by ten years of civil war remain unable to return to their homes. [http://www.internal-](http://www.internal-displacement.org/8025708F004CE90B/%28httpCountrySummaries%29/9B1D6D88074098E0C125746C00362957?OpenDocument&count=10000)

[displacement.org/8025708F004CE90B/%28httpCountrySummaries%29/9B1D6D88074098E0C125746C00362957?OpenDocument&count=10000](http://www.internal-displacement.org/8025708F004CE90B/%28httpCountrySummaries%29/9B1D6D88074098E0C125746C00362957?OpenDocument&count=10000)

<sup>43</sup> The Federation of Nepali Journalists (FNJ) recorded a staggering 342 press freedom violations in 2008 alone, including a significant escalation in the number of physical attacks on journalists and media houses. 2/8/2009. <http://www.rsf.org/Nepalese-media-in-great-danger.html>

<sup>44</sup> Nepal, with a population of approximately 27 million people, continues to be a food-deficit country struggling to recover from an 11-year civil war. It ranks 142 out of 177 countries in the Human Development Index in 2007. The end of the civil war in November 2006 followed by the institution of a new government in May 2008 left Food security is pervasive with 41 percent of the population undernourished. Most families survive as subsistence farmers with 24 percent of the population living on less than US\$1 per day. Malnutrition rates in some communities are above emergency levels. In some areas, chronic malnutrition rates for children under 5 are 80 percent with acute malnutrition rates as high as 23 percent. Conflict, high food prices, chronic food insecurity, and frequent natural disasters have put millions of people on the edge of hunger and in need of immediate food assistance.

<http://www.mikeldunham.blogs.com/mikeldunham/2009/02/nepal-political-update-maoist-tug-o-war-food-shortage-journalist-hazards-and-nepali-army.html>

<sup>45</sup> Despite saying that they will not disrupt movement of vehicles related to press, diplomatic agencies, hospitals and ambulances and those ferrying tourists to and from airport, the Maoist protestors tried to obstruct the vehicles used by the media to cover the news and in one incident even pelted stones at a vehicle belonging to Image Channel in Lainchaur of Kathmandu. Likewise, the Maoist cadres also vandalized a medical store in Nayabazaar. However, the party has denied it hand in the attack in the pharmacy. 12/06/2009. <http://www.nepalnews.com/main/index.php/news-archive/2-political/2754-maoist-backed-bandh-brings-nation-to-halt.html>

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7.5.4	The <b>right to education</b> <sup>47</sup> for all; <b>maintaining suitable educational environment</b> <sup>48</sup> in educational institutions; <b>not to capture educational institutions and use them</b> <sup>49</sup> , disappear, abduct or capture students and <b>teachers</b> <sup>50</sup> ; not to keep military barracks in the way they affect schools and hospitals, and they agree to immediately stop such actions	BV
7.5.5	<b>No body's personal property will be confiscated or captured</b> <sup>51</sup> .	BV
7.6.1	Protect the rights of the women and children in a special way, to immediately stop all types of violence against women and children, including <b>child labor as well as sexual exploitation and abuse</b> <sup>52</sup>	BVQ
7.7.1.	<b>The freedom of opinion and expression</b> ; freedom to assemble peacefully and without arms; <b>freedom of movement; freedom to practice any profession</b> , or to <b>carry on any occupation</b> , industry or trade; <b>press and publication rights</b> <sup>53</sup> ; <b>the freedom to take part in peaceful political</b> <sup>54</sup> <b>activities</b> <sup>55</sup> ; the <b>right of equality before the law</b> <sup>56</sup> ; and to implement and have a tolerable system of justice implemented.	BV

<sup>46</sup> Despite promising that they will not obstruct press vans, vehicles carrying diplomats and tourists, ambulances and other emergency services, the Maoist activists attacked a vehicle belonging to Shahid Gangalal Heart Center at Maharajgunj. They mercilessly pelted stones at the vehicle carrying the hospital staff, injuring four of them. The ambulance driver was severely injured and rushed to nearby Teaching Hospital while other hospital staffs were chased away. 12/20/2009. <http://www.nepalnews.com/main/index.php/news-archive/2-political/2993-bandh-affects-life-throughout-the-nation.html>

<sup>47</sup> A union of teachers affiliated to the Maoists shut down all educational institutions in Kathmandu. Another organization affiliated to the Maoists called an indefinite education strike in Dang district in western Nepal. (12/7/2009). <http://www.newkerala.com/news/fullnews-5946.html>

<sup>48</sup> Maoists imposed an indefinite shutdown of high schools and announcing future general strikes in addition to the blockade of parliament. The student organization of the largest party in Nepal called the indefinite closure of high schools countrywide to protest against the oldest university in the republic deciding to phase out examinations. Over 1,500 high schools with nearly 400,000 students were hit by the new protests called by the 'revolutionary' students, whose leaders have also begun a hunger strike. [http://www.thaindian.com/newsportal/politics/nepal-maoists-call-indefinite-school-closure\\_100231266.html#ixzz0aPATfhWz](http://www.thaindian.com/newsportal/politics/nepal-maoists-call-indefinite-school-closure_100231266.html#ixzz0aPATfhWz)

<sup>49</sup> Students affiliated with All Nepal National Independent Students' Union-Revolutionary (ANNISU-R) - the students' wing of the UCPN-Maoist begun targeting five school vehicles belonging to three schools as a wave of 'terror attack'. A group of around 30 masked activists belonging to the ANNISU-R vandalized the school buses of Koshi College, Itahari, a bus of Delhi Public School (DPS), Dharan Bishnu Memorial Higher Secondary School, Dharan. 12/6/2009 <http://www.thehimalayantimes.com/fullTodays.php?headline=Maoist+students+union+unleashes++terror+on+private+schools+in+East&NewsID=198525>

<sup>50</sup> Cadres of the Young Communist League (Maoists' youth wing) have beaten up Balram Giri, a government school teacher associated with Tarun Dal (Nepali Congress youth wing) in Syangja [http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=6575](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=6575)

<sup>51</sup> In the past two weeks, Maoists have captured thousands of acres of land—both private and government—and harvested paddy in violation of the CPA in different parts of the country. 12/06/2009. <http://www.indianexpress.com/news/maoist-supporters-clash-with-security-forces-in-nepal/550476/>

<sup>52</sup> UNMIN has criticized several parties for using children at their rallies, saying they had been paid or given other incentives - it said the Maoists were causing particular concern. 4/7/2008. [http://news.bbc.co.uk/2/hi/south\\_asia/7333907.stm](http://news.bbc.co.uk/2/hi/south_asia/7333907.stm)

<sup>53</sup> The Federation of Nepali Journalists (FNJ) recorded a staggering 342 press freedom violations in 2008 alone, including a significant escalation in the number of physical attacks on journalists and media houses. 2/8/2009 <http://www.rsf.org/Nepalese-media-in-great-danger.html>

<sup>54</sup> CPN-UML Chairman Jhalanath Khanal has said that the Unified CPN (Maoist) is a mere criminal gang. Inaugurating the seventh district convention of CPN-UML Sindhupalchowk district today, he said the Maoists, who continue to attack other political parties, are not communists but a group of criminal gangs. 12/18/2009 English Text News 8 pm Radio Nepal.

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8.1.	Not to repeat in future <b>mistakes</b> <sup>57</sup> committed in the past as well as to rectify these mistakes on an incremental basis.	Q
8.3.	Settle mutual differences or problems through <b>mutual talks, understanding, consensus and dialogue</b> <sup>58</sup> .	BVQ
10.1	<b>Not to run parallel</b> <sup>59</sup> or any form of structure in any areas of the state or government apparatus <sup>60</sup>	BV
10.5.	Duty and responsibility of all the political parties to extend cooperation in the compliance and <b>implementation of the agreement</b> <sup>61</sup> .	BVQ
10.6	<b>Maintaining the law and order</b> <sup>62</sup> ,	Q

<sup>55</sup> Elections were held on April 10, 2008, but there were a number of attacks and killings of political rivals during the campaign. 5/23/2008.

<http://www.alertnet.org/thenews/newsdesk/HRW/a4452a3a132e6b7a13bc6a7c331604e4.htm>

<sup>56</sup> HUMAN RIGHTS DOUBLE STANDARD IN NEPAL, Both Maina Sunar and Ram Hari Shrestha were kidnapped, tortured and murdered in custody. The 15-year-old died instantly in the Paanchkhal barracks of the Nepal Army (formerly RNA) in Kavre district in February 2004; businessman Shrestha was severely tortured by Maoist army's Third Division commander Kali Bahadur Kham and four of his colleagues inside their Shaktikhor cantonment, Chitwan, in April last year. Hypocrisy and double standards are the unwritten rules of the game for people who are here to build or further their careers out of human rights. Sample this fact first. There is simply no comparison between the pressure exerted to punish the perpetrators in Maina's and other human rights violations. The combined pressure of booking the guilty in Ram Hari Shrestha's case, journalist Birendra Sah (allegedly murdered by Maoist goons in Bara district in 2007), burning of eight-year-old Kajol Khatun and her relatives in a bus in Chitwan in 2002 by Maoists and the Madi massacre (which was a result of deliberate electrical mining of passenger bus in June 2005 in Chitwan district by Maoists) pale in significance to the one witnessed in Maina Sunar's case. 12/15/2009

[http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=12884](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=12884)

<sup>57</sup> Maoists are committing mistakes by announcing the autonomous regions which is the jurisdiction of the Constituent Assembly.

[http://www.myrepublica.com/portal/index.php?action=news\\_details&news\\_id=12446](http://www.myrepublica.com/portal/index.php?action=news_details&news_id=12446)

<sup>58</sup> The six-member taskforce formed by the three major parties, was given two days to arrive at a conclusion on ending the prolonged political impasse, seems still nowhere close to reaching an agreement. The taskforce met for the third time, but could not find common ground on the President's move and the issue of 'civilian supremacy'. 12/10/2009. <http://www.nepalnews.com/main/index.php/news-archive/2-political/2843-consensus-eludes-three-party-taskforce.html>

<sup>59</sup> In February 2008, as a blatant violation of the comprehensive peace agreement Maoists reactivated "United Revolutionary People's Council, dissolved under the 2006 peace pact when the former rebels joined the political mainstream, acted as a parallel government in the war against the monarchy, collecting "taxes" in areas under their control. <http://www.reuters.com/article/idUSDEL272643>

<sup>60</sup> Maoists declared 13 "autonomous" regions ('autonomous' states formed under the campaign include Limbuwan, Kochila, Seti Mahakali, Tharuwan, Kirant, Sherpa, Bheri Karnali, Bhote ALama, Tamsaling, Newa, Tamuwan, Magarat, and Madhesh) to set up a parallel government in the country. 12/2009

<sup>61</sup> In the past two weeks, Maoists have captured thousands of acres of land—both private and government—and harvested paddy in violation of the CPA in different parts of the country. 12/06/2009. <http://www.indianexpress.com/news/maoist-supporters-clash-with-security-forces-in-nepal/550476/>

<sup>62</sup> International Crisis Group recommends Nepal to address public security concerns by recognizing that political consensus is essential to **restoring law and order** and using all appropriate mechanisms, national and local, to build all-party support for effective policing and ending of political interference in operational matters. November 2009. <http://www.crisisgroup.org/home/index.cfm?id=2929>. This validates the notion of loss of credible law and order.