

The full text of the 11-point agreement

Agreement reached among Unified CPN (Maoist), Nepali Congress, CPN-UML and United Democratic Madhesi Front

As the term of the Constituent Assembly expired before the task of constitution making was completed and also in consideration of the Supreme Court's verdict, to institutionalize federal democratic republic in the country by guaranteeing the rights of the Nepali people to draft a constitution on their own,

Also considering that the Constituent Assembly does not exist after May 27, 2012 and the subsequent political consensus reached for holding fresh elections to the new Constituent Assembly and the principle of necessity to constitute a national consensus government for the same, and the need to form a Constituent Assembly through fresh elections to the Constituent Assembly by a government formed under the leadership of the Chief Justice on a political consensus and,

To form a government of national consensus by removing the existing constitutional and legal difficulties and thereby pave the way for a democratic political way out by holding elections to the Constituent Assembly in a fair, free and fearless atmosphere, we have agreed as follows:

1. Structure, function-duties and term of election government

1.1 The election to the Constituent Assembly shall be held within June 21, 2013. For this an Interim Election Council of Ministers would be formed comprising of a Chairperson and Ministers.

1.2 The Chairperson of the Interim Election Council shall carry out all the functions and task of the Prime Minister as mentioned in the Constitution. The allocation of portfolios of the Ministers shall be carried out as per the Constitution by the Chair of the Council of Ministers.

1.3 The ministers to the Interim Election Council shall be appointed from among the former distinguished class civil service officers of the Government of Nepal.

1.4 .1 The Chief Justice of the Supreme Court shall chair the Interim Election Council.

1.4.2 The major task of the Head of the Interim Election Government shall be to hold the election to the Constituent Assembly Legislature-Parliament within the stipulated timeframe.

1.4.3 The Interim Election Council of Ministers shall perform all other tasks to be carried out by the Council of Ministers.

But, the interim election council shall not carried out any task of long-term nature.

1.4.4 All the tasks of the Chief Justice will be carried out by the Acting Chief Justice.

1.4.5. The task of the Executive and the Judiciary will be executed as per democratic norms and values and the principles of independent judiciary, separation of powers, checks and balance.

1.5. The maximum number of members of Council of Minister shall be 11. The Chairman of Council of Ministers shall elect the ministers and the principle of inclusion shall be considered while doing so.

1.6. The tenure of the Interim Election Council of Ministers shall automatically come to an end with the new prime minister, to be elected from the Legislature Parliament following election to the Constituent Assembly-Legislature Parliament, takes charge.

1.7. If CA-Parliament election cannot take place within June 21, 2013 due to technical causes or intractable situation, the Council of Ministers shall fix the date for holding the election within December 15 based on a consensus of the high-level political mechanism.

1.8. The Chairman of the Interim Election Council of Ministers shall return to his previous post following the nomination of the next Prime Minister.

2. Formation of a high-level political mechanism and jurisdiction

2.1. A high-level political mechanism with the representation of major parties shall be formed to assist the government run its activities as per the spirit of joint people's movement, political consensus and cooperation and to resolve possible problems in the political sector.

2.2 Its jurisdiction shall be as follows:

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2.2.1. To create atmosphere conducive to holding the election within the scheduled date and to recommend to the Council of Ministers the next date for fresh elections if the election cannot be held within the scheduled date due to intractable situation.

2.2.2. To work towards maintaining atmosphere of consensus among the political parties.

2.2.3. To provide necessary consent, feedback and consultation to the interim election government.

The Committee shall itself determine working procedures to that end.

3. The number of Constituent Assembly members and tenure

3.1. There shall be 491 members in the CA with the proportional representations of all castes and communities including women, dalits suppressed caste and community, indigenous and nationalities, backward community, Madhesi, peasants and workers. Of them, 240 shall be nominated from the first-past-the-post electoral system, 240 shall be nominated from the proportional representation system and remaining 11 shall be nominated by the Council of Ministers on the basis of political consensus. The number of electoral constituencies shall remain as it is.

3.2. The CA shall function as the CA and Legislature Parliament until the completion of the constitution-drafting. A new constitution shall determine the post-constitution matters.

4. Voter's List

4.1. The Nepali citizens who have attained 18 years of age within the date fixed by the Election Commission (EC) shall be the voters.

4.2. For the purpose of the next election to the Constituent Assembly (CA), a special campaign would be launched in coordination with the Home Ministry, EC and other bodies to
a) update the voters' list based on the citizenship certificate and to provide citizenship certificates to the Nepali citizens who have the right to get it;

b) to update the voter list of those having their names missed despite the provision (a) as per the clause 11 of the Voter Registration Act 2063 BS based on the voter's registration of the 2064 and thereafter.

While doing so, the biometric voters' list prepared by the Election Commission based on the voters' roll for the 2064BS CA elections.

4.3. After the next CA election, all eligible Nepali citizens would be provided the national identity cards based on their citizenship certificates thereby making the national identity card the basis for the preparation of next voter's list.

5. Process to remove difficulties and issues

5.1. Consensus shall be forged among the political parties, and the issues to be included in the ordinance on removing difficulties shall be determined accordingly. Regarding the removal of the difficulties, the Council of Ministers shall prepare a proposal and recommend it to the President. Accordingly, the President shall administer the oath of office to the Chief Justice as the Chairperson of the election government. All these activities shall be carried out simultaneously.

5.2. The arrangements made with the implementation of the removing of the difficulties as per the recommendation shall automatically cease to exist after their purpose have been fulfilled.

6. Necessary arrangements regarding election

As per this agreement, the EC shall make necessary legal and other arrangements for fresh election in consultation with the political parties.

7. Appointments in the Supreme Court and Constitutional Bodies

7.1. Necessary constitutional arrangements shall be made for the appointments in the vacant posts for justices in the Supreme Court as quickly as possible.

7.2. The appointments in vacant posts in the constitutional bodies shall be made as quickly as possible as per the agreement at the high-level political mechanism.

7.3. The ambassadors to be appointed except from the Foreign Affairs service shall be selected as per the agreement at the high-level political mechanism.

8. About the ownership of the works of the dissolved CA

The agreements made among the political parties in the dissolved CA shall be owned.

9. Remaining task of the Peace Process

9.1. The remaining task of the peace process shall be completed as quickly as possible. In this regard, decision on allotment of ranks to former Maoist fighters, who are now in Nepal Army

training, shall be taken through the army integration special committee as per the past agreements, and based on necessary training, practice and procedures.

9.2. Necessary laws shall be formulated immediately for the formation of the commission on truth and reconciliation, and forced disappearance.

9.3. The UCPN-Maoist shall fully cooperate in the process to immediately return the property including land and houses seized during the insurgency.

10. On Citizenship

The children of the Nepali citizens who have acquired citizenship by birth shall be provided certificates of Nepali citizenship by descent. As it was immediately necessary for the election purpose, such citizenship would be provided by removing difficulty in the constitution.

11. On local body elections

The government to be formed following the next CA election would fix the date of election in the local bodies within 2070BS.

Signed by:

Pushpa Kamal Dahal 'Prachanda' Sushil Koirala Jhalanath Khanal Bijay Kumar Gachchhadar
Chairman President Chairman on behalf of UCPN-Maoist Nepali Congress CPN-UML United
Madhesi Democratic Front 2013 March 13.

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