11-point agreement signed by four major political forces

March 13 - We have signed this agreement in order to institutionally consolidate the Federal Democratic Republic by ensuring the people’s right to write the constitution on their own while also taking into account the Supreme Court verdict, as the tenure of the Constituent Assembly (CA) ended even before the completion of constitution drafting; in order to establish the CA for the purpose of drafting the new constitution with a fresh mandate through another CA elections by forming a government under the chairmanship of the Chief Justice as per the political consensus reached in view of the principle of necessity because a national unity government has become essential as the CA ceased to exist after May 27, 2012, and there was a political understanding to conduct fresh CA polls and; in order to move ahead by forming a government of political consensus, resolving the constitutional and legal hurdles to pave the way for a democratic political outlet by conducting the CA elections in a free, fair and fearless manner.

1. Structure, duties and term of office of the election government

1.1. The elections of the CA-legislature parliament shall be conducted by June 21, 2013. For this purpose, an interim electoral council of ministers comprised of the chairperson and the ministers shall be formed.

1.2. All the duties of Prime Minister as stipulated in the constitution shall be undertaken by the chairperson of the electoral council of ministers. The chairperson of the council of ministers shall divide the responsibilities of the ministers.

1.3. All the ministers in the interim electoral council of ministers shall be appointed from among the retired special class civil servants.

1.4.1. The Chief Justice of the Supreme Court shall chair the interim electoral council of ministers.

1.4.2. The main duty of the interim electoral government will be to conduct the elections of the CA-legislature parliament within the stipulated time.

1.4.3. The interim electoral council of ministers shall perform all the duties of the council of ministers, but shall not take decisions having a lasting impact.

1.4.4. All the duties undertaken by the Chief Justice shall be performed by the acting Chief Justice.

1.4.5. The duties of the executive and the judiciary shall be performed by remaining committed to the democratic norms and values, constitutional supremacy, independence of judiciary, separation of power and principles of check and balance.

1.5. The council of ministers shall have a maximum of 11 members including the chairperson. The chairperson of the council of ministers shall appoint the ministers. While doing so the principle of inclusiveness will be taken into account.
1.6. The tenure of the interim electoral council of ministers shall expire automatically after the new Prime Minister elected from the legislature parliament after the CA-legislature parliament elections assumes office.

1.7. In case the CA-legislature parliament elections cannot held within June 21, 2013 because of the technical reasons or a situation that is beyond control, the council of ministers shall set a new date based on an understanding with the high-level political committee in order to conduct the elections at the earliest and within 15 December 2013.

1.8. After the selection of the new Prime Minister, the chairperson of the interim electoral council of ministers shall return to his previous post.

2. Formation of the high-level committee and mandate

2.1. A high-level political committee represented by the major political forces will be formed to resolve the problems that may emerge at the political level, and to assist in operating the government with the spirit of the joint people's movement, political agreements and the culture of collaboration.

2.2. The committee will have following mandate:

2.2.1 Create favorable environment for conducting the elections within the stipulated time. In case the elections do not happen within the stipulated time because of a situation that is beyond control the high-level political committee shall take necessary decision, including the new election date, and make recommendation to the council of ministers.

2.2.2 It shall make continuous efforts to maintain the atmosphere of consensus between the political parties.

2.2.3. The committee shall provide necessary consent, opinion and advice.

For this purpose, the committee shall determine the working/operating procedures on its own.

3. The CA-legislature parliament members and tenure

3.1 The CA-legislature parliament will have 491 members with 240 members elected under the proportional representation system with representation of all classes and communities including women, Dalits, marginalized communities, indigenous nationalities, backward regions, Madhesis, peasants and workers; 240 members will be elected under first-past-the-post system while 11 members will be nominated by the council of ministers on the basis of political understanding. The election constituencies shall remain unchanged.

3.2 The CA shall function both as the CA and the legislature parliament until the completion of the task of constitution-drafting and the next course will be as decided by the new constitution once the drafting process is complete.

4. Voter list

4.1. Nepali citizens who reach 18 years on the date determined by the Election Commission will be the voters.
4.2. The voter list for the next CA elections will be based on the voter list used in the CA elections of 2008 after update with photographs (A) the voter list will be updated on the basis of the citizenship certificates and the eligible Nepali citizens shall be given citizenship certificates and, (B) in the case of people still missing the chance to be enlisted, the voter list will be updated as per the section 11 of the Voter List Act of 2063 on the basis of voter list of 2008 and the list maintained after that. For this the Home Ministry, the Election Commission and other agencies shall be mobilized as a special campaign.

4.3. After the CA elections, all the adult Nepali citizens shall be provided with national identity cards on the basis of citizenship certificates and the voter list shall be prepared based on it.

5. Procedures of remove the hurdles and the topics

5.1. Matters to be incorporated in the [sic-presidential] order on removing hurdles shall be determined on the basis of political understanding and the cabinet shall prepare the proposal on removing hurdles and then present it to the President. Based on the same recommendation, the Chief Justice shall be sworn in by the President. These procedures shall be executed in succession.

5.2. The provisions implemented after the removal of the hurdles as per the recommendation shall automatically turn null and void once the tasks are completed.

6. Provisions related to elections
The Election Commission shall work out the election-related laws and other provisions after consultation with the political parties on the basis of this agreement.

7. Appointments in Supreme Court and constitutional bodies
7.1. Necessary constitutional provisions shall be made in order to fill the vacant posts of the Supreme Court justices with immediate effect.

7.2. Necessary legal provisions shall be worked out immediately in order to appoint officials in the vacant posts of the constitutional bodies based on the consensus in the high-level political committee.

7.3. Except for those from the foreign service, ambassadors shall be appointed based on the consensus in the high-level political mechanism.

8. Regarding ownership of works accomplished by dissolved CA
The agreements reached between the political parties represented in the [previous] CA shall be owned up.

9. Remaining tasks of peace process

9.1. Remaining tasks of the peace process shall be completed at the earliest. In this context, the issue of the ranks for the former Maoist army combatants, who are receiving Nepal Army training, shall be decided immediately by the Special Committee on the basis of the past understandings, necessary trainings and procedures.
9.2 Law necessary for formation of the Truth and Reconciliation and Investigation of Involuntary Disappearances Commission shall be formulated with immediate effect.

9.3. The UCPN (Maoist) shall provide its full cooperation in returning the properties captured during the conflict, including land and houses to the rightful owners.

10. **Citizenship issue**
Children of Nepali citizens who obtained citizenship by virtue of birth shall get citizenship certificates by virtue of descent. Since this has to be done immediately for the purpose of elections, distribution of this type of citizenship shall commence with the removal of constitutional hurdles.

11. **Local elections**
The government to be formed after the CA elections shall set the date for the local elections to be held within 2070 B.S. (mid-April 2014).

Signed by

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