

Introduction: Women, Peace and Security in Review

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In November 2006, a decade of civil war ended with the signing of the Comprehensive Peace Accord by the Government of Nepal and the Communist Party of Nepal (Maoist). The large share of women in the Constituent Assembly (33 per cent in the 2008 election) was seen as outstanding in the South Asian context, and many viewed the post-conflict scenario in Nepal as a promising opportunity for women's increased political participation. After a decade-long process of constitution-making amid political turbulence, further women's empowerment landmarks were proclaimed in September 2015. As the new Constitution finally came into effect, the Nepali Parliament elected the country's first female President, Bidhya Devi Bhandari, and its first female Speaker, Onsari Gharti Magar. These developments have given Nepal status as a post-conflict country to look to, in terms of implementation of the Women, Peace and Security agenda (Abdela 2011). The time is now ripe for a review of women's political empowerment through peacemaking in post-war Nepal. Researchers have argued that post-conflict countries in Africa have experienced a much faster trajectory than non-conflict states on the continent in adopting policies for women's rights and women's political empowerment (Tripp 2015). The extent to which similar post-conflict trajectories can be found in other regions of the world is still under-researched.

The studies presented in this volume add new perspectives to the existing body of knowledge on opportunities for women's political empowerment in conflict and post-conflict situations. Documenting and assessing women's political agency as a key dimension of social transformation, the volume explores political empowerment among three different categories of Nepali women; female ex-combatants; women activists; and women participants in post-conflict Nepali politics. Comparing the discourses and practices of Nepali women's

empowerment, we engage with the policy debate on women's post-conflict gender equality as expressed in the Women, Peace and Security (WPS) agenda put forward by the United Nations (UN). This introductory chapter gives an overview of the WPS agenda and related literature, situating the case of Nepal within this literature.

In recent decades there has been a growing interest in women's political agency in societies in conflict and post-war political transformation. Following the seminal work of Cynthia Enloe (1989, 1993) and Ann Tickner (1992), an increasing number of scholars have gradually recognized that gender is fundamental to international politics and, therefore, it is inseparable from conflict, political participation, and decision-making (Harris 2011: 3, Porter 2007, Basu 2016). Researchers, development practitioners, and policymakers now seek to understand the gendered nature of war, and the potential of female participation in peace making for the prevention and resolution of future wars (UN Women 2015, Advisory Expert Group 2015). Women's increased representation in decision-making and mechanisms for conflict prevention, management and resolution is also a key objective of United Nations Security Council (UNSC) Resolution 1325 on Women, Peace and Security (UNSC 2000).

UNSCR 1325 was adopted in October 2000, after months of intense lobbying by a transnational network of women's organisations, advocates within the UN system, and champions among UN member states (Tryggestad 2009). For the first time in the history of the UN Security Council, a resolution was passed that acknowledged women's important contributions to conflict prevention, conflict management, conflict resolution and peacebuilding. It called for women's inclusion and representation in all matters of international peace and security, at all levels. While focusing particularly on women's political agency, it also acknowledged the need for better protection from conflict-related sexual violence.

There is a pervasive discourse on women's post-conflict political empowerment and the need to reconfigure gender relations in more egalitarian ways through post-war reconstruction measures (Anderlini 2007, Porter 2007, Olsson 2009, Pratt and Richter-Devroe 2011). This applies not least to processes of disarmament, demobilization and reintegration (DDR) and transitional justice (Hauge 2016). Moreover, scholarship on the role of women in conflict resolution and peacebuilding has highlighted the positive contributions of women in establishing a just and peaceful society. According to a study of women's inclusion and influence in peace negotiations (Paffenholz et al. 2016: 5-6) the direct inclusion of women does not *per se* increase the likelihood of more peace agreements being signed or implemented. What seems to make a real difference is the *influence* women have on a process; meaning that it is more important that women count than merely counting the number of women included in a process. The study finds that the strength of women's influence is positively correlated with peace agreements being reached and implemented. Furthermore, it is shown that the presence of women also strengthens the influence of other actors (besides the conflict parties) on the peace process.

Since UNSCR 1325 was adopted more than 16 years ago there has been considerable progress in developing the normative framework on Women, Peace and Security (WPS). While WPS issues in the early 2000s were relegated to the margins of UN peace and security politics, WPS has now become a formal item on the Security Council agenda. An additional seven Security Council resolutions have been adopted under the WPS umbrella, of which a number of them address the issue of conflict-related sexual violence in particular. The first resolution to do so was UNSCR 1820 (2008). While UNSCR 1325 was vague in terms of concrete commitments, the language of the subsequent resolutions has gradually become more specific and binding. However, the Global Study on WPS (UN Women 2015: 28) expressed a deep concern about the lack of progress with implementation in practice. This

applies both to the UN as organization and the member states. At the time of writing (March 2017), 63 UN member states have adopted National Action Plans for the implementation of UNSCR 1325 and subsequent resolutions (PeaceWomen 2017), though the quality and effective implementation of these plans are mixed. Progress has been particularly slow on women's inclusion in formal peace and transitional processes. Women's under-representation in such processes is significant. A study by UN Women (2012) of 31 major peace processes showed that only 2 per cent of chief mediators; 4 per cent of witnesses or signatories; and 9 per cent of negotiators were women.

Among the many action points of UNSCR 1325, the resolution encouraged all those involved in the planning of disarmament, demobilisation and reintegration (DDR) processes to take the different needs of female and male combatants into consideration (action point 13). This is an action point of particular relevance to Nepal, with its high share of women among the demobilized Maoist forces (Falch 2010). According to the National Women's Commission, women made up one-third of the Maoist People's Liberation Army (PLA) in some districts, and as many as 50 per cent in the most highly mobilized areas, assuming roles ranging from combatants to members of cultural troops. In the post-conflict disarmament and demobilization process, the United Nations Mission in Nepal (UNMIN) concluded that women made up 19.63 per cent of the total verified PLA ex-combatants, 3,846 out of 19,602 PLA ex-combatants (Dahal 2015: 187).

Women, Peace and Security comes to Nepal

Women's participation in political decision-making is recognized as an instrument as well as a goal of women's empowerment. Hence, UN bodies and other international agencies advocate against gender discrimination through international legal instruments such as the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the

Elimination of All Forms of Discrimination Against Women (CEDAW). UNSCR 1325 and subsequent resolutions are categorized as ‘soft law’ and are as such not as legally binding to member states as covenants and conventions. Nevertheless, the government of Nepal has signed on to many of these instruments, and has developed and adapted national policies in line with them. CEDAW was signed and ratified by Nepal in 1991. So was the ICCPR. Following these ratifications, Nepal revised some of its previously discriminatory laws to ensure gender equality, inserting elements of ICCPR into domestic legislation, institutional arrangements and policies. In the post-conflict scenario, the 2007 Interim Constitution of Nepal also addressed the concerns of ICCPR. Further, in 2011 – as the first country in South Asia – Nepal adopted a National Action Plan on the implementation of UNSC Resolutions 1325 and 1820 (Government of Nepal 2011).

Bilateral, multilateral and regional institutions have provided substantial support for women’s rights and political participation in Nepal. The United Nations (UN), European Union (EU) and international non-governmental organizations (INGOs) have provided technical and financial support to develop new policies and guidelines related to CEDAW, the Millennium Development Goals and the National Action Plan on 1325 and 1820. Technical and financial support has also been provided bilaterally by a number of countries. Through its chairmanship of the Peace Support Working Group in Nepal, Norway provided considerable support to the process of developing Nepal’s National Action Plan on 1325 and 1820. National NGOs and civil society organizations have also played an important role in promoting women’s rights (Pant and Standing 2011), peace and reconciliation (Upreti 2009) and socio-economic transformation in Nepal, leading the work on the National Action Plan on 1325 and 1820, as well as psycho-social counselling, peace awareness, and livelihood generation for conflict victims (Baechler 2010). Local organizations working on women’s issues have been instrumental in linking local issues with the broader provisions of CEDAW

(National Women's Commission 2011). Women's organizations have been active in lobbying, networking and launching awareness programs on women's rights and equality, and monitoring of the state's compliance to international instruments, which has been vital to the strengthening of democracy (Nepali and Pyakurel 2009). Moreover, women's organizations played a significant role in advocating for a strong female representation in the Constituent Assembly members, recognizing the importance of the making of the new Nepali constitution.

Nepali women's organizations have increasingly used UNSCR 1325 as an advocacy tool to put pressure on the government and political parties to include women in the peace process and constitution-drafting. The combined work of the Women's Alliance for Peace, Justice and Democracy, and Women's Alliance for Peace, Power and Constituent Assembly played a crucial role in promoting women's participation in peace- and constitution-making (Justino et al. 2012). Sancharika Samuha, Shantimallika, Sankalpa and many other organizations devoted to the empowerment of women were critical for the implementation of UNSCR 1325, encouraging women's inclusion in peacebuilding and reconstruction, legislative reforms, and transitional justice (Tomovcik and Reichrath 2011). The work of women's organizations, networks and alliances such as Shanti Malika, Mahila Adhikar Manch, National Alliance of Women's Human Rights Defenders and Women for Human Rights should also be acknowledged (Justino et al. 2012).

Despite a substantial literature on the civil war in Nepal, there is not much scholarly documentation of its wider repercussions on gendered power relations. Nor do we find any sustained research on the post-war political participation of Nepali female ex-combatants, or even their political role during the war. There is a wealth of journalistic articles and NGO reports presenting challenges faced by female Maoist ex-combatants, but we cannot find research that critically assesses their empowerment, whether through integration into the security forces, or as political activists or politicians. Nepal's National Action Plan on 1325

and 1820 does address the needs of female ex-combatants, though primarily as individuals in need of humanitarian assistance or social rehabilitation. The political agency of female ex-combatants is hardly mentioned in the National Action Plan, nor was there any emphasis on women's empowerment or agency in the process of reintegrating the Maoist ex-combatants into society.

The chapters in this volume by Lorina Sthapit and Philippe Doneys (chapter 2) and Amrita Pritam Gogoi (chapter 3) offer important insights into the political agency of female ex-combatants in post-conflict Nepal. Significantly, we not only question the empowering effects of female participation in the Maoist insurgency, but contextualise these questions within the larger debate about the empowerment of women in the post-conflict political scene of Nepal. The chapter by Bishnu Raj Upreti and Gitta Shrestha (chapter 1) traces the history of women's participation in Nepal's parliamentary assemblies, including the two post-war constituent assemblies (2008-2013 and 2013-2015), whereas the chapters by Vanessa Daurer (chapter 4) and Anjoo Upadhyaya and Jason Miklian (chapter 5) offer perspectives on Nepali women's post-conflict empowerment through activism. The final chapter by Gitta Shrestha, Bishnu Raj Upreti and Åshild Kolås (chapter 6) presents a summary of key findings, and attempts to assess whether the case of Nepal actually represents a successful transition to post-conflict women's empowerment.

Have Nepali women been empowered in the transition from war to peace? Has Nepal been transformed into a more gender-equal society? This will become more evident as we unpack the post-war fate of female ex-combatants, and the role of women in constitution-making and post-war politics, to critically review alleged post-war women's empowerment gains by way of increased female participation in the party politics and the governance of Nepal.

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