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Women, Peace and Security

Implementation of UN Security Council Resolution 1325
in the Context of Finnish Development Policy

With case studies from Kenya,
Nepal and North-East India

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FINAL REPORT

31 January 2010

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MINISTRY FOR FOREIGN AFFAIRS

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FOREWORD

Gender equality and women's empowerment at all levels are Finland's policy priorities and an integral part of achieving socially, economically and ecologically sustainable development in the world. Finland's current Development Policy Programme stresses that the eradication of poverty can only be achieved through sustainable development. Development is a precondition for peace and conflict can wipe out years of development achievements in just a matter of days.

Finland has been a long time supporter of tackling the issues of conflict prevention, resolution and peace building through an understanding of their gendered nature. An increasingly peaceful world can only be built with equal involvement of women in all aspects of society. We stress the importance of securing true ownership of all those involved in and affected by the decisions surrounding issues of peace and war; all women and men, rich and poor, young and old. Thus Finland warmly welcomed the UN Security Council Resolution 1325 "Women, Peace and Security" and in 2008 adopted a National Action Plan for the implementation of UNSCR 1325.

There is an obvious overlap between the aims of Finnish development policy and UNSCR 1325. This study was commissioned in order to find how these two can be effectively and concretely combined. The aim was to uncover innovative ways to use our current development policy tools to attain the aims set in the UNSCR 1325 NAP.

The study was executed by research institutes from India, Kenya, Nepal and Finland. The study contributes many interesting observations, views and ideas to the ongoing debate on development, aid, security and the gendered structure of societies. The knowledge and observations made available for us in this study are a valuable addition in our quest to learn from others and past practices with the aim of developing our approach and implementation of resolution 1325. A good example of such planned learning process is the ongoing twinning on UNSCR 1325 with

Kenya which aims to be mutually instructive and beneficial and will hopefully lead into a long term joint development process.

The study affirms that Finland's holistic approach to development, including a wider security concept, is the way towards a sustainable and just global society. A stable and secure society has to be stable and secure for all citizens. Finland stresses the importance of gender equality in planning, decision making on and implementation of any and all of society's priorities.

Commissioning this study is part of Finland's objective of further improving and strengthening the impact of our contribution to development, gender equality and security. We will work towards achieving further concrete improvements in people's lives in matters of peace and security. The conclusions and recommendations made in this study are very useful for this work.



Ritva Koukku-Ronde
Under Secretary of State

ABBREVIATIONS

AATWIN	Alliance Against Trafficking in Women and Children in Nepal
ABC	Agro-Forestry Based Cooperatives – Nepal
ADB	Asian Development Bank
AFSPA	Armed Forces Special Power's Act
AU	African Union
AusAID	Australian Agency for International Development
BBC	Beyond Beijing Committee
BL	Budget Line
BPFA	Beijing Platform for Action
CA	Constituent Assembly
CDC	Constituency Development Committee
CDF	Constituency Development Fund
CDO	Chief District Officer
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEDPA	Centre for Development and Population Activities
CF	Canada Fund
CIDA/CCO	Canadian International Development Agency/Canadian Cooperation Fund
CIPEV	Commission of Inquiry into Post Election Violence
COCAP	Collective Campaign for Peace
CPN-UML	Communist Party of Nepal – Unified Marxist and Leninist
CPA	Comprehensive Peace Agreement
CRG	Calcutta Research Group
CSO	Civil Society Organisations
CVICT	Centre for Victims of Torture
CWIN	Child Workers in Nepal – Concerned Centre
DAG	Disadvantaged Groups
DDC	District Development Committee
DFID	Department for International Development
DRC	Democratic Republic of Congo
EFA	Education for All
ERC	Embassy of Finland Result Card
EU	European Union
FDP	Finnish Development Policy
FDC	Finnish Development Cooperation
FEDO	Federation of Dalit Organizations
FGD	Focus Group Discussion
FGM	Female Genital Mutilation
FNAP	Finnish National Action Plan
FPTP	First Past the Post
FWLD	Forum for Women, Law and Development
GAPS	Gender Action for Peace and Security
GBV	Gender Based Violence

GDI	Gender and Development Indicator, Gender-related Development Index
GEEP	Gender Equality and Equity Project
GEI	Gender Empowerment Indicator
GESI	Gender Equality and Social Inclusion
GGP	Gender and Governance Programme
GJLOS	Gender, Justice, Law and Order Sector Programme
GoK	Government of Kenya
GoN	Government of Nepal
GOs	Government Organisations
GRB	Gender Responsive Budget
GRBC	Gender Responsive Budget Committee
GTZ-IS	German Technical Cooperation – International Services Division
HAC	Harmonization, Alignment, Coherence
HDI	Human Development Indicator
HoM	Head of Mission
HoR	House of Representatives
HRD	Human Resource Development
HRDs	Human Rights Defenders
HRPLSC	Human Rights Protection and Legal Service Centre
HUGOU	Human Rights and Governance Unit
HURDEC	Human Resource Development Centre
ICJ/ISS	International Court of Justice / Institute for Security Studies, South-Africa
IDS	Institute of Development Studies
IDPs	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development (Eastern Africa)
IHRICON	Institute for Human Rights Communications – Nepal
(I)NGOs	(International) Non-Government Organisations
INSEC	Informal Sector Service Centre
INSTRAW	UN International Research and Training Institute for Advancement of Women
IRC	International Rescue Committee
JICA	Japan International Cooperation Agency
KANU	Kenya African National Union
KHRC	Kenya Human Rights Commission
KII	Key Informant's Interview
KIOS	Finnish NGO Federation for Human Rights
KJAS	Kenya Joint Assistance Strategy
KNAP	Kenya National Action Plan
LCF	Local Cooperation Fund/Fund for Local Cooperation
LGCDP	Local Government and Community Development Programme
LDO	Local Development Officer
LDF	Local Development Facility
LGA	Local Grant Authority
LPCs	Local Peace Committees
MDGs	Millennium Development Goals
MEUR	Millions of Euros

MFA	Ministry for Foreign Affairs of Finland
MLD	Ministry of Local Development
MoF	Ministry of Finance
MoLD	Ministry of Local Development
MoPR	Ministry of Peace and Reconstruction
MTR	Mid-Term Review
MWCSW	Ministry of Women, Children and Social Welfare
MWSW	Ministry of Women and Social Welfare (old name)
NAP	National Action Plan
NARC-Kenya	National Rainbow Coalition – Kenya
NCW	National Commission on Women
NGO	Non-Government Organisation
NHRC	National Human Rights Commission
NMA	Naga Mother's Association
NNAP	Nepal National Action Plan
NNC	Naga National Council
NPC	National Planning Commission
NPTF	Nepal Peace Trust Fund
NRC	Norwegian Refugee Council
NRM	Natural Resource Management
NSCN	National Socialist Council of Nagaland
NSCN (IM)	National Socialist Council of Nagaland Issac-Muviah
NWC	National Women's Commission
NWUM	Naga Women's Union of Manipur
OCHA	Office of the Commissioner of Humanitarian Affairs
OCHR	Office of the Commissioner for Human Rights
ODA	Official Development Assistance
ODM	Orange Democratic Movement
OHCHA	Office of the High Commissioner of Human Rights
OSAGI	Office of the Special Advisor on Gender Issues
PACT	Private Agencies Collaborating Together
PCRW	Production Credit for Rural Women
PLA	People's Liberation Army
PNU	Party of National Unity
PREPAK	People's Revolutionary Party of Kangleipak
PTA	Parents and Teachers Association
PWD	Person with Disabilities
REC	Regional Economic Commission
RNE	Royal Norwegian Embassy
SDC	Swiss Development Cooperation
(S)GBV	(Sexual) and Gender Based Violence
SHG	Self Help Group
SLDF	Sabaot Land Defence Force
SNV	Netherlands Development Organisation
SPA	Seven Party Alliance

SSNCC	Social Service National Coordination Council
SSP	Senior Superintendent of Police
STDs	Sexually Transmitted Diseases
ToR	Terms of Reference
ToT	Training of Trainers
TRC	Truth and Reconciliation Commission
TYIP	Three-Year Interim Plan
UCPN-M	Unified Communist Party of Nepal-Maoist
UMDF	United Democratic Madhesi Front
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Education, Social, and Cultural Organisation
UNDP	United Nations Development Programme
UNICEF	United Nations Fund for Children
UNFPA	United Nations Population Fund
UNIFEM	United Nations Fund for Women
UNHCR	United Nations High Commissioner for Refugees
UNLF	United Nations Liberation Front
UNMIN	UN Mission in Nepal
UNPSWG	UN Peace Support Working Group
UNSCR	UN Security Council Resolution
UPF-N	United People's Front-Nepal
USAID	US Agency for International Development
VAW	Violence Against Women
VDC	Village Development Committee
WAPPDCA	Women Alliance for Peace, Power, Democracy and Constituent Assembly
WASH	Water, Sanitation and Hygiene
WDD	Women Development Division
WDO	Women Development Office
WHR	Women for Human Rights-Single Women Group
WID	Women in Development
WAD	Women and Development
WFP	World Food Programme
WHO	World Health Organisation
WOREC	Women Rehabilitation Centre
WUSC	Water Users and Sanitation Committee
YCL	Young Communist League

EXECUTIVE SUMMARY

In 2000 the UN Security Council adopted Resolution (UNSCR) 1325 on “Women, Peace and Security”. It acknowledges the disproportionate effects of war and conflict on women, as well as the influence women can and must have in prevention and resolution of conflict, and in peace and reconstruction processes. Its main goals are to enhance women’s role and decision-making capacities with regard to conflict prevention, conflict resolution and peacebuilding; and to significantly improve factors that directly influence women’s security. Finland launched its National Action Plan on the implementation of UNSCR 1325 on 19 September 2008.

The main objective of this research is to contribute to the understanding of, and provide practical recommendations on, how the Ministry for Foreign Affairs of Finland can: i) Implement Finland’s National Action Plan on 1325 through development cooperation, especially its commitment to facilitate women’s participation in decision-making in conflict situations, peace processes and post-conflict activities, as well as to protect women in conflicts; ii) Support conflict prevention and post conflict development by strengthening women’s role, and empowering women in countries with fragile situations; and; iii) Monitor and measure the progress of such implementation. In addition, the study explored three specific, innovative themes relevant for the question of Women, Peace and Security: i) *Involvement of Men*; ii) *Internally Displaced Persons*; and iii) *Environment*.

The study was carried out from April to December 2009 and included case studies in Kenya, Nepal and North-Eastern India, all of which represent countries or areas in diverse and complex conflict and post-conflict situations. Kenya and Nepal are long-term development cooperation partners of Finland. North-Eastern India, which has had an on-going, protracted conflict since 1947, was selected on the basis of the relatively numerous women’s groups in the area which have had extensive, successful experience in promoting gender equitable policies. In addition, one of the team members has studied these particular women’s groups for more than a decade, which provided an excellent basis for further study. Overall research was divided into three phases, as shown below. Qualitative and participatory research methodologies were applied in data collection and analysis.

Phase I – Review of the literature, and framework development

- Available literature on UNSCR 1325
- Finnish National Action Plan (FNAP) for implementation of UNSCR 1325
- Materials specifically related to specific topics of research in the present study

- Other donor experiences with women, security, and peace, at the general level
- Materials and baselines for a preliminary situation analysis
- Development of methodology and research framework

Phase II – Country/area specific research: case studies

- Review of the literature on UNSCR 1325 and its implementation in the specific countries/areas in the study
- Interviews with Embassy of Finland personnel in the countries/areas in the study
- Interviews with the Donor Community working in the countries/areas in the study
- Interviews with representatives of the Governments of the relevant countries/areas
- Field work in the conflict-prone ('hot spot') areas
- Research Workshops in Kenya and Nepal

Phase III – Analysis and reporting

- Joint Analysis Workshop for Core Research Team in Helsinki
- Writing of Final Case Study Reports and Final Report

In our theoretical approach, this study falls within the genre of *non-traditional security studies* which argue that the security agenda should also include hunger, disease, threats to people's empowerment, and natural disasters, for example, because these may be of more consequence to individuals than armed conflicts. This concept is especially relevant for the developing world, as many countries have arrived at post colonialism without completing the process of decolonisation. The developing world also faces the challenges of moving towards economic globalisation and liberalism. The present study brings to the centre discourses on women's roles in conflict, post-conflict and reconciliation situations. The study portrays how a reading of issues from below throws up alternative scenarios, and reveals how conflicts, wars, and human passions combine within them both traditional and non-traditional questions related to gender. Our study reinstates the non-traditional as belonging in the centre of discourses on security, by returning women, their marginalisation and their politics, as the focal point around which the study turns. We looked at the narratives of security through the lens of the core issue of women's insecurity, and investigated how women address their insecurities. The study of the implementation of UNSCR 1325 provided an opportunity to rediscover these feminine voices and concerns. Moreover, the study serves as a platform for the analysis

of gendered practices, and for the broader exploration of gender in questions of peace and security.

Our study shows that out of the 3 P's in UNSCR 1325, namely Participation, Protection and Prevention, the focus of international cooperation has been mostly on *participation*: *participation* of women in national level political and electoral processes. Participation of women is also the basis of a gender sensitive agenda in a post-conflict society. Most programme activities however, aim at increasing participation of women at the national level, not on ensuring that women in rural areas, including women in the local governance structures, are able to act as agents of change and in the prevention of conflicts. Women are also still often perceived and presented as a homogenous group without taking into account other hierarchical attributes such as class, race, ethnicity, and age. *Protection* of women and girls in conflict and humanitarian crises has also gained increased attention. There is a heightened interest in the question of sexual and gender-based violence. Multiple projects and programmes exist throughout the world, both for developing referral systems for victims of sexual violence and for providing diverse support to victims. Increasingly, they also work to prevent sexual violence. Projects still tend to be scattered, however, with small budgets, only short-term, and often carried out by civil society organisations. Sexual and reproductive rights in post-conflict situations should also be supported through substantive, long-term support ear-marked for this purpose and provided to Government at national and local level. *Prevention* of conflicts, which implies addressing the core problems and potential causes of conflict, has received the least attention; local level interventions in general receive little attention. Perhaps as a result, surprisingly little information exists on, for example, ways of developing early-warning mechanisms that would recognise signs of impending conflict, or on gendered roles of women and men in the prevention of a potential conflict. Our case studies indicate that increase in gender-based sexual violence, particularly inter-community sexual violence, could be an early-warning sign, but such issues need to be studied more thoroughly. Over the last few years, a fourth P – *Prosecution* – is increasingly mentioned in the expert discussions related to UNSCR1325. This stems particularly from the heightened attention being paid to sexual and gender-based violence in UNSCRs 1820, 1888, and 1889, and from the call to end impunity in this regard. Our study also confirms that National Action Plans are becoming a *modus operandi* for implementation of UNSCR 1325.

Our study confirms that there is a need to understand the diversity of conflicts, and the different ways they affect women and girls. Particularly of relevance here are those armed conflicts and low intensity conflicts which often receive less international attention, but typically last for years or decades. In these situations, on-going violence, structural inequality, and related disputes continue to affect

populations negatively, and women, in many cases, disproportionately. In conflict situations, *ethnicity* often plays the key role, it may even overpower gender as a factor of discrimination. However, in their own ethnic groups women are typically more discriminated against than are men. This underlines the inter-relationships of gender, ethnicity and other hierarchical dimensions, and the necessity to understand the structural inequalities related to wealth and class, ethnicity, religion, caste, and so on, which are often exacerbated by the conflict.

Needs of women and girls in these situations are immense, affecting their economic, social and environmental security. It is self-evident that implementation of any UN Resolution alone cannot respond to these immense needs. For UNSCR 1325 to have substantial impact, it should be viewed in the context of broader women's rights, and policies and mechanisms such as CEDAW and the Beijing Platform for Action. More importantly, at the national level, it needs to be contextualised and linked mainly to existing national as well as regional gender policies and plans of action, and to national and regional peace and security policies and plans of action. First and foremost, this needs to be a Government-led process, with the cooperation of other development partners. In this way it will be possible to address the multiple challenges preventing women's participation as active agents of change. As evidenced in our study, expecting rural women and poor urban women to participate as peace builders and active agents of change in a conflict and post-conflict situation is questionable if the conditions for their involvement are not enabling. Their interest is understandably in every day economic survival, not in 'talking'. Conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non-violence – and for that a holistic approach is required.

Our study has explored how women's voices from below can be heard. We conclude that *the key issues for women's security in general* are: *i) Economic empowerment, livelihood and job creation; ii) Local governance and decision-making (including community level); iii) Customary laws and practises (multiple legal realities); iv) Land ownership and property rights, and v) Sexual and gender based violence and the related impunity.* What is revealed as *most important* are: *economic empowerment, livelihoods and job creation.* Our findings indicate that *women's participation in general, and in conflict situation and prevention of conflicts in particular, is directly linked with their economic status.* There is also a linkage between Sexual and Gender Based Violence (SGBV) and women's economic status. Accordingly, for responding to the needs of women 'voiced from below' and enabling women to become active actors in UNSCR 1325 – related issues and development in general, the focus of Finnish development cooperation should be on addressing the issue of the economic status of women and of sexual and gender based violence.

The three pillars or dimensions of sustainability in the Finnish Development Policy (FDP) are: economic, social and ecological sustainability, which are ‘inextricably’ linked, as stated in the FDP. So are the needs of women. Improving the economic status of women cannot take place without addressing social aspects of this status. Again, economic development is dependent on the access to and ownership of natural resources, which are often causes of conflicts. Generally, there is a need both to recognise that conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non-violence, and to ensure that this is reflected in development cooperation. This means addressing not only issues related to UNSCR 1325, but also significantly contributing towards gender equality in general, in partner countries. This can be done through supporting implementation of national (and regional) gender strategies, policies and plans of action.

First and foremost, Finland should direct support to women’s economic empowerment – both formal and informal, particularly at the local level, in a comprehensive manner. Up to date, Finland has allocated very limited support to women’s economic empowerment. At best this has been through the Local Cooperation Fund (LCF) or through Finnish NGO support, both of which have their limitations in terms of coverage and expertise. What is required is to provide support to programmes which look at women’s economic empowerment throughout the entire value chain, including micro-finance institutions (MFI) and Small and Medium Enterprises (SME), and/or enabling conditions for the participation of women in the labour market. If Finland aims at significantly enhancing its attempts to improve an enabling environment of women so that they can be active in development in general and in activities related to UNSCR 1325 in particular, then support should be aimed towards this objective. Where Finland is directly involved in 1325 NAP preparation or supporting its implementation, Finland should ensure that this key element is included.

When looking at the social sustainability dimension, Finnish Development Policy explicitly refers to issues of peace and security, well-functioning democratic governance, respect for human rights, inclusive social and cultural development, and action to fight corruption. As the social sustainability dimension is a prerequisite for the two other pillars to progress, the prevention aspects of conflict become the key focus area here. *All development interventions, linked to any of the three FDP pillars, have implications for either contributing to preventing or to accelerating the potential conflict.* In both Kenya and Nepal, there are currently several interventions working through Local Cooperation Funds (LCF) to directly support local civil society organisations which are addressing issues of democratic governance, human rights, women’s rights and corruption. These are all contributions to the

implementation of UNSCR 1325. In both countries, LCF support also includes activities fighting against impunity for SGBV. In a way, Finland's support has assisted in addressing these issues from outside the Government, through support to the civil society. In most cases this has been relatively successful although small in size. It is evident that LCF as an instrument has a comparative advantage in promoting issues which might sometimes be too sensitive for bilateral and sectoral programmes, and particularly for direct budget support. However, these latter types of intervention have larger budgets, and often operate in rural ('hot spot') contexts, and thereby have the potential to address issues which could be seen as potential causes of conflicts.

As in our case study countries, many developing countries are often in a fragile stage of social stability. In this situation, *it is of crucial importance to understand the general operating environment of interventions, , particularly for women and girls – and how men and boys could be supportive actors in providing gender equality, security, and peace.* In fragile situations, the impact of development interventions either promotes or negatively affects gender equality and realising women's rights, as well as the implementation of UNSCR 1325. Combining gender equality with social inclusion enables addressing *gender-based discrimination* together with other causes of discrimination, of which *ethnicity is often the most prominent*, particularly in a conflict or post-conflict situation. Studies of customary laws and harmful practises (multiple legal realities) should be conducted, and organisations working on these issues should be supported.

Regarding the environmental dimension it should be noted that because of Finland's interest in environmental issues, in many partner countries Finland is one of the lead donors in, for example, water and forestry, as well as climate change in a broader sense. This provides an excellent opportunity to incorporate both economic and social aspects of gender and conflict issues in Finnish development interventions. Based on our limited sample in two of Finland's partner countries, we conclude that Finnish support to the water sector provides 'best practises' for incorporating gender and conflict issues in development projects and programmes. For example in Nepal, the incorporation of gender and conflict into interventions could be considered as direct support to implementation of UNSCR 1325. The forestry sector, on the contrary, is lagging far behind in this respect. Climate change and environmental changes are often direct or indirect causes of conflict. Gender aspects of natural resource management, such as related women's rights, women's participation and needs, should be of concern, as women are often the practical managers of many natural resources at the local level, including fuel wood and other sources of energy, water, and forests.

The main challenge for promotion of gender equality and UNSCR 1325 imple-

mentation in partner countries is not a lack of policy and strategy framework. Rather, the question is how the existing and new national plans (including Finland's NAP 1325) can contribute to ending discrimination of poor people in general, and poor women in particular at the local level, and how these plans can enhance the participation of these people in economic activities and local decision-making. At the same time, there are already many actors involved in promoting women's participation in political and electoral participation. Accordingly, Finland should mainly focus its support on ensuring implementation of already existing policies and strategies at the local level so that the environment will become more enabling for women to participate and become active agents of change. Apart from support at the local level, this also entails supporting the ministries in making their policies, strategies, plans of action and implementation mechanisms more gender responsive.

We conclude that, since Finland has repeatedly emphasised its support to gender equality in general and implementation of UNSCR 1325 in particular, it is high time to allocate significant support to the key focus areas listed above. There are, however, certain factors related to Finnish development policy (FDP), development cooperation practices, and management framework which hinder Finland's contribution to UNSCR 1325 implementation. One of the most severe is that gender issues have mostly been addressed through mainstreaming gender as a cross-cutting issue in all development cooperation. The most recent FDP even explicitly states that gender issues will be addressed only through mainstreaming.

In our opinion, mainstreaming gender issues is not the optimum way to implement promotion of gender equity, UNSCR 1325-related activities in general, and FNAP in particular. It is also not in line with the recent developments related to harmonisation and alignment, in which gender equality is increasingly seen as a separate sector for support, in addition to attempts to mainstream gender in all development activities. Using only the mainstreaming strategy is also not in line with Finland's international commitments to such agreements as the Beijing Platform for Action (1995), nor with the EU gender policies which are clearly based on gained experiences and promote the use of a *two-track strategy: gender mainstreaming and gender-based affirmative action*. Use of gender mainstreaming as a one-track strategy has led to the Ministry for Foreign Affairs of Finland, (MFA) supporting only an insignificant number of gender specific projects, with a limited budget. Currently, Finland does not support bilateral projects which focus on gender equality, and support to gender equality is allocated mainly through LCF instruments and through multilateral organisations. The multiplicity of women's rights NGOs supported through LCFs might, to a certain extent, be seen to justify the lack of funding for gender equality through other instruments.

Recently MFA has taken a significant step towards optimising ways of promoting gender equality by issuing Guidelines regarding cross-cutting themes in the Finnish Development Policy (FDP). These Guidelines still emphasise that gender (and all the other cross-cutting issues) will be taken into consideration by integrating them in all aspects of development policy and development cooperation. However, it is further noted, that *in case mainstreaming does not lead to a significant impact, this general integration can be complemented with specifically targeted actions and projects/programmes*. The shift from only mainstreaming to a twin-track strategy, and at the same time to a much more systematic approach to promoting gender equality, *provides a significant opportunity for increased promotion of gender equality and implementation of UNSC Resolution 1325*. MFA has not systematically demanded an explicit focus on gender equality in its programmes. This has often resulted in consultancy companies also not responding sufficiently, if at all, to promotion of gender equality.

Finland is also represented on the Steering Committees of multinational donors (World Bank; UNDP; UNIFEM; OECD), and has been supporting for example implementation of the World Bank's Gender Action Plan. These Committees provide opportunities for promoting implementation of the UNSCR 1325. Finland has, in our understanding, been very active in promoting the inclusion of gender issues in these forums. Finland's active role in promoting gender equality has recently been very visible in the context of the UN Climate Change Conference in Copenhagen in December 2009, during which the President of Finland, Tarja Halonen was given the 'Gender Champion' prize, a new award given for the first time by the gender equality and development organisations participating in the Conference. Such political lobbying and visibility is very important and at the same time brings visibility for Finland. A stronger presence could be created, however, if Finland would also provide more substantive funding to gender issues through its development cooperation. Ultimately, as our study indicates, the main challenges are at the implementation level, particularly the challenges related to how we give visibility and a voice to women and girls affected by armed and low intensity conflicts. Finland could also more actively raise the question of women's economic empowerment in both the World Bank and the UNDP. Although women's economic empowerment is one of UNIFEM's focus areas, it would need to be a central element in overall poverty reduction strategies.

This Report makes the following **recommendations** relating to the focus of Finland's support to implementation of UNSCR 1325 through development cooperation, monitoring, partnerships and networks, and the management framework:

Improved focus

- i) adopt and implement a twin-track strategy in promotion of gender equality (significant financial support to specific projects on gender equality and women's rights together with gender mainstreaming);
- ii) support preparation and implementation of UNSCR 1325 NAPs in bilateral partner countries;
- iii) support implementation of the national gender policies and plans of action through bilateral programmes, particularly in the areas of women's economic empowerment, livelihoods and job creation; local governance and decision-making (including community level);
- iv) support to addressing gender challenges presented by customary laws and practises (multiple legal realities), land ownership and property rights;
- v) support cooperation between the gender ministries and sectoral ministries in the above-mentioned fields, in order to integrate gender justice and women's rights in the sectoral policies and programmes;
- vi) include aspects of women's economic empowerment, livelihoods, and participation of women in the local governance, in projects and programmes focused on rural development, forestry and governance;
- vii) support long-term cooperation with local women's groups and broader civil society organisations, especially those with large constituencies and working in cooperation with other social movements, e.g. youth movements or labour movements and
- viii) engage, as a Government, in systematic and persistent political advocacy work at both international and national levels to improve the status of IDPs.

Improved monitoring

- i) establish a sub-group to the current monitoring group of Finland's NAP on 1325 to monitor the implementation of the Finnish NAP specifically regarding development policy and cooperation;
- ii) organise monitoring meetings at the country level with the Finnish NGOs and bilateral programmes organised by Embassies;
- iii) establish a data base on interventions contributing either directly or indirectly to implementation of the UNSCR 1325 on Finnish development cooperation interventions;
- iv) support development of monitoring mechanisms of the partner countries;
- v) develop a set of key indicators based on the on-going indicator development by UN agencies and demand reporting respectively by each bilateral programme; and
- vi) include monitoring of women's rights and UNSCR 1325 implementation as part

of the tailor-made capacity development for the Embassy personnel in main partner countries and conflict countries.

- vii) Improved partnerships and networks
 - i) support local research institutes by providing long-term funding;
 - ii) fund new, innovative network building, such as between environmental and women's rights NGOs in partner countries;
 - iii) participation of gender and human rights experts in the fields of natural resources, land-use, forestry etc. at national, regional and local governance level;
 - iv) support regional meetings on issues related to 1325; and
 - v) create and fund a facility for North-South dialogue between Finnish development NGOs and their partners in conflict-countries; and vi) provide support for long-term projects in the field of protection of women and girls.

Improved management framework

- i) revise, update and operationalise the MFA Gender Strategy and Plan of Action (2003–2007);
- ii) capacity development of the MFA/Embassy;
- iii) MFA to demand and ensure through concrete goals and activities the inclusion of promotion of gender equality in the TORs and expertise requirements in all its bilateral programmes;
- iv) provide information and knowledge on UNSCR 1325 for MFA officials, consultants, NGOs etc. in an easily accessible form to make use of already existing, rich information;
- v) MFA to demand gender sensitivity and basic understanding of gender issues in the research teams of any development research carried out through funding from MFA; and
- vi) need to focus the support on a limited number of sectors and providing support for gender equality within these sectors, and need to provide long-term support for the chosen sectors also in the post-conflict/conflict countries.

INTRODUCTION

1.1 Purpose, objective and scope of the project (TORs)

In 2000, the UN Security Council adopted Resolution 1325 on "Women, Peace and Security". Finland launched its National Action Plan on the implementation of this Resolution on 19 September 2008. The Action Plan for implementation is the result of comprehensive consultations and discussions among different ministries and NGOs as well as researchers. The Ministries involved identified their roles and their possibilities to implement Resolution 1325 as part of their activities. The Ministry for Foreign Affairs plays a leading role in both implementing and facilitating many of these activities. Development cooperation also provides an opportunity to contribute to the implementation of Resolution 1325.

Finland's current development policy pursues goals and approaches that have been jointly approved in the United Nations and the EU. Crisis prevention and support for peace processes feature prominently in Finland's efforts to promote socially sustainable development. The promotion of the rights and status of women and girls, along with promotion of gender and social equality, is a cross-cutting theme in Finland's development policy. Finland promotes the concept of wider concept of security, which strengthens the link between security, development and human rights. Strengthening security requires extensive international cooperation and decisive national action across administrative boundaries. Finnish development policy is founded on the respect for and promotion of human rights, including the rights of women and the promotion of gender equality.

According to the Terms of Reference for the present project, the main objective is to contribute to the understanding of, and to provide practical recommendations on how, the Ministry for Foreign Affairs of Finland can:

- i) Implement Finland's National Action Plan on Resolution 1325 through development cooperation, especially the commitment to facilitate women's participation in decision-making in conflict situations, peace processes and post-conflict activities, as well as to protect women during conflicts;
- ii) Support conflict prevention and post conflict development by strengthening women's role and empowering women in countries with fragile situations; and
- iii) Monitor and measure the progress of implementing Resolution 1325 in and through Finnish development cooperation.

Specific issues to be covered include:

- i) Identification of those commitments in Finland's National Action Plan that Finland is already implementing as part of its development cooperation, or can

- implement as part of on-going or planned activities;
- ii) An analysis of the best practices used in implementing UN Security Council Resolution 1325 (preferably also assessed by women from conflict areas), and an analysis of how these can be implemented as part of Finnish development cooperation, specifically with respect to the priorities identified in the Development Policy Programme. Here the term ‘best practices’ includes effective actions by local actors in conflict areas, international and local organisations and other donor countries, among others;
 - iii) Identification of partnerships and contacts Finland needs in implementing its National Action Plan, including contacts with conflict countries, especially with local women. This should include links to organisations and actors in areas where work can be done to prevent conflicts through gender work;
 - iv) Identification of elements in Finnish development cooperation that have the potential to hinder achieving the objectives set out in the National Action Plan; and
 - v) A proposal for an effective method for the Finnish Ministry for Foreign Affairs to use for evaluating, measuring and monitoring the progress of implementing the Action Plan.

In addition to the above investigations, the research team sought to answer a number of innovative questions which have previously been less studied or analysed in the context of the implementation of Resolution 1325, and which our team sees as highly relevant to peace and security. A closer look at the specific issues involved was taken in order to complement the increasing body of reports, academic studies and donor experiences (policies and NAPs) related to the implementation of Resolution 1325. These additional questions included:

- i) Involvement of men;*
- ii) IDPs (Internally Displaced Persons); and*
- iii) Environment*

1.2 Methodology used, data collection and analysis

The present study was carried out between April – December 2009. The international research team comprised seven researchers, five women and two men. Five of the researchers were from the South (two from India; one from Nepal and two from Kenya) and two from the North (Finland). The team leadership was divided between the research team leader, Dr. Paula Banerjee, from the South, and co-team leader, Ms. Pirkko Poutiainen, from the North. An internal capacity development

process was built into methodology used so that the comparative advantages of researchers from the North and South could be maximised.

Countries/areas selected by the research team as case studies were Kenya, Nepal and North-Eastern India. They represent countries or areas in diverse, complex and existing conflict and post-conflict situations. A risk for full-scale escalation of violence to conflict level exists in both Kenya and Nepal, and Northeast India is an area which for over five decades has been marked by outbreaks of violence and conflict. The challenges and problems in Kenya, Nepal, and Northeast India are described in detail in the separate case study reports. Kenya and Nepal are long-term development cooperation partners with Finland, which was another reason they were selected. North-Eastern India was selected for many reasons, one of the most important of which is that there are women’s groups there that have had an enormous influence on successfully promoting gender-just policies in the area. Including Northeast India in the study allows for a broader and better understanding of the thematic issues of women, peace and security in the geopolitically sensitive region of South Asia. In addition, one of the team members has studied women’s groups in the area for more than a decade, which provided an excellent basis for a.

Each of the selected countries and areas has their own specific problems and challenges related to gender dynamics and women’s rights. At the same time, there are also commonalities among the different situations, which the research team explored to see what could be generalised and applied elsewhere, in other regions and situations, in the implementation of Resolution 1325 and Finland’s National Plan of Action.

The research was divided into three chronological phases: I Desk Review; II Country/Area Specific Research (Case Studies); and III Analysis and Reporting.

Phase I Desk review

- 1) Collection of materials related to Resolution 1325, FNAP, and the specific questions and issues being studied; and other donor experiences with Resolution 1325 at the general level;
- 2) Review of material for preliminary situation analysis; and
- 3) Planning of field work, and development of the methodology and research framework.

Phase II Country/area – specific research

This phase comprised a i) country specific desk review; ii) interviews with Embassy of Finland personnel (Kenya Nepal); iii) interviews with the donor community (multilateral and bilateral donors), including civil society organisations (Kenya;

Nepal); iv) interviews with government of Kenya representatives (planned but did not materialise); v) field work in the ‘hot spot’ areas; and vi) facilitating a researcher workshop (Kenya; Nepal). Standard qualitative and participatory research methodologies were applied in data collection and analysis.

In Kenya, interviews with key informants were held first in Nairobi between 18 May – 5 June 2009. They included interviews with the Embassy of Finland personnel, including the Ambassador, Counsellors and the staff member responsible for the LCF. These were followed by interviews with the Kenya donor community and selected CSOs. At the same time, relevant material was collected. A research workshop was held in Nairobi on 3-4 June 2009, prior to actual field research to discuss local views.

Field research was carried out in western Kenya between the 6th – 29th of June 2009. The areas included were Kisii, Kisumu, Eldoret, Mt. Elgon, Kakamega, Bungoma, Kitale, and Pokot, which all were ‘hot spots’ during recent conflicts. Interviewees included government officials, teachers, youth, organisation officials and community members. A total of 41 persons, both men and women, were interviewed. One IDP camp was visited in Eldoret town (Eldoret Showground of the Agricultural Society of Kenya ASK) in which unstructured discussions were carried out with the IDPs present. Focus Group Discussions (FGDs) were held in either mixed or gender specific groups in all the places except Mt. Elgon and Pokot. Discussions were attended by an average of 10 people, with a range of 6-17 participants.

In Nepal, interviews with key informants in Kathmandu were held throughout the research process given the presence of our team member who is resident in Kathmandu. These included interviews with the personnel of the Embassy of Finland, including the Counsellors and the person responsible for the LCF. At the same time, relevant material was collected.

Field research was carried out in Nepal in June and July of 2009 including Focus Group Discussions (FGDs), and interviews with key respondents, IDPs, conflict victims, political party leaders, district level government officers, NGO activists and journalists. The interviews were carried out in Rukum and Rolpa, two of the districts affected by violence and conflict in mid-west Nepal.. In addition, interviews were conducted with the donor community, women’s networks, NGO and INGOs, and government officials in Kathmandu.

A two-day workshop where preliminary research findings were shared was organised in Nepal on 22–23 August 2009. Researchers, NGO workers, Finnish Embassy official, INGO representatives, donor representatives and researchers attended the workshop, along with two Calcutta Research Group professors.

In North-Eastern India, the research was similarly based on interviews, FGDs and a review of primary and secondary literature on women’s peace initiatives and par-

ticipation in decision-making processes in Manipur and Nagaland. The fieldwork was conducted in Manipur between 9 – 17 June 2009, and in Nagaland between 5 – 14 August 2009. The field work comprised unstructured interviews with people from various social and political affiliations, owing to the uniqueness of each experience which could not be addressed with a uniform questionnaire. Interviewees included researchers, government officials, women's groups, and members of the State Women's Commission in Manipur and Nagaland. Another aspect of the field work was to observing already existing dialogic platforms in which participation of both men and women was encouraged.

Phase III Analysis and reporting

After completion of the country/areas specific case study reports, the core research team of four persons held a joint analysis workshop in Helsinki on 28.9. – 9.10.2009. The purpose of the workshop was to combine and analyse the research results from all three case study countries. By the time of the joint analysis workshop, the first drafts of the case study reports were available.

During the research process, several meetings were held with the MFA Steering Committee for the project. In addition, the research team members participated in meetings regarding the forthcoming MFA support in Kenya, more precisely two meetings on MFA support for the preparation of the Kenya UN Security Council Resolution 1325 Plan of Action: one of these meetings also included the presence of the MFA Africa Unit and Gender Advisor; the other saw the participation of the Good Governance Advisor from the Embassy of Finland in Kenya, and the PD preparation consultancy team for Finland's Rural Integrated Development Programme in Western Kenya, as well as MFA's cross-cutting issue Advisors from the Africa Unit). A meeting at the IDS, University of Helsinki, was held on 8.10.2009 with the MFA Gender Advisor and her assistant, to share the preliminary results of the research, as discussed in the joint analysis workshop mentioned above.

The basis of the analysis of the data collected was the theoretical framework described in 2.1 below. A SWOL analysis was done for the Finnish development cooperation in Kenya and Nepal.

One of the main limitations, and at the same time a finding was that the donor community was quite inaccessible in both Kenya and Nepal, particularly for the local researchers. This negatively affected our work, particularly in Nepal. In Kenya it was possible to have access with the assistance of the Finnish Embassy. In Nepal, the research team made an effort at direct access, but it was not possible to conduct interviews with all the relevant stakeholders. Similarly, there were difficulties in accessing the Government officials in both countries.

This report comprises eight Chapters. Following the Introduction in Chapter One, Chapter Two presents the theoretical and contextual framework for the study, including definitions of the concepts of traditional and non-traditional security, and the policy and operational framework for Finnish development cooperation and implementation of Resolution 1325. Chapter Three is primarily a review of donor, national and regional experiences related to implementation of UNSC Resolution 1325. Chapters Four and Five summarise the main findings related to Resolution 1325 implementation in the case study countries: what are the needs and how are governments and donors responding to the challenge. Based on the desk review and the findings in the case study countries, Chapter Five also reviews the specific research themes of IDPs, environment and gender justice, the role of men, partnerships and networks, and monitoring and measuring the progress of implementation. Chapter Six presents a review of what Finland is already implementing as part of development cooperation that contributes or can contribute to the implementation of Resolution 1325, and what are the elements which could potentially hinder achieving the objectives in the Finnish NAP. Chapter Seven summarises the results of the desk review and case studies and comes to some conclusions; this is followed by Chapter Eight which presents recommendations for the Ministry for Foreign Affairs of Finland for improved implementation of the UNSCR 1325 as part of its development cooperation. Summaries of the case studies in Kenya, Nepal and Northeast India are published separately from this report.

2 THEORETICAL AND CONTEXTUAL FRAMEWORK

2.1 Traditional and non-traditional security

UN Security Council Resolution 1325 concerns women, peace and security. This study falls within the genre of what is currently known as non-traditional security. Traditionally, security has been defined as security of the State. Dominant theories of International Relations have relied on concepts such as balance of power between nations, national security, and realism. The ascendancy of the Realist School in International Relations placed the state in the centre of the security discourse. All of these theories are based on actions of the state in international arena. Since states were meant to survive and enhance their power in a conflict ridden international system, military security became of paramount importance in security studies. By and large, these theories justify hegemonic policies of large states that are predicated on their own national interest and achieved through militarisation. This justified heavy investment in the armed forces. The need to maintain territorial integrity against external attack and internal disturbances imbued military security with greater relevance. The military was not only meant to be large, but also effective, well trained and increasingly well equipped. While the military is designed to protect a country's borders from outside influence or powers, it should be noted that they also have a strong domestic role in fighting internal strife. Often, any protest became interpreted by the states as militancy against the state. This led to the military that was meant to be used for dealing with an outside enemy coming to be used more and more against the state's own, recalcitrant citizens. National security became synonymous with military security and the nation's ability to defend its borders.

Borders became markers of control. By trying to secure the borders, the states became involved in inexorably hardening the borders or their markers. Such a politics then inevitably led to an increase in the extent of control of borders and areas around borders; and since control is denoted by control of bodies, more and more groups living in the borders or crossing them became marked as recalcitrant, hence necessitating greater control. Violence thereby became a way of life. Sometimes sub-nationalists/rebels are at the receiving end of this violence; and at other times it is migrants or women. The more groups are perceived of as uncontrollable, the more there are efforts to control them. Any challenge to this control immediately brings forth violent reprisals from the state elites. National security is thus deemed to require the utilisation of coercive force to ensure the integrity of the state. Such a stance leads to the vicious cycle of violence continuing, and national security

increasingly becoming the harbinger of conflict.

In the international arena, there were a few countries that could pursue their individual interests without support from the others. These countries used the trope of national security to further their own individual ends. There were others, however, who knew that without support they could go nowhere, so they sought security within a regional system. It soon became recognised that national security could result in a competitive impulse, but regional security might mitigate this. Regional security was meant to build on mutual understandings and respect for each others' coexistence. Nevertheless, in the period of the Cold War these regional configurations began to be used as pawns by the two super powers; and so regional security also became associated with military security, evinced in regional military organisations such as NATO, SEATO, and CENTO, or the WARSAW PACT. Although the developing world cried themselves hoarse that such a policy might be ruinous for future generations, the two super powers vigorously continued their own programmes of militarisation and nuclearisation in the name of security.

The paradigmatic shift came with the end of the Cold War. It soon began to be recognised that threats to national security were increasingly coming from non-military sources, and that the military is powerless in mitigating them. This gave rise to the field of *non-traditional* security. The concerns of non-traditional security are however the most traditional of all concerns, as they deal with land, water, forests, food, the environment and so on. People are fast recognising that the greatest threat that humankind faces today is coming from struggles over resources. This threat is deeply embedded in the question of security, and within the pursuit of other kinds of security: food security, energy security and environmental security. Overpopulation, depletion of resources, forced migration and its concomitant hazards and mobile diseases such as SARS and HIV are challenging as never before the nation-states efficacy to rule. Even in the early 1980s, there were groups that noticed this emerging phenomenon. The Brandt Report had commented that “an important task of constructive international policy will have to consist in providing a new, more comprehensive understanding of security which would be less restricted to the purely military aspects” (Brandt Report, 1980). By the 1990s there was a growing recognition that by equating military security with national security, the states had erred.

By equating national security with military security, the states have overlooked one major stakeholder group in security: the people. This realisation gives rise to theories of security based on people's security rather than military or state security, because secure states do not necessarily mean the people are secure. Security of the people or individuals is not dependent on the security of the state alone: there are other pillars of security. Proponents of *human security* argue that the threat

agenda should include hunger, disease, natural disasters, and threats to people's empowerment, because these are of far more consequence to individuals than war or terrorism. In this setting one can remember Mahbub-ul-Haq and his theoretical framework for advancing theories of human security. He was also one of the guiding spirits behind the construction of the now widely accepted method of measuring human security, the Human Development Index (UNDP, Human Development Report, 1994). The bedrock of human security rests on human rights that were enshrined in the Preamble to the Universal Declaration of Human Rights (1948), reaffirming fundamental human rights, human dignity, and the worth of human persons.

The concept of human security is especially relevant for the developing world, as they are still grappling with issues that the developed world has long since dealt with. The developing world has arrived at post colonialism without completing the process of decolonisation. Moreover, developing countries today also face various challenges related to the seemingly irresistible move towards economic globalisation and liberalism. Bearing in mind differences between developing countries, their national security policies are typically not moving towards harnessing human development. Rather, most countries have entered a fresh phase of militarisation after the Cold War. Even now the ruling elites give primacy to military security and territorial concerns, leading to the exclusion of human security in policy making. Hence these regions are facing growing transnational and sub-national challenges to authority. Instead of addressing the root causes of such challenges from within, these states are increasingly favouring military solutions and raising the level of violence in the region, much to the dismay of people living in these states. The three countries that this study deals with are all challenged by such processes. In Kenya and Nepal, there is a crisis of leadership; and the political elites are increasingly using violence to silence the people. In Northeast, India violence has been a way of life for over fifty years. Some of the worst sufferers from this violence are women. However, the dominant metanarratives of security hardly make space for women's insecurities.

The role of the state in moments of conflict is at the centre of the conventional agenda of security studies. We hope to remove that centre and bring discourses on women's role in conflict situations to replace it in our discussions. We recognise that women are both agents and victims in conflict. We intend to problematise their role, and look to see how they are recruited and deployed as either the agents of the state or its rebels, and become harbingers of violence and/or of peace. In addition to the politics of recruitment and deployment, we also investigate the root causes of vulnerabilities faced by these women caught up in conflict, and try to privilege their own voices. We further assess their roles in peacemaking and con-

flict resolution, which is often the most understudied aspect of security. At the core of our understanding is that, unless women’s security is addressed, the political agenda for peace cannot be sustainable. We therefore intend to read the metanarratives of security while trying to address the core issue of women’s insecurity and how women address those insecurities.

It has to be recognised that women in the developing world live with multiple insecurities. In most of the developing world, there is a resource crunch; and poor women are the most impoverished of all groups. To add to their vulnerabilities, they also live under strong patriarchal forces in the countries that we have studied; and these patriarchal forces deny not just social rights to women, but also political rights. Women often find it difficult to challenge their own patriarchies, because they are constantly forced into and kept within limited niches in their communities. The world that they live in is torn apart by a multiplicity of caste, ethnicities, groups, tribes and religions, all competing for paltry resources, and fighting against each other. In Kenya, there is high potential that elections lead to a bloodbath, as those who win are expected to and will control all resources, which again leads to the impoverishment of others, those who lose, and the conflict again leads to calls for new elections. In Nepal, even the monarchy pitted itself against the people in order to harness power. In Northeast India there is a history of Indian colonialism over local populations who are becoming particularly important because of India’s “Look East” policy today: this has resulted in a plethora of conflicts, leading to enormous violence in the society.

Despite the everyday violence women face, we have nonetheless seen in Nepal and Northeast India that women’s activism against violence has created more space not only for themselves, but also for other civil society groups and for democracy. Such activism does not mean that women’s politics is in opposition to parliamentary politics and against questions of representations. Their agenda is different. They feel that for any substantial changes to take place in women’s lives, women need to concentrate on a politics for justice, rather than on parliamentary politics of representation. By focussing on justice, they have expanded the scope of both civil society movements and women’s movements.

Most of the women’s groups’ have adopted non-traditional security approaches as ways to contain and prevent conflict. This illustrates how non-traditional security approaches encourage women to participate in a dialogic process, which calls for further investigation of avenues available to women within the non-traditional security paradigm, beyond the basic right to livelihood, which would ensure the protection and promotion of the human rights of women in protracted conflict situations. Getting into this dialogic process is not easy. Women have employed many means so that they can be heard. They have resorted to the traditional spaces of

"motherhood" to transform themselves into political agents of peace among their communities, through reconstituting themselves on ethnic lines. These women activists have emerged as the women's voices of their respective communities and have tried to contain the violence from inside and outside the community. Despite this role transformation, and continuous exchanges between the public and private domains, there is still indecision on the course of action to be taken by women when engaging with democratic politics. Women in developing countries are increasingly interested in the potential of representational politics and are tentatively engaging in it. The fact that Nepal's Constituent Assembly is one-third women, is a case in point. In this study, we have repeatedly asked women if they consider that their participation in democratic politics will bring about a change in their respective societies. Their answers will be revealed in the pages below, as the situation is too complex to summarise here.

Our strategy in this study is to read metanarratives of security from a non-traditional point of view, to locate women's voices within them. By reading metanarratives of security in this way, we intend to portray how a reading of issues from women's point of view throws up alternative scenarios. Such a reading also reveals how conflicts, wars, and human wants and passions contain both traditional and non-traditional challenges. Similarly, it shows that even within the traditional issues, non-traditional concerns, anxieties, and arguments still remain. What remains as *non-traditional* is only labelled non-traditional because these issues have escaped the eyes of those who govern our lives through excluding all other issues than those that fit their vision. The exponents of traditional security created the category of non-traditional security because issues of human concern had been removed from view in the discourse of security. We hope to bring non-traditional back into sight, and place them in the centre of discourses on security, particularly the security of individual human beings during conflicts, by taking women, along with their marginalization, and their politics, as our focal point. Resolution 1325 provides us with an opportunity to listen to these feminine voices and concerns. Moreover, it serves as a platform for the analysis of gendered practices and for the broader exploration of gender in questions of peace and security.

2.2 Framework for the present study of UNSC Resolution 1325 within the Finnish development cooperation context

The general framework for our research comprises three key documents: 1) United Nations Security Council (UNSC) Resolution 1325 on Women, Peace and Security (2000); 2) Finland's current Development Policy "Towards a sustainable and just

world community” adopted in 2007; and 3) Finland’s own National Action Plan (2008–2011) for implementing Resolution 1325 in the Finnish context. This aim of the present study is to contribute to better implementation of Resolution 1325 within the Finnish Development Policy by making recommendations to the Ministry for Foreign Affairs of Finland (MFA).

Resolution 1325 was passed on 31 October 2000. The Resolution acknowledges the disproportionate negative effects of war and conflict on women, while also recognising the influence women can and must have in the prevention and resolution of conflict as well as in peace and reconstruction processes. The main goals of the Resolution are to enhance women’s role and decision-making capacities with regard to conflict prevention and resolution, and peacebuilding, and to significantly improve factors that directly affect women’s security.

Resolution 1325 emphasises:

- Participation of women in peace processes, and especially the important role of women in the prevention, resolution and management of conflicts.
- Promotion of women’s human rights.
- Protection of women in war and peace.

Resolution 1325 also recalls the commitments of the Beijing Declaration and Platform of Action (A/52/231), as well as those discussed in the Special Session of the UN entitled “Women 2000: Gender Equality, Development and Peace for the Twenty-First Century” (A/S-23/10/Rev.1) on the topic of women and armed conflict. All of these stress the importance of women’s equal participation and full involvement in all efforts for the maintenance of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution. Resolution 1325 further recognises that an understanding of the impact of armed conflict on women and girls is needed, and that effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security.

Resolution 1325 places particular emphasis on women and children as IDPs and as targets of combatants and armed elements, and recognises the impact this has on durable peace and reconciliation. The importance of consolidating data on the impact of the armed conflict on women and girls is noted.

As a result, the member states of the United Nations are urged in Resolution 1325 to:

- Ensure increased representation of women at all decision-making levels in

national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict;

- Increase their voluntary financial, technical and logistical support for gender-sensitive training efforts, including those undertaken by relevant funds and programmes (e.g. UNIFEM; UNICEF; OHCR).

Resolution 1325 also:

- Calls upon all parties of armed conflict to fully respect international law applicable to the rights and protection of women and girls¹, especially as civilians.
- Calls all parties to take measures to protect women and girls from gender-based violence, particularly rape and other forms of violence in situations of armed conflict.
- Emphasises the responsibility of all States to put an end to impunity and to prosecute those responsible for war crimes including those relating to sexual violence against women and girls and even stresses the need to exclude these crimes from amnesty provisions.

In recent years, the UN Security Council has adopted three other Resolutions related to women, peace and security. In June 2008, it adopted UNSC Resolution 1820 which calls for an end to sexual violence in conflict. In September 2009, it adopted Resolution 1888 which aims at strengthening tools for implementing the Resolution 1820, and in October 2009, Resolution 1889 which reiterates the call for participation of women in peacebuilding. In discussions among women’s NGOs and experts, the general reaction to this sudden abundance of Resolutions on the same issues is understandably one of confusion. While Resolutions 1325 and 1820 are clearly mutually reinforcing and necessary, the relevance of the two latter Resolutions is not clear. There are some fears that the new Resolutions will confuse processes at the national level. Given the multiple numbers of new UNSC Resolutions related to women and conflict at the international policy level (1325; 1860; 1888; 1889), coordination between different actors and different Resolutions becomes even more crucial than when the only framework was Resolution 1325. This study focuses on Resolution 1325.

Finland’s National Action Plan (FNAP) 2008–2011 “Women, Peace and Security” is the *modus operandi* for implementation of Resolution 1325 in Finnish Development Policy. Finland started to prepare its NAP in Spring 2007. An inclusive Working Group comprising representatives from different ministries, the Resolution 1325 NGO

¹ Geneva Conventions (1949) and the Additional Protocols (1977); Refugee Convention (1951) and related Protocol (1967); Convention on Elimination of All Forms of Discrimination against Women (1979) and Optional Protocol (1999), and the UN Convention of the Rights of the Child (1989) and the two Optional Protocols (2000). The relevant provisions of the Rome Statute and other documents and decisions from the International Criminal Court should also be borne in mind.

Network, and individual researchers was set up to lead the participatory process. Preparation of the NAP was coordinated with simultaneous preparation of the Government Reports on Security and Defence, and on Human Rights Policy, which were taken into account. The NAP also supports the Finnish Government Action Plan on Gender Equality (2008–2011) which has as its objective to mainstream the gender perspective into all decision-making. The preparation process itself was considered as an important outcome because of the cooperation amongst different actors.

The FNAP emphasises i) respect, protection and implementation of women’s rights as part of conflict resolution; ii) education of women and girls; iii) mainstreaming gender in strategy and policy preparation (gender-related impacts, needs and opportunities); iv) women’s participation as a norm in prevention and resolution of conflicts at all levels, and in both formal and informal forums; v) ensuring that women and girls are considered as actors in economic and political development in a post-conflict society; vi) prevention of insecurity e.g. violence against women (VAW) and trafficking; vii) promotion of sexual and reproductive health of women and girls; and viii) abolition of impunity, specifically impunity for crimes against women and girls.

The FNAP has three different sections: I) Conflict Prevention, Peace Negotiation and Peacebuilding; II) Crisis Management; and III) Strengthening, Protecting and Safeguarding the Human Rights of Women and Girls. The present study is linked only to aspects of development cooperation and accordingly does not consider issues linked with crisis management.

The objectives of the FNAP given in Section I) Conflict Prevention, Peace Negotiation and Peacebuilding emphasise: i) Finland’s role in advocating implementation of Resolution 1325; ii) producing and publishing information on women’s role and decision-making power in crisis management organisations, as well as information on gender-related conflict impacts and on gender roles in peace processes and conflict resolution, In addition, Section I of the FNAP also emphasises iii) gender-based impacts of climate change (women’s role in management of natural resources; land ownership; creating sources of livelihoods).

Strengthening of the human rights of women and girls, the fight against impunity, prevention of trafficking in human beings and (Sexual) Gender Based Violence (S)GBV) against women, and support to the victims of these crimes, are the key elements of Section III) Strengthening, Protecting and Safeguarding the Human Rights of Women and Girls.

A Working Group comprising representatives of different ministries, NGOs, and researchers has been appointed to monitor the implementation of the FNAP.

The current Finnish Development Policy (FDP) “*Towards a sustainable and just world community*” was adopted in 2007. It contributes to the global effort to eradi-

cate poverty through three pillars: *i) economically; ii) socially and iii) ecologically sustainable development.*

FDP recognises that new and growing development challenges have emerged, and stresses the significance of *climate change and environmental issues, crisis prevention, and support for peace processes.* It emphasises that eradicating poverty is possible only if progress made in developing countries is economically, socially and ecologically sustainable. Sustainability requires that social conditions must be stable. This in turn requires peace and security, well functioning democratic governance, respect for human rights, inclusive social and cultural development, and action to fight corruption. FDP states that favourable economic development is the best tool for eradicating poverty.

It is noted in FDP that states have responsibilities and commitments towards their own citizens, the environment and other countries. The international fulfilment of these commitments creates the basis for common security and development. *“Progress towards democracy and the rule of law and the consolidation of human rights and a functioning civil society is a precondition for economically, ecologically and socially sustainable development.”* Interventions regarding environment, energy, forests, agriculture, water, regional approach in interventions, trade, and the information society are explicitly mentioned in the policy paper for FDP as examples of development cooperation promoting sustainable development.

The cross-cutting themes in the 2007 policy that are supported throughout all Finnish development policy are:

- *Promotion of the rights and the status of women and girls, and promotion of gender and social equality;*
- Promotion of the rights of groups that are easily excluded, particularly children, people with disabilities, indigenous people and ethnic minorities; and the promotion of equal opportunities for participation;
- Combating HIV/AIDS; HIV/AIDS as a health problem and as a social problem.

Promotion of equality, including gender equality, and women’s and girls’ rights is thereby explicitly mentioned in the FDP. Development policy in Finland is also based on a wider concept of security in which human rights, democracy and security are interlinked. These inter-linkages are emphasised, especially those with the management of natural and other resources, as well as implied links to climate change, which may be a potential cause of conflict. The FDP states that promoting social equality and women’s rights and entrepreneurship is of vital importance for the well-being of all citizens, and a stronger democracy in developing countries.

The structure of Finland’s development cooperation comprises multilateral coop-

eration, the EU, bilateral cooperation, NGOs (Finnish and local), and humanitarian assistance (INGOs). The present study looks at how different modalities and levels of development cooperation can be best used as a tool for implementation of Resolution 1325. The focus, however, is on the local level processes: how best can women’s voices from ‘below’ be heard. In-depth assessment of Finland’s multilateral and EU assistance is beyond the scope of this study. The forms of assistance are considered as providing opportunities for Finland’s advocacy work, and some of their practises have been referred to here when relevant, particularly in a specific country context.

3 EXPERIENCES WITH IMPLEMENTING UNSC RESOLUTION 1325: RELATED ACTIVITIES AND NATIONAL ACTION PLANS IN OTHER COUNTRIES

3.1 Focus of UNSC Resolution 1325 implementation

This section of the present study is an analysis of previous and current experiences of others in implementing Resolution 1325. The analysis of selected reporting by UN agencies, bilateral donors, NGOs etc. indicates that the emphasis in UNSC Resolution 1325 implementation has been mainly on participation of women, and on protection of women and girls in conflict and humanitarian crisis (experiences of Finland and other donors). The focus on protection has often been small scale, taking place mainly through civil society actors. The least focus, and very little practical work, have been undertaken on the prevention of conflicts, i.e. addressing the core problems and potential causes of conflict (for example, questions of land ownership and the situation of IDPs).

Of the three P's in the Resolution 1325, the one that has gotten most attention is *participation*. There are now several examples of how to improve women's political and electoral participation, particularly in post-conflict societies. Most programme activities aim at increasing participation of women at the national level, however. In some cases, this could be a hindering factor, since much of the attention is on political and electoral participation, not on ensuring that women in rural areas or poor women in urban areas, including women in the local governance structures, are able to act as agents of change and in prevention of the conflicts. Accordingly, many reports recommend increasing support to women's political participation and participation in peacebuilding at local levels.

In the international and national discussions related to Resolution 1325, women are still often perceived and presented as a homogenous group, although researchers have emphasised for decades that any analysis of the position of women or men has to take into account other hierarchical attributes such as class, race, ethnicity, and age. For example, in discussions on how to promote women's political participation, little focus is on the differences among women (based on class, caste, ethnicity, etc.) and different restrictions on participation of women in different groups (or men, for that matter).

As regards *protection* of women and girls, there is heightened interest in the question of sexual and gender-based violence. This can generally be perceived as a very positive thing, since it is only ten years ago that there was almost total silence on these questions. Now, multiple projects and programmes exist throughout the

world, both on developing referral systems for victims of sexual violence to provide diverse support to victims, and, increasingly, to prevent sexual violence. Most focus is on sexual violence against women and girls, while the recognition of men and boys as victims of sexual violence has usually not led to concrete activities or project. Despite the increased support on protection of women and girls, projects tend to be scattered, small in budgets, short-term, and often carried out by CSOs which mainly rely on donor funding, a factor that might hamper sustainability. In Sierra Leone, however, during and after the conflict SGBV was identified as one of the biggest obstacles to peace by the Truth Commission. As a result, UNDP's current Access to Justice Programme includes heavy emphasis on access to justice, especially for women in SGBV cases.

The third P – *prevention* of conflicts – has received the least attention. Surprisingly little information exists on, for example, developing of early-warning mechanisms, or on gendered roles of women and men in the prevention of a potential conflict. Often, when international organisations and CSOs from different countries discuss prevention, they refer to prevention of sexual violence, rather than prevention of conflicts. Within the context of prevention, one of our interests here has been to understand how issues that cause and maintain conflicts (such as disputes over land-use, the existence of IDPs, environmental degradation as a cause of conflict, and so on) are being addressed by different actors. It appears that there is very little contextualised data available on gender in relation to environment and conflicts, natural resources, land-use, and/or IDPs. Yet, there is recognition that these are issues which, when unsolved, have major implications for future peace and security.

Over the last few years, a fourth P – *prosecution* – is increasingly mentioned in the expert discussions related to Resolution 1325. This stems particularly from the heightened attention to sexual and gender-based violence in Resolutions 1820, 1888, and 1889 (Barr 2009, 3), and to the call to end impunity in this regard.

According to the UNFPA, more than 50 countries are undertaking programmes related to Resolution 1325 even if all these countries do not have National Action Plans for implementation. Most of the interventions in developing countries are carried out by local NGOs and multilateral or bilateral donor agencies. There is little information on the role of the national, and particularly regional or local governments of developing countries in the implementation of Resolution 1325. This may reflect the fact that very few governmental programmes focus explicitly on Resolution 1325. Yet, activities related to, for example, gender and the security sector exist, even if they are not seen or reported as explicitly part of the Resolution 1325 framework. This may also reflect the severe lack of monitoring of activities, or lack of reporting, regarding implementation of other government policies.

It is our finding that local governments (national, regional, local) and sectoral ministries are easily bypassed in discussions of international organisations and CSOs on partnerships for the implementation of Resolution 1325. Their unintentional (or intentional?) exclusion from the discussions, information sharing, activities, etc. on Resolution 1325 at different levels of governance, may undermine their efforts in, for example, health and security. Concentration on NGOs and CSOs as the main partners by donors does not strengthen the governments' capacities, and may weaken the national ownership of projects and programmes, and thus the potential for wider impact and sustainability of the activities. For example, the UNIFEM project on governance and gender in East Africa, whilst it includes many forward-looking and innovative elements, almost totally (and somewhat ironically) bypasses the need to strengthen governmental actors involved in these issues. This is an example of a *bad practice*.

CSOs directly involved in the implementation of UNSCR 1325 are mostly women's NGOs. It should also be noted that, even if there is cooperation among women's NGOs, there is often not much cooperation between them and other CSOs such as women's economic cooperatives or labour movements, which would be crucial for long-term impact. As other studies have shown (e.g. Beetham and Popovic 2009, 19), many of these NGOs mainly work in the country capitals, and do not have a large constituency.

The long-term impact of the CSO interventions may be negated because of fragmented interventions and unsecured funding, despite their often significant contributions to direct or indirect implementation of Resolution 1325. In general, the overall stagnant nature of civil society in post-conflict contexts, which can be partly attributed to under-funding, fragmentation, or lack of trust or cooperation, may pose challenges for the work of CSOs, and for working with them. More cooperation is needed between women's NGOs and other civil society organisations, for example, youth and student organisations, labour movements, etc. The support of donors, particularly the UN, to governments is also not necessarily sufficient.

Different CSOs in the South, including women's organisations, call attention to economic vulnerability and empowerment aspects in relation to implementation of Resolution 1325. Empowerment, especially economic empowerment, is often mentioned as a crucial area for and by the women in conflict countries for improving their status and enabling participation, yet, relatively little is being done. For example, the evaluation of the Dutch NAP pays little attention to questions of economic empowerment. This might reflect the fact that partners CSOs working directly on Resolution 1325 in developing countries have few programme or operational activities related to economic empowerment.

3.2 Multilateral donors, including NGOs, and the implementation of UNSC Resolution 1325

At the strategic level, the key document for accessing information on the implementation of UNSC Resolution 1325 is the Annual Report to the UNSC on its implementation. The most recent Report (16.9.2009) is, however, of rather poor quality: it gives only patchy information on activities undertaken by some Member States and some UN agencies, includes very limited budget information and practically no sex-disaggregated data. However, it does list and briefly discuss some of the recent UN agency activities that are directly linked to implementation of Resolution 1325. The following activities related to reporting and monitoring of Resolution 1325 should be noted and followed up: i) INSTRAW, in collaboration with International Alert and the Office of the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women (OSAGI) began preparation of *a publication on National Action Plan implementation (see next section)*; ii) UNFPA/UNIFEM/OSAGI: national capacity building for developing *national, regional and global sets of indicators for monitoring the implementation of UNSC Resolution 1325 (see next section)*; iii) *appointment of full-time senior UNSC Resolution 1325 advisors in 10 countries one of them being Nepal*; iv) two joint programmes, also being implemented in Nepal (UNICEF; UNIFEM; UNFPA; WHO), one addressing GBV at the district level (UN Trust Fund in Support to Eliminate VAW, which is a Fund also supported by Finland) and reproductive health and psychosocial counselling for women and girls (UN Trust Fund for Human Security).

INSTRAW has a central role in collecting and sharing information on UNSC Resolution 1325, as well as incapacity development for the same activities, through its ‘Gender, Peace and Security Programme’. As INSTRAW’s funding is based on voluntary contributions of the Member States, it currently suffers from a lack of core funding. Finland does not at present provide financial support for INSTRAW. INSTRAW, together with, for example, International Alert, has produced a number of policy studies on the implementation of Resolution 1325, which would provide a good starting point for consultants, consultancy companies and NGOs working within Finnish development cooperation. Much of this information is very relevant for the implementation of the Finnish NAP. This material should be studied by everyone involved in implementing Resolution 1325, especially, by the desk officers in MFA, the consultancy companies involved in planning of bilateral programmes in Finland’s partner countries, and Finnish NGOs implementing programmes in similar settings.

UNIFEM’s support to implementation of UNSC Resolution 1325 is mainly related to strategic policy-level activities and to supporting women’s political participa-

tion, and promotion of gender equality in governance in post-conflict countries. In one of its regional programmes to promote political participation by women in Africa, the main findings (see UNIFEM 2006) included: i) When strategic support is provided, *the post-conflict transitional period can serve as a window of opportunity to advance women’s position*; ii) Some of the post-conflict countries in Africa have record numbers of women in political decision-making (e.g. Burundi, Mozambique, Rwanda): the window of opportunity has been well utilised through the provision of specific mechanisms established in the transitional period (e.g., *quotas, reserved seats, political party mandates, indirect elections*); iii) Women face specific obstacles in participation related to *male-centred political structures, risks to their security and their household work and care responsibilities*; iv) Women’s representation is *strongest in countries where women forged a strong presence from the very beginning of the reconstruction process*; v) Areas of post-conflict participation where gender perspective is particularly weak (or absent) are *support for women in local governance, transparency and anti-corruption campaigns, the elections process (especially monitoring), and political party and media outreach*; vi) Despite diversity and differences, *women have been able to forge and present a unified agenda (even if it is temporary) when sufficient space, time, training, and other assistance is provided* (e.g. in Uganda the women’s parliamentary caucus succeeded in lobbying for increased budget allocations for nutrition and childhood development; in Somalia women leaders agreed to break with respective clan leadership and began to lobby for a women’s agenda as a single bloc (“the sixth clan”) and managed to have a women’s quota in the National Charter); vii) In formal peace negotiations and post-conflict governance more generally, however, women’s participations remains “an afterthought”; viii) Having some individual women in leadership positions is not a guarantee of a greater gender awareness; and ix) *Continuous capacity development and gender sensitisation* are necessary *for both men and women* elected and appointed to such positions.

The same study outlines the following as the ‘best practises’ to be considered in all development programmes:

- i) Early interventions to enhance women’s role in the peace process have proved important and effective, but must be sustained through strategic, targeted engagement in order to secure long-term gains: *support for women to develop a common agenda; mediating and communicating their agendas to the facilitators and negotiating parties; and providing relevant training.*
- ii) Flexible and creative efforts are required to address the gender-related obstacles facing women as they seek to engage in post-conflict governance processes: *provide support for transport; childcare; supplemental income; innovative radio programmes to connect women and men (Somalia) and to address*

literacy constraints.

- iii) Beyond the challenge of bringing a greater number of women to the peace table and into leadership positions, *it is critical to build the capacity of post-conflict governance institutions to promote gender equality, including: capacity development for male leaders; creating champions of gender equality; and shifting focus to provincial and local levels since they are the areas where the actual reconciliation takes place, i.e. take a multi-level approach.*
- iv) There are several areas in post-conflict governance programmes where support for women and the inclusion of a gender perspective are weak or non-existent: *women's participation in local governance; transparency and anti-corruption; internal democratisation within political parties; better reporting by media.*

The study concludes that in concrete terms the strategies for promoting gender-sensitive good governance should include: i) Capacity development of women in leadership positions (*thematic training including 'hard' issues such as finance; gender budgeting; gender-sensitive legislation; cross-party caucuses to promote networking; forums for parliamentarians and decision-makers from other countries, etc.-*); and ii) Gender-sensitive governance policy and practises (*institutional transformation, particularly the justice system; encompass the needs and experiences of women in definitions of governance; gender training for all; utilise the media, etc.*).

The experiences of the Great Lakes' reconciliation process (Rwanda, Burundi, DRC) provide useful insight to what has worked and what not in the implementation of Resolution 1325. One recent study (Stensrud and Husby, 2005)² looked at how Resolution 1325 can and has been turned from rhetoric to practise. Its general findings indicate, for example, that existence of strong national networks and women politicians forms the structure for women's political influence. Local level organisations need to have a voice in these networks, which first requires *organisational training for CSOs in leadership* to help their voices to be heard. The recommendations made in this Report on the Great Lakes reconciliation process include the following: i) international actors should spend more time to ensure inclusion of CSOs in programme planning; ii) ethnicity should be addressed and dialogue on ethnicity should be encouraged; iii) newly elected parliamentarians should be trained in policy instruments (including Resolution 1325); iv) SGBV needs to be stopped immediately; v) strengthen government focus on gender equality; vi) assist women and men from all sides of the conflict in dealing with gender issues; vii) address representation of leading networks; and viii) strengthen recruitment of female judges and work with the justice system.

² Resolution 1325: From rhetoric to practise. A Report on women's role in reconciliation process in the Great Lakes in Africa, Ellen Stensrud and Gorill Husby, Care Norway and International Peace Research Institute, 2005.

UNIFEM has also conducted a review of community-based approaches in conflict affected contexts (UNIFEM, October 2007)³. The review concludes that women’s ability to effectively influence peacebuilding processes is often compromised by the threat, or the actual experience, of SGBV, which commonly escalates during and after armed conflicts. It is argued that for this reason Resolution 1325 cannot be fully and effectively implemented without attention and action at the community level. This review is one of very few which makes a point of comprehensively focussing on community level experiences in implementing Resolution 1325, combining experiences from various countries and continents. It lists the following as successful approaches for peacebuilding and conflict resolution: i) coalition building; ii) promoting the use of digital technologies (information exchange and awareness raising) ; iii) combining traditional and modern conflict resolution approaches; and iv) women’s participation in local decision-making processes.

The UNIFEM Review also presents as successful community-based interventions: i) Creation of new “social contracts” by women; ii) Increasing access to justice (gender-sensitising traditional justice mechanisms; providing community-based legal support; working with the police); iii) Improving access to support services (physical and psychological health; legal rights; capacity to earn income); iv) Awareness raising and attitudinal change (lack of access to information; entrenched social attitudes and unawareness of the gender dimensions of conflict, women’s rights, etc.); v) Conflict monitoring systems (inequality in gender relations as warning signs; women’s perceptions of changes in community relations, flow of arms and disaffected youth); and vi) Making communities safer (physical environment).

Again, it is strongly emphasised that community-based approaches cannot be isolated from national and international efforts to implement Resolution 1325. It is argued that national and international mechanisms are needed to ensure accountability for implementing Resolution 1325 and reinforcing the impact of community-level work. The UNIFEM Review particularly raised the need for overall monitoring and reporting systems. In our understanding, evidently underlines the crucial role of the governments in implementation of Resolution 1325.

EU Guidelines on violence against women and girls

The EU Guidelines on ‘Violence Against Women and Girls and Combating All Forms of Discrimination against Them’ are “a mark of the EU’s clear political will to treat the subject of women’s rights as a priority and to take long-term action in that field.” By focusing particularly on the issue of violence, the EU is expected to take

³ Based on experiences from Afghanistan, Haiti, Liberia, Rwanda, Timor-Leste and Uganda with the purpose of improving UNIFEM’s programme “Supporting Women’s Engagement in Peacebuilding and Preventing Sexual Violence in Conflict: Community-Led Approaches”

action against one of the major human rights violations of today's world as stated in these EU Guidelines. The EU Guidelines complement other interventions in the area⁴. More importantly, the EU Guidelines have a direct link to UNSC Resolutions 1325 and 1820, as well as Resolution 2005/2215 of the European Parliament on the situation of women in armed conflicts and their role in the reconstruction and the democratic process in countries after the conflict. According to the EU Guidelines, one of the purposes is to encourage the implementation of a greater number of specific projects aimed at women and girls, financed by the European Instrument for Democracy and Human Rights.

At the operational level, the objectives are: i) to promote gender equality and combat discrimination against women; ii) collect of data and develop indicators regarding VAW; iii) devise effective, coordinated strategies; and iv) combat the impunity of perpetrators of VAW and provide access to justice for victims. General approaches include inclusion of issues related to e.g. CEDAW ratification as well as regional instruments; dialogue with women's rights defenders and women's organisations; and strengthening their involvement in developing, implementing and evaluating public policies. Regarding bi- and multilateral programmes, the support channel foreseen in the Guidelines is the support to the civil society in particular. This includes redress, rehabilitation and access to care; prevention of violence; and strengthening capacities.

As prevention aspects have been less emphasised, it is important for our research to have a closer look of what prevention in this case implies. Prevention in this context includes support to actions taken to combat impunity with regard to VAW/G; education in fundamental rights and empowerment of women and girls; gender equality campaigns focusing on gender stereotyping; programmes aimed at improving the economic independence of women; training of the executive arm of the judiciary i.e. police officers and judicial personnel to raise gender awareness. These are also confirmed as key issues by our research, however these should not be seen only in terms of support to the CSOs, but also through cooperation with the governments.

The EU Guidelines combine elements of several UN documents, including the Universal Declaration of Human Rights, CEDAW (1979), Declaration on the Elimination of Violence against Women (1994), The Beijing Platform of Action (1995), UNSC Resolutions 1325 (2000) and 1820 (2008), with EU Resolution 2005/2215 on the situation of women in armed conflicts (2005). The Guidelines incorporates into the EU framework the UN obligations as well as those defined in the EU *Roadmap for Equality in between Men and Women, the EU communication from the Com-*

⁴ UN Secretary General's in-depth study on all forms of violence against women (2006) and work on indicators on violence carried out by the UN Special Rapporteur on Violence Against Women (2008).

mission of the European Communities entitled "Gender Equality and Women Empowerment in Development Cooperation" (52007DC0100 2007) and other human rights guidelines adopted under the Common Security Policy of the EU.

UNFPA is also involved in the implementation of Resolution 1325 in many countries. Its mandate notwithstanding, many of the projects relate to prevention of sexual and gender-based violence. For example, in Kosovo, UNFPA provides psychosocial training support to the Ministry of Health and the Kosovo Women's Network. In Nepal, UNFPA is planning to develop a database and a system of analyses for data on gender-based violence. It has also conducted training for women Constituent Assembly members in Nepal on basic human rights, including a focus on Resolution 1325. The UNFPA's implementation report does not specify what the role of the national government was in these activities.

It is beyond the scope of this study to evaluate the work of UNIFEM, UNFPA or any other UN agency in more detail. However, in regard to UNIFEM's work on gender and governance, a major shortcoming seems to be that it is working mainly with CSOs and politicians even when one of its goals is to strengthen governance. Its work on the capacity development of civil society is important. Yet, our findings indicate that it is not sustainable to try to strengthen gender-sensitive governance in isolation from the actual decision-makers, the governments in developing countries. Changes within the governance systems need to take place from within, i.e. through capacity development of civil servants and decision-makers at different levels of governance. Where Finland supports such programmes, it should emphasise the involvement of government and civil servants at all levels.

There are also international NGOs whose work in relation to Resolution 1325 is substantial both in terms of scope and scale and in experiences gained. For example, the International Alert has worked on gender and conflict for ten years and has supported information sharing and case studies, especially in West Africa and the Great Lakes Region ("Gender and Peacebuilding in West Africa"; "Integrating Women's Priorities into Peacebuilding Processes: Experiences of monitoring and advocacy in Burundi and Sierra Leone"). The main findings of the latter project, in which International Alert facilitated information exchange for Burundian and Sierra Leonean civil society organisations, were that *security sector reforms in both these countries have by and large excluded civil society* and that *women's economic insecurity underlies a number of other forms of insecurity, vulnerability and discrimination*. This is very much in line with our findings here. Economic empowerment should be addressed by any effort or programme aiming to include women in peacebuilding processes. In addition, the need to increase *women's political participation both as an end itself and as a potential entry point for the promotion of gender-sensitive legislation and policies*, was emphasised (see International Alert, 2008, 4).

3.3 Regional actors and experiences

3.3.1 African Union (AU)

A new and interesting initiative by the African Union (AU) is the commissioning of the African Union Women’s Trust Fund feasibility study which will lead to the African Union Commission Gender Action Plan and the Roadmap for the African Women’s Decade: 2010–2020.

In setting up the Fund, the study proposes that the AU adopts a combination of endowment and programme approaches for sustainability. The Fund would serve the AU as an instrument for resource mobilisation, donor coordination in support of gender equality and women’s empowerment, and enhancing policy dialogue. It will be also a grant making facility providing support in the four identified priority areas. In this regard, the experts recommended the AU Commission as the best option for the management and delivery of the Fund, with flexibility to borrow from other options. They also recommended voluntary contribution and financial strategies to further strengthen the AU’s capacity to leverage more resources from diverse sources for consideration by the AU Ministers of Gender and Women’s Affairs, and then for approval and endorsement by the Executive Council. The meeting agreed to change the name of the fund to the “African Union Fund for Women”.

The “Roadmap for the African Women’s Decade: 2010–2020” aimed at advancing gender equality by accelerating implementation of the Dakar, Beijing and AU Assembly Decisions on Gender Equality and Women’s Empowerment (GEWE). The Roadmap will have three phases. Phase I would run through 2010–2014. The activities during this period would include: conducting a baseline survey on the status of women at the national level and the launch of the African Union Fund for Women at national level through the creation of a National Gender Equality Fund in each country in the AU. Phase I will focus on gender based corporate social responsibility to re-engineer the private sector to concentrate on issues that affect women and allocate resources to meet such needs.

Phase II will focus on the continuation of implementation of the Women’s Decade activities. The thematic identification and selection of themes to reflect the emerging issues, such as violence against women, climate change and collaboration with men on gender equality processes, will be crucial. A mid-term review of the Decade activities will be envisaged and indicators developed to measure progress. The third phase would be the final review and evaluation of the Decades’ programmes and output.

The AU Gender Action Plan (GAP) is aimed mainly at ensuring gender equality by creating and enabling a stable environment, aiding in writing legislation, and judging legal protection actions involving discrimination. AU experts recommend

reconciling past, present and future activities in order to make sure that all planned activities are actually achieved. Regarding mobilisation of stakeholders for implementing the AU Gender Policy, the feasibility study proposed including the use of faith based (religious) groups, Imams and other religious leaders, and the media to sensitise and transmit messages to women and the society at large: it was felt that this would aid in disseminating and monitoring the implementation of the Action Plan. It was further suggested that more emphasis should be put on grassroots stakeholders for better impact at the community level, hence the need to focus on bottom up rather than top down approaches. In terms of gender mainstreaming tools, the study urged the AU Commission to learn from Member States that had already developed these tools, and to use what already existed at the national level.

Within Africa, the AU's Solemn Declaration of Gender Equality (2004) commits Member States to gender equality. It also includes women's participation in all decision-making regarding peace and security, through appointments of women as special envoys and representatives. As a result, some Regional Economic Communities (RECs) have become engaged in activities related to peace and security, although the scope has been quite limited so far. For example, the Economic Community for West African States (ECOWAS) is committed to increasing the number of women in senior positions in its Conflict Prevention Framework, and together with Women's Peace Network (WIPNET) runs conflict prevention programmes through its Gender Division and Office for Political Affairs.

In theory, each REC has mechanisms for gender, peace and security. Common to these mechanisms is commitment to conflict prevention. In 2008 steps were being taken to operationalise a Continental Early Warning System (CEWS) as one of the pillars of the Peace and Security Council. ECOWAS and the eastern African region's Intergovernmental Authority on Development (IGAD) currently operate the most advanced systems for warning of potential conflicts in Africa (Ekiyor and Wanyeki, 2008).

IGAD's Conflict Early Warning Mechanisms (CEWARN) includes gender specific indicators to monitor particularly pastoral conflicts in the region, and there are plans to incorporate women into all stages of information collection, analysis and response. Progressive steps have also been taken to mainstream gender analysis into the Early Warning and Early Response framework, including preparation of a Gender and Early Warning Training Manual. However, engendering the process has been very slow (Ekiyor and Wanyeki, 2008).

Ideally, regional action plans and initiatives could play a complementary and mutually supportive role to the National Action Plans. Until now, regional activities to implement Resolution 1325 have been largely lacking (Barr 2009, 3). On a political level, however, both the European Union and the African Union have

emphasised the importance of the Resolution on several occasions. There are also some ongoing regional processes. The EU has recently developed several legal and political documents, including the EU Comprehensive Approach for the Implementation of UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security (2008). This is one of the tools for Finland to use in their efforts to influence the EC and its development practices. The AU has developed tools to mainstream gender in all its programmes, some of which relate to fields of peace and security. There are also several sub-regional initiatives in Africa. Latin America has a number of legal and policy initiatives on women, peace and security issues, including the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem Do Para) (INSTRAW 2009).

There are also regional NGOs which have been instrumental in developing regional NAPs for the implementation of Resolution 1325. One of them, Femmes Africa Solidarite, has been active in the Great Lakes regional peace and NAP preparation processes. Finland has been supporting Femmes Africa Solidarite in their work on long-term basis: this can be considered as a ‘best practise’, particularly because of the long-term nature of the support.

3.4 Bilateral actors (Nordic countries) and experiences

Denmark, Iceland, Norway, and Sweden all have National Action Plans for implementing Resolution 1325. Tracking their activities related to Resolution 1325 within development cooperation is difficult due to the very limited, if any, written documentation available. Their activities will be further discussed in the context of our case studies of Kenya and Nepal. As none of these NAPs have yet been evaluated, one possibility would be to have a joint Nordic evaluation.

In general, it can be said that Norway and Sweden provide much more funding than the other Nordic countries to implementation of Resolution 1325 through related activities in their development cooperation: this is probably because of their considerably larger ODA-budgets, but it is also true in relative terms. According to a recent assessment (Beetham and Popovic 2009, 43-44) which is based on Member States reporting to OECD-DAC on the Gender Equality Marker (2006–07 data), Denmark’s contribution to gender equality activities in fragile states is marginal. Norway, however, provides substantial funding to Afghanistan and Sudan, much of which is focused on gender equality. Similarly, Sweden provides funding to Afghanistan, Iraq, and Sudan, to activities with high gender equality relevance. If we take Afghanistan and Sudan (where three Nordic countries operate as donors) as an example, support to gender equality is assessed as following:

	Total Aid (USD million)	Gender Equality Focused Aid (as a % of Total Aid)
Afghanistan		
Finland	19	29%
Norway	96	79%
Sweden	66	96%
 Sudan		
Finland	16	1%
Norway	77	40%
Sweden	42	36%

Given the inconsistencies in the use of the OECD-DAC Gender Equality Marker, these figures should be read with some caution, but they are still clearly indicative of the different emphasis between these countries on the focus of their aid.

Norway’s support to the Norwegian NGOs to conduct international and North-South dialogue on Resolution 1325 has been substantial. The Norwegian Ministry for Foreign Affairs was also involved, through considerable funding and participation, in the two consecutive international conferences organised jointly by the Norwegian umbrella organisation of NGOs FOKUS (Forum for Women and Development) and the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW) in 2008 and 2009 in Oslo. The first conference, on “Women in the Land of Conflict”, dealt more generally with the themes of Resolution 1325, contributions came mainly from CSOs and experts from developing countries. The second focused on “Monitoring and Indicator Development”, which is discussed below in more detail under the section on Monitoring. The *commitment and proper funding* of the Government of Norway to this multi-year process can be seen as a *best practice*.

Ireland organised a conference in early December 2009 on sharing of knowledge and experiences on Resolution 1325 for representatives from Ireland, East Timor and Liberia. This conference was funded by the Department of Foreign Affairs of Ireland. It brought together women from post/conflict situations to share lessons learned and successful models.

3.5 Implementation of national action plans

As of March 2010 there are 16 National Action Plans for implementing Resolution 1325. Of these, 12 are in Europe: (Austria; Belgium; Denmark, Finland, Iceland, Netherlands, Norway, Portugal, Spain, Sweden (updated version for 2009–2012), Switzerland, United Kingdom (an updated second version exists)), three are in Af-

rica (*Cote D’Ivoire*, *Liberia*, *Uganda*), one in Latin America (*Chile*) and one in Asia (*Philippines*). Several countries are currently planning for or drafting their National Action Plans (see Majoor & Brown 2009, 19; INSTRAW). According to INSTRAW, countries that are currently planning to adopt a NAP include at least: Argentina, Australia, Burundi, France, Ireland, *Nepal*, New Zealand, Pakistan, Serbia, Sierra Leone, and Timor Leste. Nepal is Finland’s bilateral partner and also one of the case study countries presented here. In Nepal, a high-level Steering Committee was established in October 2009 to start to prepare the National Action Plan. As of November 2009, the Committee had not yet met, but members include representatives of the Foreign Ministry and the Ministry for Peace and Reconstruction, as well as civil society representatives. The Ministry for Foreign Affairs of Nepal will act as the lead agency. There seems to be some confusion among the NGO community in Nepal on who should be and who is invited to participate, and how broad the participation of civil society is going to be.

Implementation of the Dutch NAP has been recently evaluated. Since the other NAPs were established quite recently, this is so far the only evaluation available and thereby very relevant for our research. The key recommendations include (Majoor & Brown, 2008): i) Increase emphasis on R 1325 as part of bilateral funding, quote “a certain level of gender and 1325 focus should be made conditional”; ii) Lobby developing country governments (through Dutch Embassies) about Resolution 1325 and increase consultation with local women’s CSOs; iii) Share lessons learnt and exchange experiences on the Dutch NAP 1325 with other governments; iv) Offer financial and technical support for NAP development in partner countries; v) Increase staff with 1325 focus in the Dutch Embassies; vi) improve communication of Dutch Embassies with local organisations working on women’s rights; vii) Provide incentives for the Dutch Ministry of Foreign Affairs personnel to operationalise 1325 into their own work; viii) the Dutch Ministry of Foreign Affairs should support ‘good practice’ exchange among the Embassies, analyse results regularly, and share them with the Dutch civil society working group on Resolution 1325; ix) the Dutch Working Group on Resolution 1325 should choose thematic and geographic focuses in countries where a majority of the working groups’ members have activities, in order to complement the work of the Dutch Government.

A fairly recent study (Ekiyor and Wanyeki, 2008)⁵ looks at the creation of NAPs for the implementation of Resolution 1325 in Africa. In our understanding, this is the most comprehensive study related to NAPs in Africa at the moment. Based on a desk review and case studies, it came up with multiple recommendations for development of NAPs and also provided a framework for NAPs based on the country

⁵ National implementation of SCR 1325 (2000) in Africa: Needs Assessment and Plan for Action, Thelma Ekiyor and L. Muthoni Wanyeki, September 2008, Economic Commission for Africa and Office of the Special Adviser on Gender Issues and the Advancement of Women

assessments. Overall, the study emphasised the importance of political commitment and a belief that the NAP is necessary, as well as the availability of required resources.

More detailed recommendations made by Ekiyour and Wanyeki (2008) for NAP development include: i) the need for joint efforts by the government and the civil society, covering all aspects from conceptualisation and implementation to evaluation; ii) sharing of responsibility to lie not only with the gender ministries (and similar government authorities dealing specifically with gender), but aspects of the plan also need to be the responsibility of different line ministries e.g. defence, foreign affairs and internal affairs; iii) UN agencies at the local level should have a role; iv) there need to be clear indicators including impact indicators; v) judiciary, legislature and executive governance need to be involved in the implementation process; vi) local governance structures need to be involved and included, since they play a critical role at rural and community levels; vii) capacity development should be a core activity and already existing tools should be used, Resolution 1325 should play a dual role in both educating and awareness raising, as well as influencing policies and practises; viii) community groups should be involved; ix) NAPs should be a monitoring tool used to maintain and sustain peace; x) regional peace-building policies and practises should be incorporated in the NAP (e.g. REC, AU, African Charter, African Women's Protocol); xi) NAP should assess the institutional grounds to ensure the improvement of legislative, policy and strategic frameworks that support women; xii) NAP should have a periodic review process.

In addition the study emphasises the need for recognition that Resolution 1325 also has to do with low-intensity internal conflicts, not only armed conflicts. Ekiyour and Wanyeki (2008) also recommends that the content of Resolution 1325 needs to be linked with on-going national policies, government agencies programmes, and the work of line ministries and that all of these should be proactively included in the implementation of the Resolution. Furthermore, all NAPs/1325-related activities should be aligned with existing instruments such as the CEDAW and BPFA.

In 2009, UN-INSTRAW, International Alert and OSAGI prepared a review of the national level implementation of Resolution 1325, based largely on an assessment of the sixteen existing NAPs (Barr 2009, 2). This review highlights the diverse ways countries have operationalised the Resolution. Some countries have included provisions on Resolution 1325 in their national legislation. Others have made attempts to mainstream a gender perspective into their peace and conflict policies. In Uganda, the National Action Plan combines multiple UN resolutions. Some of the NAPs have been formulated by only one Government agency; accordingly, the INSTRAW review calls for a broader base of stakeholders to be involved.

According to a UNINSTRAW Report (2009), *the development of Liberia's Action*

Plan (http://www.un-instraw.org/images/documents/LNAP_1325_final.pdf) can be seen as a best practice with its multi-stakeholder approach which includes the Government, the UN, and the civil society. According to INSTRAW, preparation of Liberia’s NAP included consultation with women and men at the “local level”. The UNFPA supports the implementation of the NAPs in Cameroon, Cote D’Ivoire, Liberia, (Nepal), Sierra Leone, and Uganda: this is discussed in more detail in Section 3.7 below on Monitoring.

In line with studies on previous gender policies, the INSTRAW review also argues that the allocation of sufficient human and financial resources is a crucial component for the implementation of NAP. So far, five NAPs (Austria, Liberia, Portugal, Sierra Leone, Uganda) include a budget framework.

According to INSTRAW (2009), current plans for twinning on NAPs may include the initial plan of Finland to twin with Kenya, and potentially the plan of the Netherlands to support one of its partner countries. According to a member of the Dutch Working Group on Resolution 1325, which includes both government and civil society representatives, twinning could take place between the Working Group and some partner country, an interesting idea for Finland to consider. Some of the experts interviewed for this study noted that, for twinning in a true sense to take place, there is a need to include a two-way process in which both sides learn from each other and, for example, give advice on activities for implementing the NAP. This would mean that experts from the twinning partner country could take part in monitoring the Finnish NAP, for example, something that should be carefully considered.

4 PARTICIPATION, PROTECTION AND PREVENTION: NEEDS AND PRIORITIES IN KENYA, NEPAL AND NORTHEAST INDIA

In this Chapter, we look at participation, protection and prevention in the light of our case studies of Kenya, Nepal and Northeast India. Whilst any analysis of women, peace and security must always be contextualised, there were striking similarities in our findings from Kenya, Nepal and North-East India. The findings below apply in most cases to all these contexts, although sometimes the country case is more specific. When reading the final report, the separate case studies will provide more detail to help provide a context.

4.1 Impact of conflict on women and girls

Conflict has always impacted women in numerous ways, as is also illustrated in our research in Kenya, Nepal and Northeast India. Women are some of the people killed, and are among the thousands displaced by the violence that is part of conflict. They witness their children being killed and maimed by the conflict. During conflict they live, laugh, cry, sometimes miscarry or give birth to their children in the bush, and always try to survive. Some lose their livelihoods, as did the market vendors during post election violence in Kenya. They watch as their market stands and wares go up in flames. Others lose their crops, and the homes that had taken decades to build, which is what happened in Nepal, Kenya and Northeast India. Livestock and poultry are lost, further reducing the livelihoods of thousands of women and of the households they are a part. Conflict leads to impoverishment of many women and thus their vulnerability and their need for protection increase.

Our findings in the case study countries under review portray a very similar picture of the impact of an armed conflict on women as the findings of other related research: as a result of a conflict, the needs of both women and men are immense. In particular, conflict affects the access of women to land (and other natural resources), and their economic and social security. Women often have significant roles in ensuring the economic security of their families in a post-conflict and reconciliation situation in an agrarian society. Conflict and the resulting loss of economic security also affects women's and girls' physical security. Our case studies reinforce earlier studies which show that sexual and gender based violence is used as a weapon in an armed conflict, leading to serious psychological trauma, stigma, and a rise in the HIV/AIDS prevalence. If the economic opportunities for women are limited in a post-conflict situation, this also leads to increased prostitution by women and girls. Women who are victims of violence are often further impover-

ished as a result, and are often left completely without resources. Female PWDs, elderly women, and female IDPs are particularly vulnerable.

Our research findings indicate, however, that there are issues which, we feel, have not been sufficiently addressed previously, and which require special emphasis when seeking ways to mitigate the negative impact of conflict on women and girls, and a society at large. Firstly, *armed conflicts are not the only conflicts which affect women*: for example, conflicts related to the use and ownership of natural resources and/or climate change may force people to migrate and be constantly on the move. In these situations, multiple structural inequalities often put women in a more difficult situation. Migration within the country as a result of a conflict takes place to a certain extent in all countries under review, but conflict has also led to cross-border migration of women in the border districts of West Bengal in India. It is known that migration from Nepal to both India and other countries has increased significantly in recent years. Yet, it is difficult to assess how much this is due to conflict, and how much to other reasons.

Secondly, *ethnicity overpowers gender as a factor of discrimination; however, women of different ethnic groups are more discriminated against than men*. In conflict situations, women and girls emerge as double victims due to both their ethnicity and their gender. Within their own ethnic groups, women have been marginalised in all the case study countries.

Once a conflict starts, it tends to be a protracted process. Numerous countries in Asia and Africa have endured decades of armed conflict. Other countries have lived under the permanent menace of political violence. Indeed, in many countries even ceasefires and peace accords have resulted in increased violence, as has been the case in Afghanistan and Iraq. Most of these developing countries suffered greatly in the colonial period. The colonial masters often followed a divide and rule policy in which one group of people were treated better than the others, resulting in rivalry. In the post colonial period, these bitter rivalries between religious groups, tribes, clans and ethnic groups persisted. Often post colonial governments inherited this legacy of recurrent conflict between different groups of people, and became another player in this whole process of rivalry and conflict. The ruling elite continued the colonial practice of siding with one group against the other. This has made ethnicity a key factor for a person being discriminated against, as is evidenced in both Kenya and Nepal. It should be noted, however, that the latter was never under colonial rule. When a specific ethnic group is linked to having power, and accordingly access to and ownership of different natural and other resources (e.g. in Kenya), rivalries around ethnicity can easily be fuelled into armed and other conflicts.

In Kenya, Kikuyus became more powerful than the rest; in India, the Hindu-Hindi leadership acquired a pre-eminent position; and in Nepal, the Brahman and

Chhetris were the most sought after groups. The development paradigm accepted by the ruling elite also favoured those in power, thereby increasing rivalries among different groups to win elections and remain in power. The most naked form of such rivalries is portrayed in the Kenyan case. In Nepal, such rivalries are couched in ideological terms. However, their potential to divide the nation is no less severe in Nepal than in Kenya. Therefore, it is apparent that the potential for constant conflict exists in all three countries under review. There were many moments when conflicts in these countries seemed to be ending, but usually resumed after a certain span of time.

In conflict situations women often live under *multiple legal realities and systems*, such as civil laws, tribal laws, customary laws, precedents, etc. Often these systems can be contradictory. Women are progressively pushed under the more regressive of these systems. Understanding these multiple legal realities is a pre-requisite for promotion of women’s rights, and similarly for implementation of Resolution 1325.

Ownership and access to land affects the local economy and every day survival in rural areas. Because of the limited rights of women to own land (and other properties) the negative impact of conflict on land use is exacerbated during conflict and in a post-conflict situation, as is particularly evident in rural areas in Kenya and particularly in the case of *IDP women*. In Kenya women own land through their associations with men. Therefore, when their husbands die, which often happens during conflict, they lose their ability to own and control land.

In Northeast India women do not even have such limited access over land as Kenyan women do. In most tribal communities in Northeast India women do not own land at all. In fact it is only now that they are beginning to protest against such discrimination. In Nepal, until the 1990s the life expectancy of women was lower than that of men. The conflict increased the number of deaths among men but in many other ways women still remained far worse off than men. In all three countries under review therefore, the situation of women, particularly in rural areas, is at present extremely vulnerable. Conflict has increased these vulnerabilities, though at times it has opened up new spaces for women. Among the women, perhaps the most vulnerable are the physically challenged women, young girls and elderly women. There should be special policies to look after the needs of these groups.

One of our main findings is also the atrocious situation of IDP women and girls in the IDP camps. This is discussed elsewhere in this study. There is, however, a need to raise it as an issue here to give it significant emphasis as one of the negative impacts of conflict on women.

All of the above mean is of special significance for mitigating the negative impact of the conflict on women and girls. *Firstly*, for the implementation of Resolution 1325 or any gender frameworks (policies, strategies, programmes, gender

mainstreaming), the strong linkage between ethnicity and gender needs to be addressed. In order for interventions to have significant and sustained impact, there is a need to first identify and understand what are the root causes of conflict and address them in implementation.

Secondly, as our findings also confirm that the needs of women and girls are multiple and diverse, it must be recognised that these needs are not only caused by the conflict but exacerbated by it. In addition, despite certain commonalities, they are also context specific. Our findings further indicate that women’s status in general has implications on how they manage during a conflict and in a post-conflict situation, as well as on how active they can be during the reconciliation process. For these reasons, promotion of gender equality in general by the governments, supported by donors, including CSOs, is required. Resolution 1325 should accordingly be viewed in the context of broader international women’s rights policies and mechanisms, and existing regional and national gender policies in each region and country. At the country level implementation should be brought within the framework of national gender policies and CEDAW reporting (accountability), and translated into ministerial strategies, policies and plans of action.

Thirdly, support should be provided to the long-term efforts of civil society and governments to modify legal systems to allow them to address and accommodate multiple legal realities. Within civil society, support should be provided for ensuring the existence of a pressure group with the required legal skills. Any programme related to local governance issues should address the multiple legal realities and strive for unification of legal systems. These legal systems need to be intensively studied; and the mechanisms that support women need to be recognised and encouraged. Support for such initiatives needs to come not only from outside, but also from pressure groups, affirmative action groups, and CSOs, as well as from within the governance structures. Legal changes should specifically include and emphasise ensuring and supporting the property, inheritance and land ownership rights of women.

4.2 Role of women in conflict situations

Women are often portrayed as passive victims during conflicts but that is certainly not the only role they play. Stereotyping women as victims and men as perpetrators of violence denies each their agency and associated voice as actors in the process (Parpart and Marchand 1995). Both genders can be both the aggressor and/or the peace maker. It is notable however that in both capacities women are unequal to men. Throughout this study we have seen that women play multiple roles in armed conflict. Women’s roles also need to be seen at different levels, from women

who are involved in national politics and decision-making to rural women at the grassroots level. Issues of women's formal participation are discussed in Section 4.3 which follows below. This Section looks primarily at the informal role of women in conflict situations.

Our findings indicate that it is futile to think that some women will not support their communities during the conflict. In some 'hot spot' in western Kenya, women encouraged their menfolk to wage war, cooked for them and secretly transported weapons, as was the case in the recent conflict. There are documented examples of how and why certain individual women in the 'hot spot' areas crossed ethnic lines, for example, by giving shelter to the homeless despite their ethnicity; donating land to IDPs; teaching all students regardless of which tribe they belonged to, and providing food and other supplies.⁶ The reason why these women crossed ethnic lines, in some cases putting their lives in danger, was compassion. These are individual cases of how mainly rural women took action. This however shows that there are local women who can be role models, who have the potential and the capacity to work for the reconciliation process and prevention of any further conflict in the most critical areas. The question is how to break ethnic lines and tribal barriers, and how to appeal to these women so that they favour political and non-military solutions. Similarly, our study shows that it has been difficult for female party politicians to cross the party and ethnic lines. They were 'forced' to follow the party politics.

In Nepal, the low levels of women's participation in post.-conflict decision-making by the political parties, the government, and in peace negotiations did not reflect the fact that there were substantial numbers of women in the rebel forces during the conflict. Though nobody could tell the exact number of the women combatants in Rukum and Rolpa, most of the people interviewed reported that many women (willingly or unwillingly) took part in the armed struggle. It has been roughly estimated that women constituted 30-50 percent of the total combatants, and had other responsibilities within the Maoist structures (UNIFEM 2007; Sharma and Prasai 2004; Manchanda 2004; Thapa 2007). The majority of them were in the frontlines on the battlefields and many of them attained 'martyrdom' during the 10 year long armed conflict.

In Northeast India, the picture is quite different. Both the state and non-state military forces recognise women as agents of peace at the local level. What does "agents of peace in conflicts situations" imply? Does it merely mean playing the role of negotiator or mediator to resolve immediate conflicts, or does it entail engaging with the larger socio-political framework that produces conflicts? The immediate role in resolving conflicts evidently lies on the shoulders of the women of Manipur:

⁶ "Walking the Talk", Wanjiku Mbugua and Lucy Oriang', Governance Forum and Norwegian Embassy, 2009

the Chief Minister of Manipur is quoted in a leading daily as saying, “Manipur is today veritably on fire and the major onus of dousing this fire rests on the shoulders of our womenfolk who have always taken a major role in the shaping the history of the land.” He also said, “There are no sons who will not listen to their mothers, no brother who cannot be influenced by their sisters”(quoted in the *Imphal Free Press* 17 March 2001).

It is important to understand that *the experiences of women as “victims” and as agents of change are very varied, owing to their affiliations to diverse religious, ethnic, tribal and clan groups.* The continuing conflict makes its own demands on women to act as negotiators; this has increased and strengthened the roles of women in the civilian sphere (Chhabra 2005). In Northeast India, women of all the ethnic groups have taken part in the different resistance and protest movements: one of the common efforts shared by all the women’s groups in the region is work to the repeal the Armed Forces Special Powers Act (AFSPA) (1958/72) which among other things confers legal immunity on the Indian Armed Forces for violations of human rights, including SGVB. It is also important to look at how women’s groups are negotiating with the challenges they face regarding their participation in democratic politics, be it the panchayat, state and general elections, or e.g. their position in the village councils and the apex court (in the case of the Naga Tribes). Understanding these issues will help us understand the way in which women’s groups in Northeast India and other regions have been instrumental in redefining security, through their fight to repeal the AFSPA, their work to ensure food security, and their efforts to aid securitization of life and livelihood through patrolling in neighbourhoods and resorting to non-violent dialogues with the underground movements and the army to resolve and prevent conflicts.

Women also often make strategic use of gender roles to enter the masculinised space of conflict. “Motherhood” can be viewed as such a strategy. Various women’s organisations have played a key role in translating their “traditional” roles as “mothers” into roles as social and political agents, successfully using the social sanction of being a “protector” that “motherhood” offers. “Motherhood” has time and again been evoked to challenge the masculinist discourse of “nationhood”. The image of “motherhood” within “nation-building” can be seen as problematic, since most of the debates centre around “natural”, innate qualities of women as mothers, and often challenge the feminist discourse where “motherhood” is seen as performative, a cultural product. It is important to see which roles are being used for peace building. Most of the feminist writings on Mother’s Groups have been critical about the stance of those groups in which women’s political negotiations in conflict situations are based on their “emotional” attachment as mothers to sons and daughters who have died.

According to Malathi de Alwis(2008), by negotiating as Mothers, a role the state defines for women, Mothers reveal the contradictions between the state’s own rhetoric and actual state practices. In her discussion of the Mother’s Front, de Alwis (2008) argues that “by appealing for a return to the “natural” order of family and motherhood, these women were openly embracing patriarchal stereotypes that primarily defined them through familial/domestic subject positions such as wife and mother.” Through this acceptance, they were further revealing the transgression of a state that otherwise valorises women as a commodity known as “mothers” and which was now “denying women opportunities for mothering, through a refusal to acknowledge life by resorting to clandestine tactics of disappearance” (Alwis in Banerjee eds. 2008: 156).

Our findings in the case of Northeast India also show that *with the reorganisation of the gendered roles of public and private places, women emerge as important civic actors through institutions* such as the Naga Mother’s Association, Naga Women’s Union of Manipur, All Tribal Women’s Organisation, and Tangkhul Shanao Long. What has to be recognised is that in most cultures there is already a space for women as peacemakers. One impact on women of a conflict is the attrition of their role in political decision-making. In a conflict milieu, peacemaking gives women a legitimate space for becoming an agent, a positive actor, as is apparent from the experiences of women in Northeast India. These initiatives need to be strengthened.

4.3 Women’s participation in decision-making in conflict situations, peace processes and post-conflict activities

4.3.1 Participation of women in formal peace negotiations and on peace committees

Our study indicates that *women’s role continues to be very limited during the formal peace negotiations.* This has been reported earlier in other contexts, but it seems that the situation has not significantly improved. In Nepal, women remained completely outside the formal peace negotiations led by the UN. The participation of women in the peace process has also been negligible, except for the presence of Anuradha Koirala (the then Minister of State for MWCSSW) in the Government Peace Dialogue Team, which lasted less than six months. Other than this, neither the CPN-Maoist nor the government included women in any peace dialogue team during the entire peace process. However, women’s participation in the People’s Movement in April 2006 was significantly higher, which was not duly recognised by the leaders of the political parties during the peace process, nor in the formation of the government.

The Interim Constitution of Nepal has provided for the compulsory inclusion of 33 percent of women in all government structures at all levels. This is the biggest achievement regarding promoting women’s political participation in Nepal. However, the commitment has not been fully implemented, as most of the government structures are still without the minimum percentage of women members. The most glaring example is the Council of Ministers formed after the CA election. The current Council of Ministers consists of 33 members of which only two are women. The Interim Constitution Drafting Committee was also formed without women representation in the beginning. However, after serious protests by women’s organisations and civil society members, four women were added (out of a total 16 members) to the committee. Women’s participation is necessary, but even more necessary is substance and quality of their participation (beyond the numbers).

In Kenya the situation has been slightly better; women participated, albeit minimally, in the peace negotiations led by the African Union that followed the sudden explosion of violence after the disputed December 2007 Presidential elections. The participation of Kenyan women was mainly at the level of political actors: the two negotiating teams, the Party of National Unity and the Orange Democratic Movement (ODM), had one woman representative each. Each team was comprised of four elected Members of Parliament who were also senior political figures in their own right.

Kenyan women were also able to present a Memorandum⁷ detailing their demands to the Panel of Eminent African Personalities, led by the former UN Secretary General Kofi Annan as a representative of African Union, the group which negotiated the power sharing arrangement that restored peace in Kenya.⁸ This Memorandum was drafted by leaders of several women’s organisations and NGOs, but was not broadly representative of the women’s movement in Kenya. It was signed by a total of eleven (11) women leaders. The Memorandum specifically refers to women’s involvement in implementing National Dialogue and Reconciliation Agenda items that the political parties should take action on in order to: immediately stop the violence; address the humanitarian crisis and promote national healing and reconciliation; (and end the Political Crisis (3).

In relation to Kenya National Dialogue and Reconciliation Agenda Item 4: Long-Term Issues and Solutions Matrix of Implementation Agenda, which addresses the underlying long-term issues that were believed to be the cause of the crises (constitutional and institutional reforms, land reforms, poverty and inequalities, youth unemployment, national cohesion, and transparency and accountability),

⁷ See the Archives of the Peace and Conflict Monitor Kenyan Women’s Memorandum to the Mediation Team presented on January 25th 2008 accessed at http://www.monitor.upeace.org/archive.cfm?id_article=481 accessed on the 9 October 2009.

⁸ The National Accord and Reconciliation Accord was signed on February 28 2008 by President Mwai Kibaki and Prime Minister Raila Odinga.

there has been considerable progress in putting in place the necessary institutions that will oversee those reforms. Working through CSOs, women have participated in generating the new National Land Policy. Currently, women are also expected to constitute 50% of the members in the Truth, Justice and Reconciliation Commission (TJRC). The Committee of Experts on Constitutional Reforms has made considerable progress; and the government has made some changes in a bid to carry out policy reforms. The Electoral Commission of Kenya was disbanded and replaced with the Interim Independent Electoral Commission. All of these organs have female representation. The question that cannot be answered now is whether these institutions will effectively involve women in their work, and be sensitive and responsive to gender concerns. This is a concern of the Gender Cluster, comprising the Government and interested CSOs, that is keen to support gender equality being included in every process taking place to implement Agenda Item 4. There is a need for continued funding of the Gender Cluster to help in coordination of Government and CSOs on work to influence implementation of Agenda Item 4.

Women have been more active in Post-Conflict Peacebuilding than in the ending of the conflict, especially through women's organisations and NGOs. Some of these peacebuilding activities have been very high profile and attracted a great deal of publicity, initiating a sustained public debate on peacebuilding and the role of women. For example, Kenyan women's organisations held a Gender Festival between the 3rd and 5th of June, 2009, in which key themes included *marginalisation* in peacebuilding processes, decision-making, and education. Between the 30th of April and the 6th of May, 2009, women's NGOs called for a sex boycott to pressure men and especially male politicians to implement reforms to secure peace. The sex boycott was very controversial, attracting, derogatory remarks from several quarters. What it did achieve though was a loud public debate about women, sex, peace and political reforms in Kenya.

A point to note is that the peace-building efforts in Kenya were initially at the national level because of the urgent need to restore peace in the country. However, it is not clear how far the government and other actors have invested in grassroots level peacebuilding. The government has put in place District Peace Committees whose work has been hindered by lack of funds to cover operational costs since June 2008.⁹ It is not clear whether these Committees are found in every district in the country, or in the most conflict affected areas. There are still lingering questions with respect to grassroots peacebuilding: Is it happening? Is it nationwide? Is it consistent? Is it gender-inclusive? Is there a method to it? What are the levels of participation? In our field research, the evidence for grass roots peacebuilding work was inconsistent; and most of the persons we met were of the view that few of the

⁹ See OCHA, *Humanitarian Update No. 40, November 2008*.

organisations involved were able to sustain the initiatives they had started in the Provinces, which folded up too soon. While some women have been involved in Peace Committees, the practice is not uniform, as our field research western Kenya shows. In that region, there are still misgivings about participating in such committees. People feel their views are labelled on the basis of their ethnicity and are therefore undermined or supported according to how their ethnicity is perceived by others. No matter what kind of decision-making is being made, it is difficult for women to participate in it; and in some situations *ethnic interests trump gender-related interests*. This is especially so in the context of the conflict that pitted different ethnic communities against each other, creating negative views of ethnicity.

There is therefore a need to study what is happening at local levels, as sustainable peace is only possible with the involvement of both male and female citizens at all levels, from national to local. Pacts by national political elites are not sustainable, because their alliances change depending on the exigencies of the moment. Leaving local people out of peacebuilding processes might mean that once the national leader shifts alliances and declares a former ally an “enemy”, the people of the country will follow his lead and feel they have to fight this “enemy”. This will result in constant political tension. Kenya has to construct a peace that will hold in all communities, irrespective of what elites in Nairobi say or do.

4.3.2 Participation of women in governance structures

Regarding *the formal participation of women in the governance structures in the countries under review*, our findings are similar to those found in the desk review; both show that women’s participation in governance structures is increasing in numbers, particularly at the national level, and both project that these numbers will continue to increase. Quota systems (c. groups should have c. 30% women, on average) have been set up both for governance and electoral systems: they have increased the numbers of women in government, particularly at the national level, as well as increased the number of women electoral candidates. Based on global experiences, it is known that the number of women, while a positive step as such, does not guarantee the quality and impact of their participation. Furthermore, quota systems are not always properly implemented and do not automatically lead to the participation of women, which is particularly evident in the local governance levels.

Despite the positive steps which have been taken in the countries under review, women were and still are seriously under-represented in all key decision-making organs of the state, both before and after the recent conflicts. This is despite decades of advocacy and interventions to guarantee women a greater presence in decision-making mechanisms. In Kenya, only 7 of the 42 Ministers are women at

present. In Nepal, although there are 33 percent women in the Parliament there are hardly any women holding significant Cabinet posts. In the case of Northeast India, there are no women representatives in the local parliament, and only 59 women (of 825 MPs) in the national Parliament of India. It can be argued that *women's low participation in the formal peace processes in Kenya and Nepal is a reflection of the general lack of women in high level positions.*

As shown in the Chapters below and based on the desk review, it can be said that there are many actors (donors) who significantly support women's formal participation in national level governance and electoral processes. Our findings are, firstly, that women's increased participation in national level governance does not necessarily contribute to making local and rural women's voices heard. Both national and local governance levels are important. However, women's meaningful participation at the governance level closest to them, is critical for them to become influential actors and to have significant impact in decision-making regarding post-conflict situations, and during reconciliation. This has not been given sufficient emphasis and support as yet.

In some cases participation in decision-making, particularly political and electoral participation, is confused with representation (even if silent, ineffectual, toothless or token representation). In the case of Nepal post conflict developments have brought about some positive changes in women's political participation. However, there is still strong psychological resistance to women on the part of the political leadership, which is evident from their reluctance to provide women with opportunities for participation in their parties and other governance structures.

Regarding the participation of women in decision-making in Kenya, there is a Presidential Directive which stipulates that women should constitute 30% of representatives at all levels of decision-making in employment, appointment, recruitment, promotion and training (12 December 2006). In addition, The Political Parties Act (2007) provides that there one-third of those in all organs of all political parties should be women. This Act also urges political parties to nominate women as 50% of their candidates. These provisions are not obligatory nor is there a way of enforcing them. The Kenyan Parliament has however failed to pass the Equal Opportunity Bill (2001) into law; the one-third rule has yet to prove its worth.

The question of the proportionate representation of women in politics and decision-making still remains a major challenge in Kenya. One of the key points for women to negotiate during the Constitutional Review process is that the Constitution should guarantee that institutional arrangements ensure that women are represented at all decision-making tables in a proportion that reflects their numerical position in the country. The reality however is currently very different from this position. The electoral process has not effectively facilitated proportionate repre-

sentation by gender, with women still facing immense challenges that hinder them from participating and emerging as winners in any elections. In the 2002 general elections for example, women constituted only 8% of the 9th Parliament. There was a slight improvement in the 2007 elections, in which this proportion increasing slightly to 9.45% in the 10th Parliament.

A review of standing orders and the expansion of the number of Parliamentary Committees has resulted in more women chairing these Committees. There are currently three women chairs and three deputy-chairs of the 27 Parliamentary Committees. Appointments to key positions have also tended to favour men, as they are the key players in the political processes, thus gaining more recognition than women. Of the 44 Permanent Secretaries, only 7 are women, this is well below the 30% target of the Presidential Directive of 2006. However, in the recently constituted Special Commission on implementing of the National Reconciliation Accord of 2008, the principle of 30% women has been adhered to in the appointment of the officials. The Truth, Justice and Reconciliation Commission, however, has 50% women appointees (Gender Commission, 2009).

In Nepal, the larger number of women candidates in the CA Election of 2008 compared to previous elections can be perceived as proof of the forward looking and inclusive behaviour of the party leadership of the CPN-M in contrast to the other, older political parties of Nepal. The 2007 Interim Constitution of Nepal, the 2006 Comprehensive Peace Accord, and other legal instruments include gender mainstreaming at all levels. The constitutional provision of at least 33 percent women representatives has been implemented through a proportionate electorate system in the CA; but the proportion of women candidates under the First Past the Post System (FPTP) is far below the minimum of 33 percent.

The recently approved Terms of Reference (TOR) for the formation of Local Peace Committees (LPCs) also requires 33 percent women members in each LPC, and at least two women out of the 9 members in the LPC Secretariat. The Ministry of Peace and Reconstruction (MoPR) claims that all of the 60 districts which had formed a LPC by the first week of August 2009 had made sure that at least one third of the members of the Committee were women, with the exception of one or two districts. This can be seen as a positive step taken towards increasing women's participation in the peace process at the local level.

Interviews conducted in Nepal with women leaders of political parties clearly indicate that the patriarchal mind-set is still strongly working against the interests of women in the party structures. First, there are only a few women members on district level committees and, secondly, they are not given due recognition and value when it comes to the decision-making within the party. The women leaders from Rukum and Rolpa (districts which saw the most conflict), regardless of their politi-

cal affiliation, said that they feel marginalised within the party structures. The same applies to the central committees of all political parties in Nepal. The CPN-Maoist (CPN-M) party has a comparatively larger number of women members in its party structures on all levels from central to local.

During the armed conflict in Nepal the CPN-M had control over many districts, including our field work areas. These districts have their own local governance and judiciary system under the Central People's Revolutionary Council. We interviewed female representatives in local government at the district level in Rukum and Rolpa who said that many women were put into local governance positions at the village level. Many of them were not educated and were not aware of their roles and responsibilities. They claimed that they were trained by the Party in order for them to take the leadership role. Many women even took their position unwillingly.

A Nepali Congress woman leader in Rolpa said that *employment and a guaranteed livelihood for women* is the first and foremost requirement in the district to get women to come out of their households and participate in other activities in society, such as in politics. Without this guarantee, any effort to bring women into decision-making mechanisms will be a failure. Most of the women in Rukum, Rolpa and Sindhupalchowk mentioned that there are some changes in the perception of women who participate in activities outside the family, and that gradually family members are beginning to accept such participation and recognise it as valuable. There are women in various committees on the district as well as the village level; however their *participation is not meaningful as yet*. According to the female committee members, challenges for their meaningful participation include the presence of male domination in the proceedings due to male knowledge of how the committees function, male power brokering, low percentage of women members on the committee, women's lack of confidence, women's lack of ability to speak up and be articulate, and family-related time constraints on women. The women recalled how they had to leave meetings early or to remain absent from a number of meetings because of their *family responsibilities* such as cooking, feeding the children, and bringing cattle back from the field. The male members of a household do not do such chores.

Although there is reluctance to bring women to the centre of politics in Nepal, changes are afoot. The LPCs and the CAs are a case in point. The women leaders of CA are extremely vocal. Once there are enough such women in governance, change is bound to happen.

Participation in political and electoral decision-making does not always result in gendered policies because there is tremendous pressure on women to support their group identities rather than their gender. So a Naga or a Nepalese woman will first act as a Naga or a Nepalese, and not as a woman. It is also our observation

that, in most cases, gender mainstreaming has not helped. There is also evidence of women's leadership in peace making dating from much earlier than Resolution 1325 (e.g. the case of North East India). These traditional mechanisms should be further studied to identify key factors in their success.

4.3.3 Informal participation

Women play various roles in peacebuilding and post conflict reconstruction. However, *most of these roles are played out in informal spaces*. Women are often socialised for peacebuilding at the local/informal levels, where their role as peace builders is 'recognised' but lacks support. Both formal and informal levels are important. However, ensuring an enabling environment for women's participation, particularly regarding participation at the local level, has received less attention.

Our study clearly indicates that *women's participation in decision-making, peacebuilding or any other activity – formal or informal – is tied to women's economic and social status*. Economic dependency on men means that men are able to decide what women can do or cannot do with their lives, including whether they can or cannot participate in formal and even informal decision-making. Development programmes, regardless of the sector, should have a component for economic empowerment of women to facilitate and enable their participation. For women to become part of decision-making there has to be an improvement in their status through review of relevant legislation and other social interventions. Crucially, interventions have to focus on women's participation in the economy and ensure that they do not continue to participate mainly from the fringes of society. In Kenya, for example, women's participation in the formal economy has consistently remained at less than 30% for a decade, between 1995 and 2005.

The results of the focus group discussions in Kenya show that the key issues perceived by women themselves to enable them to become active agents are: i) Investing in *public education (civic education)* that enables communities to embrace women's empowerment; ii) Providing *civic education for women* so that they are able to claim their space in the public realm, as well as supporting those women that decide to seek *leadership roles* (it was repeatedly stated that women should become more aggressive and relentlessly demand their rights; iii) *Abolishing harmful traditional and cultural practices* which are a hindrance to women's participation (such as female genital mutilation (FGM), preference for male children, placing the needs of husbands and in-laws before those of the woman herself, preference for meek women); iv) *Reducing poverty*, poverty is seen as the biggest obstacle to women's empowerment; v) *Changing laws related to property and those cultural practices* that prohibit women from *owning and accessing property*; vi) *Raising awareness through education/training that targets men* alone so that they can be

supportive of women's participation in decision-making and peacebuilding.

Importantly, women felt that their *involvement in decision-making, such as through the Constituency Development Fund Committees*, would improve their community's development and positively impact on the future of their children. The Constituency Development Fund (CDF) Act does not require female representation, although our findings show that some women are involved. The involvement of women in CDF should be structured and demanded by law so that it is not discretionary. CDF Committees make important development decisions at the Constituency level that ought to involve women throughout the process. Often women, especially poor rural women, are unaware of the CDF, or uninformed about its potential and thus unable to use it for their benefit. They also feel that such interventions benefit only middle class women who have the ability to network and access such funds. As rural women, they felt left out. In any case, women believe that given the chance, education, skills, exposure and social support, they would make great contributions in peacebuilding and the development of their country. They would like to be given this chance by both the government and the community.

It is notable that the economic empowerment of women was a persistent issue raised in the FGDs in Kenya. When researchers wished to discuss other issues, the discussions rapidly turned back to the Women's Enterprise Fund and CDF projects. The Government of Kenya set up the Women's Enterprise Fund in December 2006 with the aim of increasing the availability of capital to women entrepreneurs. FGD discussions showed that many women in rural Kenya do not understand the criteria for accessing the funds available, nor do they actually believe they can access the funds. The concerns expressed by many interviewees were that women at grassroots level do not know how to get the money, do not know the criteria for qualification, and they do not believe they can get the money in any case. Governments need to advertise the transformative potential of these processes and educate women on how best they can use them. Interviews also revealed that, even though women in some cases are involved in CDF Committees and Projects, most of the time their involvement is not effective because of the way CDF Committees are appointed and structured.

Another important measure introduced to empower women in Kenya is the Draft National Land Policy (2007) which provides for co-ownership of family land, a big step towards removing the social-legal barriers that limit women's ownership of property and the protection of women's property rights. Again, there is little understanding of the new policy in the communities where it is most needed. There is a significant correlation between the low level of economic participation of women in the formal economy in Kenya and their presence in the decision-making organs and offices of the state.

Regardless of their gender, people in the communities we visited felt that education is central to empowering women. They recommended that government should put education activities as the first priority within the implementation framework of Resolution 1325. To assist in empowering women the government should appoint more women into senior positions not just as representatives but also as executives with decision-making power. All of the individual interviewees were of the opinion that the government should also invest in education for all children, girls as well as boys. Education should also include leadership training to be given by civil society organisations and the government. Through education women will be in a position to protect and empower themselves, beginning at once and continuing through the medium and long term.. This being the case, it is proposed that priority be given to activities which ensure a secure environment so that women can attend schooling without fear, and which increase the capacity building of teachers and other school organs such as Parents-Teachers Associations (PTAs). The government should enact laws and formulate policies that empower women and eradicate discrimination against women. Such policies should be implemented and not just left on paper. Part of ensuring that the policies are implemented is ensuring funds are allocated to gender issues. The government should target grassroots women when disbursing the women’s enterprise fund. The communities should support women by eradicating retrogressive cultural practices and beliefs. There is a need for role models and grooming of future women leaders.

One important finding in our study is that, in North-East India and Kenya, *women’s groups gained legitimacy within their geographical areas of operation through promotion of social issues (service delivery), by providing something concrete for the benefit of the communities.* Providing something that benefits the community gives them the legitimacy to also promote peace. ‘Talking’ alone (e.g. promotion of human rights alone) would not lead to similar results and creation of interest within the critical mass of women. Another aspect of promoting social issues is that active women’s movements lead to the democratisation of society. If by democratisation we mean only the space appropriated by formal and elitist political activities such as representational politics, then none of these women could be considered successful. However, if we privilege informal, populist activities. then these women have excelled. If democracy is equated with peace and social justice, then women can be and have been empowered through their own actions to promote democracy and gender equality.

There is another aspect to conflict that has at times unintentionally made spaces for women’s initiatives. *During conflict men often disappear from civil space.* They either go to the jungles to participate in guerrilla warfare; or they just hide, because of the assumption that they might be recruited to fight by either the underground

(rebels) or the state forces. Women are left behind to look after the family and the community. Our research in Nepal reveals that in such a situation women can both be victimised and yet also be able to carve out spaces for greater empowerment. In a post-conflict situation, providing support to promotion of gender equality and addressing multiple vulnerabilities is of utmost importance, so that the opportunity of the increased civil space for women is not lost. This should include increase women's capacity to assume leadership in peace making.

During the time that the "People's War" swept across the western hill districts of Nepal, especially in Rukum and Rolpa, there were hardly any men in the rural households. Remote backward hill districts were transformed into guerrilla zones provoking massive police retaliation against poor peasants and minority groups, especially communities which have been marginalised for centuries, such as the Magars from Rolpa and Rukum districts and the Dalits from all over the country. To escape being picked up by the police as suspected Maoists, most of the male members of rural families, especially the youth, had to run away from the villages for the safety of their lives. They either fled into surrounding jungles to join the Maoist force or melted into the cities of Nepal and across the open border into India for both their safety and livelihood. Left behind were women who kept families and communities alive during the violent conflict.

Traditionally, women have formed the backbone of the semi-feudal subsistence economy in Nepal. During the conflict, they took the burden of the family on their shoulders and bore the brunt of the suffering caused by the atrocities of both the Maoists and the security forces. They witnessed the forced disappearances of their husbands, murder of their children, houses being set on fire, property being looted, and daughters being raped by armed men (especially the state security forces). . Many were molested, tortured or raped themselves by the security forces for having been forced to allow the rebels to visit their house for food and shelter. In sum, both the security forces and the rebels victimised women and girls. Yet, the women remained clinging to their land, which reflects the special relationship of women to the land.

Up till now we have dealt with the disappearance of their men as a tragedy for women. Even recognising it to be a tragedy, however, one can also see it as an opportunity for women to seek leadership roles in peace making and in development in general. In the context of Nepal this was true. Basnet (2004) and others argue that some of the advantages the conflict in Nepal has brought to women are:

- i) Increase in decision-making power of women, because of the absence of men in the family;
- ii) Change in the traditional role of women in the changing conflict context and post conflict situation (UNIFEM, 2006);

- iii) Increase in the participation of women in politics, especially in the Maoist ranks both at the organisation level as well as among the combatants (also see Arino 2008);
- iv) Increase in the capacity of women to take responsibility for both family and society;
- v) Justification of the fact that women can be a part of the armed forces, which has been traditionally ignored by the state security apparatuses;
- vi) Decrease in domestic violence due to restriction by Maoists on gambling and decrease in alcoholism with the declaration of Dry Zones in rural Nepal;
- vii) Further, women’s active participation within the different organisations making up the Maoist structure has served to promote the institutional presence of women, which was predominantly insignificant or only ceremonial at times, and, above all, to put this issue on the country’s political agenda. The larger number of women candidates from the CPN-M in the CA Election of 2008 is also a proof of the forward looking and inclusive behaviour of the party leadership of the CPN-M, as compared to some other, older political parties of Nepal.

It was a predominant theme in our search. It has been a predominant, recurring theme in our research that people interviewed thought the government should encourage women in taking on leadership roles, not just in peace initiatives but also in senior positions in business and government, especially positions with decision-making powers. This encouragement could take many forms and be done through education, for example. People also thought that women in leadership roles should try to be a transformative force in power hierarchies. The women’s peace movement will be successful only when it manages to change the existing power hierarchies. This makes local governance (including community level governance) issues even more critical.

4.4 Protection of women and girls in conflicts

Negative impacts of armed conflict on women and girls include: i) increase in physical/domestic/societal, mental and sexual violence against women and girls by fighters in both warring parties; ii) increase in number of single women as a result of the death of their husbands in the war; iii) increase in number of orphans and street children; iv) increase in forced and/or unsafe migration of women within and outside the country; v) deprivation of the right to education for girls; vi) serious psychological damage inflicted on women and children and increase in number of traumatised women and children; and vii) increase in women victims of landmines, especially in rural areas of the country (UNIFEM 2006).

During the early stages of the conflict in Kenya, the capacity of the Kenyan government to protect women and the civilian population in general was very limited. However, the government was able to promptly, with the aid of International Agencies such as United Nations High Commission for Refugees (UNHCR), International NGOs and Kenyan NGOs, set up IDP camps in the various regions that were highly affected by the conflict. Part of the reasons for the initial difficulties in protecting the people was a lack of preparedness, and little previous experience with internal conflict on the scale witnessed between December 2007 and February 2008. The Kenyan government needs to invest in emergency preparedness and make good use of the lessons learnt during the post-election crisis. The protection of women in the IDP camps suffered from certain inadequacies the most disturbing of which was probably the continued exposure to sexual violence in the camps. The problem of the threat of sexual violence persists even at this stage, when a majority of the former IDPs have left the camps and returned to their former villages. The "host" communities are still antagonistic and violence is just below the surface. Furthermore, women, especially widows, have problems accessing land and other family assets because a widowed woman is culturally vulnerable to dispossession and disinheritance.

In light of the above, one of the biggest challenges for IDP women, in addition to the exposure to SGBV, has been destitution and the violation of their property rights. There is *a clear correlation between women's poverty levels and economic dependency, and the levels of SGBV they experience*, as is clear from the case study of Kenya and Nepal. Often the poorest women, as well as those with independent means, are seen as a threat by men in conflict areas. There is often a tendency to take away any and all resources from women, particularly resources traditionally 'controlled', managed and/or worked on by women, i.e. natural resources such as agricultural land, forests and water. Special efforts should be made to protect women's rights to these resources. In the case of Kenya one of the biggest challenges for displaced women in addition to the exposure to SGBV, has been destitution and the violation of their property rights. Once displaced or widowed, upon return to their homes they may not succeed in claiming family property because often property is held in the husband's name and women are not regarded as having the capacity to own property. This exposes women to harassment and disinheritance by in-laws condemning women and their children to destitution.

In the case of Kenya, sexual and gender based violence during the post-election conflict also exposed some women to HIV/AIDS. In addition, displacement meant that, despite the best efforts by humanitarian agencies and the government, those that were on antiretroviral (ARV) therapy could not continue on such medication. Those who could get access to ARVs could not do so consistently, which impacts

negatively on the efficacy of such medication. This has severe consequences for those living with HIV/AIDS. In addition, the nutritional element of anti-retroviral therapy meant that those women living with HIV/AIDS in the IDP camps continue to suffer because the food rations in the camps are unreliable and inadequate to support the dietary requirements of persons on ARVs. The lack of food also meant that women living with HIV/AIDS had to breastfeed their children because they could not afford food. Breastfeeding exposes the children to the danger of contracting HIV. All protection agencies need to make sure that countries register their IDPs and that these IDPs get enough food; otherwise their lives are irreversibly threatened.

There were no genuine and practical efforts to protect women in the conflict situation in Nepal. This could be basically attributed to the extremely weak law and order situation and/or lack of government presence in more than 80 percent of the country's territory during the conflict. A similar scenario can be seen in the Terai-Madhesh¹⁰ at the moment, where the continued political conflict as well as the operation of more than 100 criminal groups is making the lives of people insecure and vulnerable. Since the Maoists present themselves as the advocates of the rights of marginalised people, including women, the Maoist Governance and judiciary structures¹¹ have been more favourable inclined towards dealing with the problems of women. The (anti-alcohol consumption) dry-zone campaign launched by the Maoist cadres, and associated physical actions taken against the offenders (those selling or abusing alcohol) had a direct impact on decreasing domestic violence/violence against women during the period of the conflict. The dry-zone campaign was a great relief for many women, especially in the hill districts of Nepal where alcohol consumption and domestic violence against women seem to have had a strong correlation. However, many women have also reported that when it comes to the party interest, the Maoists have also been merciless in ignoring the plight of women. The Maoists have killed many people, accusing them of spying for the state or being an enemy of their party, and never bothering about the women and children who were totally dependent on the men who were killed.

In normal circumstances, the government protection mechanisms are guided by the anti-trafficking law, gender equality law, citizenship act, foreign employment act, abortion law, women's property rights act, local self governance act and the 11th amendment of the Civil Code (*Muluki Ain*) on Women's Rights Issues. However, in a period of unrest and instability, the strict implementation of these laws is rarely seen; and the vulnerability of women during the conflict increased substan-

¹⁰ This region is a geographical strip in the southern plains of Nepal stretching from east to west along the Indian border, overwhelmingly inhabited by Nepali citizens with Indian origins, along with Muslims and Tharus and other tribal and indigenous communities.

¹¹ During the decade long People's War, the CPN-Maoist party established and administered its self-declared People's Government and Judiciary System in most of the districts in Nepal. Many people reported that the Maoist system was quick in delivering justice to the victims of violence and rape, compared to the official government mechanisms.

tially, especially in regard to cases of trafficking including unsafe labour migration via India. The vulnerability of IDPs and conflict victims also increased, as did that of women affected by the conflict who became involved in prostitution in cities such as Kathmandu, through their employment in dance bars and other similar business establishments.

Women NGO activists claimed that NGOs continued to operate throughout the conflict in districts such as Rukum, Rolpa, and Sindhupalchowk. NGOs continued operations even though they were sandwiched between the security forces (the then unified command led by the government army) on the one side and the Maoist People's Revolutionary Government and the PLAs on the other. They cooperated with the latter because they needed their permission to operate. They were given this permission because they work with all groups of women, including *dalits* (the so-called untouchables) and Janajatis (indigenous). They used an inclusive approach in their programmes to take in women and men from all social and economic groups.

In most places, people did not like the presence of police in their village because of their involvement in criminal protection, torture, beatings, and numerous rapes.. Security people were not seen as fulfilling in any way their duty of protecting the ordinary women and men in the community. The attitude of the police and army people molesting women and girls in the villages has not changed. These men believe they have impunity for their actions. The women we interviewed did not forget to mention that even before the April 2006 Movement, there were many cases in many districts of mid-west Nepal of security people raping women and girls from the villages and making them pregnant. Now, these girls have given birth to children whose father has not been identified. These girls are living a miserable life, and they are waiting for justice, in vain.

Our study is further evidence of the attention that is being given to the question of sexual and gender-based violence (SGBV) in conflict and post-conflict situations at both the national and international level. As the result of this increased attention to the issue of SGBV, women have been able to bring it increasingly from the private to the public domain. This has provided an opportunity to also raise the often 'silent' issues of domestic violence in sensitive contexts. In the case of Kenya, it has been considered that domestic violence increased during conflict. But in the case of Nepali women from Rukum and Rolpa districts, women in the region reported that domestic violence decreased during the conflict because the Maoist threatened to take stern action against the wifebeaters. However, it seems that domestic violence is again on the increase in Rukum and Rolpa in the post-conflict period. This shows that unless whatever gains women make during conflict are consolidated through an institutionalized process, they can disappear once the conflict comes to a halt.

Security of female IDPs in IDP camps is often neglected, leaving them very vulnerable to SGBV and other forms of abuse. Notwithstanding the UN Guiding Principles or CEDAW, most developing countries have little or no set policies for IDPs in general, or women and girls in particular. This tends to lead to treating each situation and case on an *ad hoc* basis. Policies (of the State; UN; CSOs) are often blind to the fact that the displaced population is largely female. Thus, rehabilitation programmes are often couched in gender-neutral terms, thereby creating greater challenges for women. Even when camps are organised, there is indifference to considering the special needs of women. In most societies, women live under rigid patriarchies that control their mobility and value them only as symbols of group.

As a result, certain groups of IDPs, such as the Nepalese displaced by the Maoists, are able to obtain access to a certain amount of relief and rehabilitation programmes given their proximity to the state agenda; whereas the displaced *adivasis* (indigenous tribal peoples) in Assam, India, do not get even one-fourth of the budget allotted for people displaced by the conflict. Receiving any redress or compensation is even more problematic in situations where it is the state policies themselves that have resulted in displacement. Therefore, it is common that governments are involved in the process of displacing more people in development-induced displacement, even before the previously displaced have been rehabilitated and resettled.

When human rights groups criticise state policies regarding displacement, it becomes easy for the state machinery to invoke the bogey of national security, thereby diverting attention from the real plight of the displaced women, which has been evident in Nepal and Northeast India. The states have sought to manipulate and impose on their citizens a particular national identity that marginalises women. The state appropriates the right to define what national security is; and if tribal minority people, often the majority of the displaced, suffer in the process, they are asked to make sacrifices in the name of the nation state.

The personnel in the state security organs of the state in our case countries are overwhelmingly male, and there are very few women in formal security administration. Our research shows that women's participation as active combatants in conflicts has led to certain changes. In the case of Nepal, for instance, a special unit, “Women and Children Service Centre”, was established within the Nepal Police in 1996 to deal with crimes\violence against women and children. This Centre has been expanded and strengthened to cover 42 districts in Nepal, with the objectives pertaining to the protection and welfare of women and children. These objectives focus on: prevention and control of crimes against women and children, investigation of crimes against them, and provision of support to female victims of (S) GBV, in coordination with concerned governmental agencies and NGOs (IHRICON

2008). The Centre takes in women and girls who have suffered from different types of abuse, particularly domestic violence, and helps them file a First Incident Report. The Nepal Police is planning on starting 32 new centres at the district level. Women and Children Service Centres have police personnel specially trained in dealing with sex trafficking, domestic violence and rape. However, they have been reported to be weak on human rights, especially SGBV issues, not to mention having little knowledge about and the importance for women of Resolutions 1325 and 1820 (Source: GAPS, 2009). These Centres need to be strengthened and their capacity increased.

Further, the Nepal police has begun to adopt a policy of positive discrimination towards women during recruitment, with 20 percent quotas reserved for women candidates. It has also incorporated issues related to protection of women and children into the basic and advanced training programmes. The Nepal police is planning to train more police personnel on Resolution 1325, and to coordinate with concerned agencies to develop better networking for victim support (IHRICON 2008). The total number of women in the Nepal Police currently (2009) is 4,800, (roughly five percent), with two Senior Superintendents of Police (SSP) as the highest ranked women officers. Women are working in traffic police, armed police forces, and the civilian police; the majority of them are working indoors in offices, in technical departments.

India and Nepal are both among the ten largest contributing countries to the UN Peacekeeping troops. However, the number of women among these forces is low. Nepal has a total of 3626 UN peacekeepers, of whom only about 100 are women (2007). The corresponding number of women from India is also low. In Congo, both Nepalese and Indian peacekeeping forces have been accused of violence against women. The UN Peacekeeping Forces from Nepal and India lack any substantive gender training, although the Government of Nepal has begun to provide gender training in this context. Gender training, particularly for the men in uniform, is extremely necessary. For such gender training, some previously trained men and trained women might be selected as trainers. Since Finland's UN Peacekeeping Forces are also dealing with the challenge to improve and systematise gender (and human rights) training for their UN Peacekeepers, Finland should consider carrying out such gender training in close cooperation with military and gender experts from bilateral and other partner countries which provide Peacekeeping troops, such as Kenya and Nepal, for example. Such efforts, however, would require considerable planning (not simply provided as an add-on to the already existing tasks of these experts) and should be properly budgeted.

4.5 Women’s role and empowerment in conflict prevention and post-conflict development

Since ultimately the most important question here is how women have been and can be empowered to participate not only in the post-conflict development but also in conflict prevention, we shall go back to the question of the factors related to women’s participation. The key issues listed by women in this context were the need for: i) economic empowerment, job creation, and the provision of secure livelihoods for women; ii) women’s participation in local governance and decision-making; iii) abolishing customary laws and practises which negatively impact on women; and iv) land ownership and access to land by women. These issues are the most important for women to become active agents in post-conflict development. It can be argued that the way these issues are addressed will define women’s participation (formal and informal) in their communities, as well as their involvement in post-conflict development, particularly in rural areas.

Women’s education is also considered central to women’s empowerment in all the countries and regions under review. Programmes dealing with women’s education in conflict zones, particularly those related to informal education and/or vocational training, often fall victim to budget cuts. Additionally, training programmes might be run in an ad hoc manner. This applies, in particular, to formal education for IDP women and girls who might be constantly on the move and/or not able to return to their places of origin.

Our research also discovered that women firmly believe that, given the chance, education, skills, exposure and social support, they would make great contributions in peacebuilding and the development of their country. They would like this chance to be given to them by both the government and the community. The communities we visited felt that education is central to empowering women. They recommended that government should put education activities as the first priority within the implementation framework of Resolution 1325. Through education women will, in the immediate, medium and long term, be in a position to protect and empower themselves. Education provides benefits immediately that also stay with a person throughout life. This being so, it is proposed that priority be given to activities such as those which ensure a secure environment for women to access schooling without fear, and which aid in building the capacity of teachers and school organs like Parents-Teachers Associations (PTAs). Our findings indicate that, for women, being *part of some kind of social mobilisation is imperative for them to operate in peacebuilding*; without such participation, ‘nothing’ is possible. Women’s mobilisation, particularly for peace, needs to be supported by all stakeholders. Women’s political engagement, either in democratic political institutions

or in voluntary organisations, provides them with the opportunity to add their perspective to finding solutions for managing conflict situations. It also gives them the possibility of stepping outside stereotypes which often centre on control over sexuality. The Naga women of Northeast India have been successful in creating an independent space in politics. They have been able to convince all the parties in the politics of peace that they are not being dictated to by any specific faction. Most of the Naga women retain their belief in the Naga Cause. However, their actions show that they are on the side of peaceful methods. They want to achieve their goals through political actions and not through brutalisation and violence in the society. Their politics of peace have helped them to gain space even in formal state politics. They have become an important and necessary component of the Naga *Hoho* (the high tribal council of all the Naga tribes). Even the state machinery is not averse to using Naga women for the state’s own purposes in achieving peace. There are a number of reasons for the success achieved by the Naga women. The Naga women have been able to situate their political manoeuvrings within their traditional roles. Peace to them is not just a political phenomenon, it is also economic and social. They have coined a term in their language which can be translated as “a just peace” or peace with equity. They believe that without development there cannot be peace, and here they differ from the majoritarian attitude towards peace. They equate peace with progress. They entered the political arena through peace activism. Now they are making an effort to alter the character of that space.

The Meira Paibi (literally, torch bearers) of Manipur are another women’s group active as peace groups in Northeast India. They are active in a wide range of social problems such as sexual violence and rape. The Meira Paibi started as *nasha bandis*, or pressure groups, working against the ever-increasing consumption of alcohol by men. Slowly they captured the imagination of the Peoples Liberation Army (PLA). The PLA imposed a ban on bootlegging and sales of alcoholic beverages in January 1990. Two months later, succumbing to this pressure, the United Legislative Front government declared Manipur a dry state. This was a victory for the Meira Paibi. The social cleansing drive, it is said, created spontaneous popular support; and the Meira Paibis cooperated in their efforts against alcohol with the members of the revolutionary underground. According to some critics, Meitei (the tribe of the majority of the people of Manipur) militants actively support these women’s groups.

Recent events have revealed that not just the militants, but also the Meira Paibi enjoy the support of most of the civil society in Manipur. Their protests led to such concrete steps being taken as, for example, a sentence of ten years imprisonment for one rapist, and to the dismissal from service of other rapists in uniform. Again, in another rape-case, the rapists were caught and beaten by the local women. Now,

the same group of local women campaigns against atrocities by the security forces. They also keep nightlong watches to foil raids. They dialogue with security forces and have convinced them to stop picking up innocent bystanders for questioning as part of counter-insurgency operations. The women have vociferously supported Irom Sharmila Chanu, who has been on a hunger strike since 2000, and her demand for the repeal of the AFSPA (the Armed Forces Special Powers Act, discussed above, which grants immunity for acts of (S)GVB committed by men in uniform). Mobilisation programmes to coordinate protests and led by local women's groups are often more inclusive, as the programmes conducted by Meira Paibies and the Naga Mother's Association (NMA) in Northeast India portray. However, once these programmes succeed, there is often an effort by other interest groups to hijack women's voices.

In 1997, the Government of India and the leading underground group NSCN (IM) jointly called for a ceasefire. In the peace negotiations that followed, for the first time a women's group, the Naga Mother's Association, (NMA) participated even though they did not have the right to vote in the negotiations. This was a first for any South Asian women's group. The Calcutta Research Group (CRG), seeing such an unprecedented development, decided to continue supporting the peace dialogues. They included women's groups, students, human rights groups, and the media, and even facilitated the President of the Naga NMA's trip to the UN General Assembly, where she called for peace in her region. Without directly transferring money, CRG has worked as a facilitation unit for a number of peace meetings in the region. CRG has also involved players from the region in regional and national activities. For example, in its by now well-known and respected course on forced migration, a course certified by UNHC, CRG has encouraged the participation of students from Northeast (NE) India. In all its meetings on human rights, CRG has involved activists from NE India, paying very close attention to the gender component of such participation. It has held a number of meetings on peace in NE India both in the region and in other parts of India, never ghettoizing the NE, but making their issue relevant as national issue. CRG has emerged as one of the main facilitators for peace in NE India. While CRG has never made peace an exclusive issue, by mainstreaming the issue of peace into its activities it has thereby developing partnerships with over twenty different groups in NE India. Such a relationship needs to be built on trust, as is also true in this case; and CRG has been able to gain the trust of most organisations in NE India. Trust building is a long-term process which is often neglected by supporting donors.

As we have stated above, during the armed conflict men often removed themselves from the (civil) society and from human rights groups, often deciding to become part of the armies or underground movements. Therefore, they were not

physically present within the society. During this period of the men's absence, women take over the responsibilities for running the society, usually successfully. Manchanda (2005) argues that men often exercise social, political and economic violence to re-assert control over women in post conflict situations. Social violence against women occurs through physical and non-physical means. Political violence implies the way in which women's peace activism is devalued, and or the way in which cultural tropes, such as "victimhood", are used to exclude women from political activism. In addition, the economic rights of women, particularly property rights and entitlements, are at risk for widows and single independent women during the post conflict period. A paradox is latent in the way both the state and non-state military forces recognise women as agents of peace. Even when women organise for peace, men devalue such activism, as has been seen in Kenya. The post-conflict period often sees an attrition of women's leadership roles, above all as the men come back to participate in civil society and take back the leadership. Women's organisations should create strategic linkages so as not to lose power when men come back. International coalitions for peace have a stake in maintaining these strategic linkages for women. Our research reveals that the Naga Mother's Association (NMA), the Meira Paibi of Manipur, and the Naga Women Union of Manipur (NWUM) has been able to overcome the restrictions set by men returning home, and have been able to sustain their activism in Northeast India.

Our experiences from the field illustrate that women have been more successful when they have appropriated peace-making as their realm. However, we make no exclusivist plea here. Peace-making is often recognised by the male dominated society as women's own work. The majoritarian leadership fails to recognise the political nature of the work of peace-making. The experiences of Northeast India show that, through peacemaking, women are able to negotiate spaces for themselves in the public sphere. This recognition then helps them in their other negotiations, such as the reworking of property rights for women. Women's negotiations for peace have the potential to change the situation of women even in traditional patriarchal societies. Therefore, women not only redefine peace: their own situation is also redefined by the politics of peace. Resolution 1325 can provide a basis on which to strengthen such activism of women that proves to be transformative for women as well as the power hierarchies in society.

5 SPECIFIC RESEARCH THEMES

5.1 IDPs – Women’s voices in rehabilitation and reconstruction processes

During conflict situations, large sections of the population are perpetually on the move, joining the throngs of internally displaced people (IDPs) and refugees worldwide. It stands to reason that large sections of those on the move are women. Internationally and in the developing world, the numbers of women and children among the IDPs and refugees far exceeds those of men. One of the conflicts which brought the category of IDPs into focus and gave them increased visibility was the escalation of conflict in Sri Lanka. By the end of 1995, more than one million people had been displaced in Sri Lanka. In December 1995 there were an estimated 1,017,181 IDPs in Sri Lanka, (*Report, Ministry of Rehabilitation and Reconstruction / Commissioner General of Essential Services*, 2 January 2002.). Around the same time, with the increasing recognition that the IDPs needed special attention, there were efforts to draft certain specific rules to guide administration of relief efforts. It was recognised that no continent is spared the challenge of IDPs, or the cruelties associated with the phenomenon. It was also recognised that the women among the IDP population formed a special category, and that their numbers often exceeded those of men. Therefore, when the UN Guiding Principles on Internally Displaced People were drafted, attention was paid to the fact that “the overwhelming majority of the internally displaced are women and their dependent children.” (Korn 1999, 14), an issue which had not been recognised in the UN Convention related to the Status of Refugees forty years earlier (1951).

Even before Resolution 1325, there were international treaties and conventions that made a concerted attempt to prioritise gender issues for IDPs; chief among these was the UN Guiding Principles on Internal Displacement (OCHA, 1993). For example in discussing groups that needed special attention in Principle 4 in the Guiding Principles it is stated that expectant mothers, mothers with young children and female heads of households, among others, are people who may need special attention. In Principle 7 it was stated that, when displacement occurred due to reasons other than armed conflict, authorities should involve the women who are affected when planning and implementing their relocation. Principle 9 emphasises that IDPs should be protected in particular against: “rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any other form of indecent assault.” Special protection was also sought against sexual exploitation. Principle 18 states that special efforts should be made to include women in

planning and distribution of supplies. Principle 19 requires that attention should be given to the health needs of women and Principle 20 that both men and women have equal rights to obtaining government documents in their own names.

The 1979 Convention on the Elimination of All Forms of Discriminations against Women (hereafter CEDAW) and the Optional Protocol (1999) set out specific steps for states to take to become proactive in their efforts to eliminate discrimination against displaced women. Article 2 of CEDAW states that public authority, individuals, organisations and enterprises should refrain from discrimination against women. Article 3 reiterated women's rights to be protected from sexual violence. Article 6 spoke against trafficking and sexual exploitation of women. Since most displaced women are particularly vulnerable to traffickers, this article is of considerable importance to them. It must be noted that most countries of the world are signatories to CEDAW. Many states have undersigned but with some reservations, which however, do not negate the main principles. Nonetheless, the onus of being gender sensitive towards IDPs in state policies and programmes is on the states themselves. All these international commitments have made it essential for the states to protect their IDP populations, especially the female IDP population. Yet, our research reveals that states often neglect these duties.

The existence of large IDP populations and unresolved tensions related to, e.g., land rights, are a potential source of further outbreaks of conflict. During a conflict it is essential to support states to register the number of IDPs, something which many states do not do. IDPs are a significant challenge to post-violence reconstruction in Kenya. Part of the problem is that the issues that fuelled the conflict are still present, and there has been little progress at the national level to implement far reaching reforms to address these problems. The question of IDPs is very intimately related to the politicisation of the land question in Kenya, an issue that has been manipulated in the past with an eye to electoral outcomes (Human Watch 1993 & 2008; ICJ 2000; KHRC 1997; KHRC 1998; KHRC 1996; Akiwumi 1999; & NCKK 1992). The current IDPs are the outcome of the recent post-election crisis; but even before this crisis there had been other on-going conflicts over land, such as the one being waged in Mt. Elgon. The *Mungiki*, a paramilitary group, are said to have partly originated as a movement among youths who were displaced from the Rift Valley during the 1992 and 1997 land clashes. Resolving the land question therefore lies at the core of the conflicts in those areas in Kenya from which large numbers of IDPs came. The solution to the challenge of IDPs should address the root causes of the conflict and subsequent displacement, otherwise displacement will recur again.

These displaced people are often among the most impoverished and most vulnerable people. As our field research in Nepal and East India shows, they are constantly competing against each other for meagre resources, leading to greater

conflict. It is essential to consider the issue of IDPs proactively from a developmental perspective, rather than a humanitarian perspective of relief work. The results of the field work in Nepal reflected the impoverishment of the displaced women, and the challenges that they face due to such impoverishment. Respondents in Rukum and Rolpa recalled the large number of women and children that were displaced to the district capitals. Even in the district capitals, they had to work very hard to make their living as a large number of people moved into urban zones where the economy had already taken a downward turn, and people had to struggle to find work to support themselves. Women respondents in Nepal reported that IDP women were socially stigmatized by the local host population, and many were not given accommodation in the district capitals because of the fear that there was no guarantee that the displaced women would be able to pay rent for their accommodation. Similarly, in Northeast India, there are also large numbers of IDPs who are currently living in impoverished conditions. While some of the IDPs in India are registered, almost all of them remain unregistered in Nepal.

Further, the drastic increase in the movement of women in Nepal into urban centres such as Nepalgunj, Pokhara, Dharan, Biratnagar, and particularly Kathmandu, during the conflict made these Nepalese women IDPs more vulnerable to exploitation from various urban business sectors. The displaced women have been absorbed into questionable and flourishing businesses such as restaurants, dance bars, and massage parlours in the major urban centres of the country. Since many of these women and children lack education and a family support system, these businesses provide needed income. According to a 2008 survey (Rakshya (Protection) Nepal, the Social Networking Care and Support Group for Female Sex Workers (FSW) and their Children in *Nepal*, 2008) in Nepal, out of the 200 women in the survey who were working in dance bars, ‘cabin restaurants’ (restaurants with small, candlelit booths where the female workers are obliged to sit with customers), and massage parlours, 58 percent had been displaced by the conflict and were compelled by their circumstances to work in these places to support themselves and their children since no one else would employ them. A majority of these women had fled from Sindhupalchok, Kavrepalanchok, Dhading, and Nuwakot districts, which are the districts surrounding Kathmandu valley (Rakshya Nepal 2008).

All returning IDPs as well as IDPs still in the camps are vulnerable; but women IDPs are more vulnerable than men. It becomes impossible for women IDPs to access resources: they hardly ever get back what was left behind. Men have greater mobility than women and are typically the first to leave the camps to try to return and access their sources of livelihood (e.g. in Kenya to cultivate their own land). The women in IDP camps have lost their livelihoods, and those who were subsistence farmers have lost access to their property. Living conditions in the camps

are deplorable: they are a breeding ground for many diseases. The camps pose a health challenge to the government and other humanitarian agencies that have been trying to assist the IDPs. Indeed, in some camps there is no humanitarian assistance at all, because officially, there are no IDPs in countries such as Kenya where IDPs are never registered.

Male children are also the ones who have easier access to education as they are more mobile. Girls typically remain at the camps with their mothers, where females are exposed to SGBV and are typically malnourished. There have been reported cases of rape and sex-for-protection, incidents that are related to security and humanitarian agencies and other persons meant to protect IDPs. One of the biggest challenges for IDP women, in addition to the exposure to SGBV, has been destitution and the violation of their property rights. Protection of women IDPs is an extremely serious issue which needs to be addressed rigorously.

The UN is often unable to assist IDPs, because the Governments do not recognize the existence of IDPs (e.g. Kenya and Nepal); this situation is also reflected in the operations of the donor community in general. Many international humanitarian agencies cannot aid IDPs unless the Government invites the INGO into the country. In some cases, CSOs are practically the only ones active in these situations. This support, however, is often only short-term emergency assistance which does not, indeed usually cannot, address the development challenges and the potential for renewed conflict that the IDP phenomenon brings. The inability of the UN and the donor community to support IDPs in such situations leads further to a situation where the IDPs may be completely abandoned.

There are, however, some good practices. Lessons are to be learnt from the Great Lakes Protocols, especially on the protection of returnees (IDPs returning home), including protection of women's property rights. The Great Lakes Protocol on the Property Rights of Returning persons specifically provides for the property rights of returnee spouses (initially displaced) if their spouses are dead, and therefore provides protection for IDP women against (male) in-laws (Article 5).

In one instance in Kenya we saw women's participation in operating the IDP camps during our visit to the camp at the Eldoret Show ground. It was very clear that women were involved in the running of the IDP camps there. UNHCR has guidelines on how to promote women's participation in the IDP camp processes. In fact, at present the committees in IDP camps in Kenya are dominated by women, partly because women are also the majority of the persons left in the camps. This can be considered as a best practice for IDPs. However, in most IDP camps women are never found in the leadership roles. Camp leaders are often men with little compunction about using women for their own needs. International donor agencies should support women's initiatives in running the camps. All camps should

have at least one woman leader (and one knowledgeable male leader) who see to it that the interests of women and girls are taken into account in the running of the camps.

Furthermore, women are systematically ignored not just from leadership in the camps but also in resettlement processes and the distribution of relief packages, which are usually handed over to the men. Female heads of households are often stigmatised and ignored when relief is handed out. All governments should ensure that relief for the family should be handed over to the women, since they are the ones who are responsible for the care of the family. Moreover, any compensation for the loss of common resources should be distributed equally between men and women, as women are equally and sometimes even more dependent on those resources. Unless these concerns are incorporated into rescue, relief, and rehabilitation guidelines, humanitarian aid may not serve its purpose in some countries, as the lessons learnt from Nepal and Sri Lanka show. Additionally, women should be consulted in all steps of rehabilitation.

In addition to all the challenges listed above, returnees, IDPs and other civilians face a serious lack of medical care resulting from government restrictions and a shortage of qualified personnel as many medical professionals and healthcare workers flee or migrate from conflict areas. Women also have special medical needs, which is a serious concern that needs to be addressed. In Nepal, the government needs to face the fact that conflict induced displacement often makes women easy targets for traffickers; and unless the government has an alternate social and economic policy for these women, the situation is only going to get worse. Furthermore unless improvement of the IDPs situation is considered as a development cooperation issue, they will be relegated to the humanitarian sector and never considered as a priority by Governments.

5.2 Environment and gender justice

At the moment very little research is available on the linkages between women/gender, (armed) conflict, and natural resources. However, a recent study by UNEP¹² discusses the key linkages between environment, conflict, and peacebuilding in 15 countries which are in or have recently experienced conflict. Natural resources are more and more the cause for conflict (construction of dams; degrading agricultural land, etc). The UNEP study argues that during the last sixty years, at least 40% of the intrastate conflicts have a link to natural resources, often ‘high-value’ resources (e.g. timber, diamonds, gold, minerals etc.). Water availability, food security, prevalence of diseases, coastal boundaries and population density can aggravate ten-

¹²From Conflict to Peacebuilding – The Role of Natural Resources and the Environment, 2009, UNEP

sions and generate new conflicts. Our research indicates that it is often the minorities, particularly minority women, who suffer most because of their displacement by these conflicts. They might be given financial compensation, but this often does not cover the monetary value of lost resources.

The UNEP study argues that the way natural resources and the environment are managed by Governments has a decisive influence on peace and security. Accordingly, natural resources can also contribute to a recurrence of a conflict if they are not properly managed in a post-conflict situation. The UNEP study concludes that natural resources and the environment can contribute to peacebuilding through economic development and generation of employment. However, this factor needs to be taken into consideration from the outset of the peacebuilding process, especially in post-conflict situations. The study states that integrating the environment and natural resources into peacebuilding is no longer an option but a security imperative. Key recommendations of the study include: i) ensuring effective management of natural resources and environment as an investment in *conflict prevention*; ii) ensuring that *development planning processes* are *conflict sensitive* (conflict analysis); iii) identifying 'hot spots' where environmental conflicts might emerge or have emerged; iv) making *dialogue and confidence building between divided communities an integral part of environmental projects, so that peacebuilding opportunities are not missed*; v) including environmental rights in national constitutional processes; vi) building on *existing community-based systems and traditions of natural resource management as potential sources for post-conflict peacebuilding while ensuring that they are broadly inclusive of different social groups and interests*.

Even though the UNEP study did not specifically look at gender aspects, its key findings are very much in line with our finding that understanding of the core issues of the conflict is important for development interventions, and that 'conflict sensitiveness' i.e. inclusiveness of different social groups and interests is one of the keys to conflict prevention. Men and women face the challenges of their social, economic and environmental reality differently. Women's role in issues related to environment and natural resource management is most evident when everyday decisions are made. This role should also be harnessed for the purposes of conflict prevention and post-conflict development. Again, first and foremost, it is important to understand and recognise the relationships that exist between gender, environment and sustainable development. This requires a context-specific analysis of patterns of use, knowledge and skills related to managing, using and conserving natural resources.

It is our finding that much of the focus in the implementation of Resolution 1325 is on armed conflict. Thus, other types of potential or on-going conflict, for

example conflicts related to the environmental crisis, are not receiving adequate attention. There is little research being done, for example, on the numbers of IDPs caused by conflict over natural resources. In most of the post colonial world, the Western paradigm of economic growth and industrial development which countries of Asia and Africa have accepted, and the current economic recession and environmental crisis that have been one of the results of this acceptance, are causing havoc in terms of the suffering of marginalised groups, including poor women and men in the developing world. Not just individuals, but entire communities with a rich cultural heritage and identity, are confronted by displacement through industrial and development projects that are being planned. These projects can be the root causes for environmental degradation and may result in conflict. Both environmental degradation and its consequences have a direct impact on women globally. The lower the development indicators of a country are, the more visible this impact on women becomes. Women in less developed countries are more vulnerable to the impacts of environmental degradation. Researchers have found a correlation between environmental degradation, climate change and women. Dulal (2009) argues that environmental impact is not gender neutral. Data shows that 90 percent of the 140,000 victims of the 1992 cyclone disasters in Bangladesh were female. Similarly, male survivors outnumbered female survivors by 3 or 4 to 1 in Indonesia and Sri Lanka during the Asian Tsunami of 2004. Women and children are 14 times more likely to die during a climatic event compared to men (Dulal 2009). It is notable that Finland's NAP puts significant emphasis on the gender-based impacts of the climate change, with a specific emphasis on women's role in management of natural resources, land ownership and creating sources of livelihood. Our research findings confirm that these are some of the key issues for women, all of which have an impact on how women are able to cope in a post-conflict situation.

Women in all three of our case studies are vulnerable to the serious impact of the environmental consequences of climatic events, a vulnerability which is further compounded by the intensifying conflict situation in their countries. The conflict intensification and various environmental disasters which have occurred in Nepal, for example, have proved to be a deterrent on improving the gender justice and women empowerment. The majority of women in Nepal are either illiterate or lack a functional level of literacy and are living in a dire poverty. They do not have coping mechanisms for the consequences of environmental degradation. Most of the women in rural areas do not have access to a source of drinking water in their household and have to fetch water from the public taps located some distance from their houses. This is even more difficult in the remote hills where women have to walk for hours up hills and down to fetch drinking water for their family. However, with the increasing impact of climate change and the decreasing amount of annual

rainfall in the country, many of the natural springs and wells are drying up, and water sources are becoming scarce. This has a direct impact on women, who are traditionally responsible for fetching drinking water for the family. The increase in the amount of time spent in fetching water decreases what little time women had for other activities than daily chores, and almost no time at all for becoming involved in activism for women's issues. The increased work burden caused by conflicts and/or environmental disasters could have a direct impact on women's health, especially their reproductive health. This is one of reasons given in a recent study (Himal 2006) for the large number of women in western Nepal they found suffering from uterine prolapse¹³.

Further, the dwindling of forest areas in Nepal has had negative consequences on the availability of firewood for fuel, and grazing areas and fodder for domestic animals. It has been estimated that forest covers 27-29 percent of the total area of the country; and the deforestation rate during 1978-1991 was reported to be 1.3 percent per annum (Source: Himalaya Foundation, 2008). If anything, the rate of deforestation has probably increased. As a result, women have to struggle more for collecting firewood as well as fodder. Thus rural households are not able to keep a large number of domestic animals, and may even be unable to keep those they have, which results in a decrease in milk and meat products, as well as less organic fertilizer for fields,.

As stated above, natural disasters impact poor women disproportionately. Nepal is no exception. The recent Koshi flood in eastern Nepal had a severe impact on poor women, whose houses were washed away by the river, and whose agricultural fields were destroyed by the spill over of the river sand. When they had to live under the open sky, they lost their privacy and were vulnerable to sexual violence and abuses.

In Kenya the situation is very similar. Environmental degradation has affected entire communities, leading to the destruction of livelihoods, resource-based conflicts, and a high incidence of diseases such as cholera, due to a lack of sufficient clean water to maintain good hygiene. Negative impacts on women in Kenya, especially poor women, have also been more severe because of the traditional division of labour between men and women which has meant that women's lives are more dependent on natural resources such as water and forests (Kaudia and Obonyo 2007:6).

Women's participation in decision-making on environmental issues and natural resource management is beginning to get attention in Kenya, as will be discussed

¹³ A recent population based survey jointly conducted by UNFPA, World Bank and Institute of Medicine has found that at least 10 percent (estimated to be 600,000) of all married woman in the reproductive age group are suffering from uterine prolapse, with over 106,000 in need of immediate surgical treatment (Himal 2006). But due to the lack of previous studies of this issue, one cannot make a comparative interpretation.

below. Up until the present, women’s participation has primarily been in carrying out activities they had no part in planning or conceiving. In most cases the work they did was also unpaid work. Women’s involvement should go further than just participation in committees dealing with natural resource management, which however would be a positive step forward. What is required is that agrarian reform would include laws related to women’s ownership of land. Our findings reveal that the women we interviewed quite generally felt that the present laws lead to the exploitation of women economically. These laws presently limit women’s access to natural resources such as land. Ownership determines who benefits from the farm products (normally men, even though women work the land). Agrarian reform, including reform of land ownership, should be seen as part and parcel of environmental conservation if the objective is better land use and its management for the economic benefit of both genders.

Our research also reveals how in Northeast India women as a group (together with men) rose up in protest against the construction of the Mapithel Dam, as it was feared that several villages would be submerged by the dam. As a result they became victims of human rights abuses by the state forces.

5.3 Role of men in implementation of Resolution 1325

Even though Resolution 1325 is about policy and society as a whole, in its implementation it has been viewed largely as an issue that only concerns women, and most of the advocacy and expertise on gender and peacebuilding issues comes from women. Men’s involvement in Resolution 1325 has not received enough attention either in terms of men as civil servants, office holders and functionaries involved in implementing it, or as perpetrators of inequality¹⁴. The need for men’s active involvement has been recently raised in many forums, including among EU Member States¹⁵.

There has been little research carried out regarding men’s and boys’ role as promoters of gender equality. A relatively recent study (Oxfam 2004)¹⁶, however, reflects international debates which see men not just as holders of privileges or perpetrators of violence, but as potential and actual contributors to gender equality. The evidence presented in the Oxfam study suggests that examples of positive initiatives are emerging in development cooperation. It shows that a small number of men and men’s groups are actively working to sensitise other men on gender is-

¹⁴ E.g. ‘Accountability and Masculinity’, Jeremy Stickings in “Report on Involving Men in the Implementation of UNSCR 1325 on Women, Peace and Security, Gender Action for Peace and Security”, March 13, 2007.

¹⁵ E.g. ‘Implementation of UNSCRs 1325 and 1820 on Women, Peace and Security – elaboration and implementation of UNSCR 1325 NAPs’, Brussels, 2 October 2009.

¹⁶ Gender Equality and Men, Learning from Practise, 2004, Oxfam.

sues, often in alliance with women and women’s groups. Activities identified in the study were involved: i) promoting alternative models of masculinities (e.g. through fatherhood); ii) using positive messages of men’s participation; iii) identifying effective, informed and self-critical male messengers (men to men; male champions of gender equality); and iv) targeting young men. Understanding the process of change, alliance building, and monitoring of effectiveness were stated as the key success factors.

In order to involve men as promoters of gender equality, it has been argued¹⁷, it is important to use Resolution 1325 to look more closely at how overall gender relations are part of what shapes the environment for peacebuilding. Such a view of peacebuilding through the lens of Resolution 1325 would help in seeing e.g. how ‘ordinary people’, both women and men, can be mobilised for broader peace processes, conflict prevention, and reconciliation. It has also been argued¹⁸ that men’s activism for gender equality should not stem from altruism, but from an understanding that peace and equality are inextricably interlinked, and that gender equality will lead to improved social, political and economic development for all. Many men are still unsure how women’s empowerment and women’s rights will benefit them. Men’s participation in gender mainstreaming at all levels and in all sectors, together with integrated, inclusive-of-men approach, are considered as ways forward. The question still remains of how to put this into practise.

First of all, it is important to understand that masculinities and male behaviour patterns are diverse and influenced in dynamic ways by factors such as race, culture, class, age, ability, religion and sexual identity. Many men continue to hold power over and obtain services from women, and are therefore resistant to moves towards gender equality. But there are also other men who reject stereotypical perceptions of masculinity and rigid gender divisions. Despite many challenges, we saw evidence of such men during our study, particularly in Kenya.

As NAPs have become the *modus operandi*, the incorporation by governments of proactive roles for men in the NAP implementation and development have been seen as one way of at the same time raising awareness and promoting essential partnerships with men to effectively implement Resolution 1325.¹⁹ This is recommended as a best practice to be followed, and monitored using indicators which measure the extent of the participation of men. The identification of ‘male champions’ as promoters of Resolution 1325 has been recommended as another best practice to be put into effect.

¹⁷ See for example: ‘Why SCR 1325 and gender matter’, Dan Smith in “Report on Involving Men in the Implementation of UNSCR 1325 on Women, Peace and Security, Gender Action for Peace and Security”, March 13, 2007.

¹⁸ E.g. ‘The role of men in SCR 1325’, Matthias Neuhaus (as above).

¹⁹ Recommendations on Involving Men in the Implementation of UNSCR 1325 on Women, Peace and Security, Gender Action for Peace and Security, March 13, 2007.

An issue high up on the agenda for including men’s and boys’ participation in promoting gender equality is the presentation of alternative masculinities and understanding what this entails. The promotion of less aggressive, alternative models of male behaviour, with the aim of preventing conflicts, should be considered. Men’s roles as peace makers, community members, supportive spouses, and caring fathers, especially as more positive role models for young boys, should be encouraged and supported. Our research indicates that this is particularly important in situations where young boys and men do not have expectations of stable employment opportunities, and cannot thereby sufficiently fulfil the ‘breadwinner’s’ role around which the present models of masculinity are defined. This has left young boys and men open for manipulation by politicians and unscrupulous leaders to take up arms and /or joint criminal gangs in a post-conflict situation (this is happening in both Kenya and Nepal as well as in countries such as Rwanda, Nigeria and Sierra Leone).

It is not only the implementation of Resolution 1325 which has been perceived as a ‘women’s issue’: this is only a reflection of how the promotion of gender equality is viewed in general. The recent focus on men’s potential contribution to gender equality has been on an analysis of masculinities and men’s gender roles, how and if men ‘lose’ if they promote equality has resulted in questioning at different levels. On the other hand, concerns exist among women that men will manipulate the gender discourse to support their own agendas, or that resources, even if specifically reserved for promotion of gender equality, will be diverted to the men and boys who participate²⁰. It is evident that gender equality is challenging the constructs of “masculine” and “feminine” produced by hierarchical power relations.

Our research in Kenya discovered that this dilemma clearly exists regarding men’s involvement in promotion of gender equality and hence, implementation of Resolution 1325. The question of male participation was particularly problematic for some members of the women’s movement. Women’s movement advocates agree that men should understand gender issues and be part of peer education. However, there is a fear that if men become highly visible, loud champions of women’s issues, women will be silenced and become invisible on the one issue on which they should be guaranteed a voice, as well as other issues that concern them. This dilemma and the resulting ambivalence implies that interventions that aim at involving men need to be careful not to sideline women or make men represent the voices of women. This is a risk inherent in such an approach. Involving men and boys in achieving gender equality must not be done at the expense of the empowerment of girls and women, and the resources for the latter must not be compromised.

²⁰ ‘Evolving the gender agenda: the responsibilities and challenges for development organisations’, James L. Lang and Sue Smith in “Gender Equality and Men: Learning from practise”, Oxfam GB, 2004.

Our research indicated that in the Kenyan context, because they are holders of power in many spheres of life, men's role is critical for improving women's status in society. Men can influence other men through peer education, and can work as advocates for gender equality and inclusiveness. However, the opinions of the persons we interviewed in our study indicated that men should not become the voices of women, as the long standing problem of rendering women voiceless is one of the problems that gender mainstreaming tries to mitigate.

In the Kenyan context, it was also realised that there are existing efforts which might further divide men from women, although it is not really understood why this should be so. As an example, there is a recently established 'Maendeleo ya Wanaume' (Men's Development) organisation. Its actions have actually not only been counterproductive for women but also for men. Our research workshop discussions revealed that a study (2009) they conducted e.g. trivialised the domestic violence figures of women by indicating that 90% of men experience violence at home, but the methodology of the study was not described.

In Kenya the dominant male models were also on the agenda for equality. In one of the presentations at the ICJ/ISS research workshop²¹ held in Nairobi on 3-4 June 2009 during our research, a male presenter analysed men's role in promoting gender equality in general and in addressing the problem of SGBV in particular. His view was that in the Kenyan context men feel that they are not able to raise these issues and talk about them, and are 'not real men' if they do so. He also referred to lack of understanding of what and why gender equality is important, even though the lack of equality seems to result in a 'war zone' between women and men. According to him, this gender inequality is linked to the culture of 'power' and 'authority to subdue'. Men also feel excluded from the discussion, as gender is still considered very much a women's issue to be promulgated only by women's organisations.

On the positive side, the presenter emphasised that there are many 'converted' men, and that mitigation of inequality will only be achieved when men/boys work together with women/girls. Importantly, he stressed the importance of guaranteeing basic rights and improving the economic status of women, and the linkages of these issues with poverty eradication and SGBV. He recommended actions which lead to demystifying SGBV and bringing it into the public arena. According to him, men need to change their attitudes, such as considering women as 'property' after being married. That is when 'authority to subdue' emerges easily. This 'property' thinking is also linked to 'dowry' and harmful cultural practises which promulgate violence and which should not be part of the modern society. He also mentioned that, as victims of the conflict, men also have experienced GBV. He called upon a

²¹ Tony Odera, presentation on "Participation of Men".

conceptual and operational framework for prevention which combines promotion of gender equality and violence issues.

Our field research in Kenya clearly indicated that men hold the key to certain issues in the community such as female genital mutilation (FGM) and girls' education. While some development organisations have emphasised the responsibility of the women who carry out the mutilation, we were constantly told that if men were against FGM, the women who circumcise girls would stop circumcising. It was also very clear that men, through the control they exercise over women's lives as spouses and parents also determine to a great extent the levels at which women will be allowed to engage with community development issues including peace-building. With respect to girls' education, men control financial resources in almost 70% of Kenyan households (IEA 2008: 41) and therefore determine whether or not family resources will be used to educate girls.

Most men we interviewed felt that, on the one hand, they themselves equate gender issues with women's issues, and on the other, women also do so. As a result, men are not permitted by women to engage in gender issues and therefore they have let the women lead. Many men have a limited understanding of gender and consider it as only a women's issue, but this may also be because very little effort has been made to raise awareness of men on gender. Men also felt alienated because of the “confrontational” strategies used by some women activists. Men felt condemned as a group and therefore further felt that women activists were insensitive to the fact that some men do in fact support gender equality, and that not all men accept and benefit from gender hierarchies in society.

Some women, in the minority, considered involving men on gender issues to be conceptually troubling because they consider men as part of the oppressive system whose very survival depends on subjugating women. Women doubted that men would be willing to cede to women space and privileges bestowed upon the men by their male sex.

During our workshop for researchers in Nairobi, held on 3-4 June 2009, men's role in implementation of Resolution 1325 was discussed. The recommendations of the workshop include: i) recognising and encouraging the important role of male champions, particularly at the community and local governance levels (male community leaders and civil servants); ii) carrying out public awareness campaigns; iii) encouraging women's leadership, and publicising decisions made by women in a positive light; iv) encouraging women to break their traditional silence, and changing the culture of not challenging seniority; and v) having boys/men as peer educators.

In Nepal, decision-making mechanisms are also traditionally occupied by men, maintaining the legacy of male domination in decision-making structures. At the

same time, some psychological resistance to women's empowerment prevails within the governance structures, due to a century of social marginalisation of women, keeping them from on the fringes of social, political, cultural and economic decision-making mechanisms. Men are still largely patriarchal, including the governance and civil service structures but positive examples are emerging. Some say it is because of the donor driven agenda, others have more trust in internal processes. The Maoists are largely more inclusive, including women and not only men from minorities and ethnic groups. The Maoists, however, understand gender politics much better than other parties in Nepal, since their leadership has been educated abroad, in places such as India, where there is a much longer tradition of gender politics and a strong women's movement. It is, however, very important that programmes promoting gender equality are understood and genuinely internalised by the male members of society.

The majority of our interviewees in Nepal felt that programmes to promote women's participation in decision-making at all levels should not be carried out in isolation. Most of the respondents argued that unless we engage men in advocacy related to programmes for the implementation of Resolution 1325 and promotion of gender equality, they will not succeed. Resolution 1325 aims at meaningful participation of women in decision-making which is traditionally carried out by men only. The male political leaders, from the centre to the local level, need to internalize the concept of women in decision-making. Otherwise, they may feel threatened, and fear that increased participation of women in political decision-making and peace processes will deprive them of an easy rise in the power structures; and they may be reluctant to cooperate in supporting the gender-equality agendas.

The resistance of the leadership of major political parties, except for the UCPN-M, to provide women candidates for election in the First Past the Post system (FPTP), and the continual lack of inclusion of women in the Council of Ministers, are glaring examples of the psychological resistance of male leaders to the promotion of women in the decision-making mechanisms. Our research indicates that the level of resistance at the local level could be even stronger among the less educated and more traditional male leadership. The district level female political leaders (from all major political parties) in Rukum and Rolpa clearly mentioned the prevalence of male resistance to providing women leaders with a platform for growth. The voices of women within their parties are rarely heard and acknowledged. Thus, it is important that the genuine concerns of men are taken into consideration, in hopes this will make men less fearful of women in decision-making, and more willing to support the participation of women.

Previously there was a general trend among women leaders of expressing anti-male sentiment when talking about women's rights issues. However, our research

revealed that the majority of our interviewees are no longer supporting this anti-male trend; instead, they are calling for the involvement of men in all activities intended to promote women's causes. Women respondents said that, if they ignored men while implementing programmes related to women, the men might become antagonistic because of a lack of communication, and might pretend ignorance. Our respondents argue that the inclusion of women at all levels of participation is not meant to exclude anyone, but to include everyone in the process.

One of the critiques of the rehabilitation schemes after the conflict in India has been that the head of the household is entrusted with the rehabilitation package; these packages have been given to male relatives instead of widows or single mothers, even though the National Resettlement and Rehabilitation Bill for IDPs displaced by industrial development had a clause according to which widows and single mothers should be entitled to relief packages.

The assumption and acceptance of the culturally defined roles of women as mothers and wives needs to be constantly re-examined, as “mothers” groups have transcended the boundaries of ethnicity/ nation to speak as “mothers”. Such a re-examination also calls for a closer look at the ways in which equal participation of men and women in leadership roles in society could be achieved. This requires lobbying from both men and women as equal partners. Hopefully this will be possible.

5.4 Monitoring of the implementation of Resolution 1325

5.4.1 Reporting and monitoring of NAP implementation

As a result of data collection by various actors, there is an increasing body of information on the implementation of Resolution 1325, however the quality varies considerably. This data has not been collected and collated and must be sought from several sources (e.g. INSTRAW, UNIFEM, international NGOs, etc.), but even looked at individually many reports clearly show areas where much more international attention and donor funding is needed. Although NAPs are becoming the *modus operandi* in the implementation of activities related to Resolution 1325, there are obviously ongoing development cooperation activities where implementation of Resolution 1325 could be integrated but which exist outside the NAP framework. However, it is difficult to obtain a full picture of what different actors are doing at a country level. This applies particularly to the activities undertaken by the governments and donors through development cooperation. In addition, there is information available on what CSOs such as women's NGOs, are doing in relation to Resolution 1325, which could also be collected and collated.

It is particularly challenging to obtain information on the size of the budget and the duration of activities related to Resolution 1325. It is our assumption that there may currently be several organisations that are making studies similar to ours, and compiling information on who is doing what. This further underlines the need for improved coordination of research and collation of information, both internationally and at the country level. At least, donors at a country level should annually share reports on both their future plans and their past activities, with clear data on outputs and potential expected results.

In October 2009 the Norwegian NGO-coalition FOKUS, jointly with UN-IN-STRAW, and with funding from the Government of Norway, organised an International Conference on Monitoring and Indicators regarding the implementation of Resolution 1325. (International Conference on Monitoring and Indicators). The material distributed in the conference and the discussions which took place outlined current activities in monitoring. In one of the papers presented at this conference, a summary of current monitoring of implementation of Resolution 1325 in different countries, Beetham and Popovic (2009, 10) emphasise that a lack of specific methods for interlinking the different dimensions of the National Action Plans, and a lack of reliable data for monitoring, are key challenges for effective and coordinated implementation. Studies on monitoring emphasise the need to develop both *qualitative and quantitative indicators* for monitoring at different levels. Currently, there are plans at different levels to improve monitoring of the implementation of Resolution 1325 and to create indicators for monitoring at both the global and national (and at times local) levels. It would also be useful if these indicators were similar, when feasible, and used consistently so that data could be easily compared. The existing mechanisms for reporting, monitoring and evaluation differ considerably, partly reflecting different international, regional, and national obligations to Women, Peace and Security goals (Beetham and Popovic 2009). Monitoring experts have encouraged Governments and civil society to use the "SMART" framework for developing indicators, so that indicators would be **S**pecific, **M**easurable, **A**chievable, **R**elevant, and **T**ime-oriented (Roche 1999, quoted in Beetham and Popovic 2009, 21).

Importantly, the UN, through UNFPA, UNIFEM, and OSAGI (UN Office of the Special Adviser on Gender Issues and Advancement of Women), have a pilot intra-agency project on *developing indicators* on a country level for the Resolutions 1325 and 1820. The four countries in their currently on-going project are Cote D'Ivoire, Nepal, Sierra Leone, and Uganda. UNFPA (and the other agencies) has already organised and facilitated workshops on indicator development in the three African countries in the project, and is organising one to be held in Nepal, most likely in early 2010. In Uganda, in a broad and participatory planning process, a total of 547

(!) indicators were proposed and agreed upon. Of these, the stakeholders finally decided upon a more reasonable number of 16 indicators to be regularly followed for monitoring. In Sierra Leone, a similar workshop took place in October 2009. The UNFPA representative involved in these processes emphasised that the aim is to mainstream the NAPs into other, existing, country strategies and policies. The NAPs supported by UNFPA also seem to be most ambitious among all NAPs in terms of monitoring. In addition, at least the Austrian National Action Plan includes both quantitative and qualitative indicators for its own work, although some of the stated indicators are not easily measurable. For example, “human rights protection of women and girls in refugee and IDP camps” is given as an indicator. The Austrian Plan also includes a requirement to establish a reporting system to collect information on financed activities and measures.

The recently adopted UN Security Council Resolution 1889, of 5 October 2009, also on “Women, Peace, and Security”, reinforces the provisions of Resolution 1325 and calls on the Secretary General to develop a set of global indicators within six months to track implementation of Resolution 1325. (S/RES/1889). OSAGI has the main responsibility for this task; but it should be noted that this Office has a broad mandate and a relatively limited number of personnel.

In the countries under review here, the Monitoring and Evaluation (M&E) systems do not provide sufficient data on gender aspects, and available data is not well disaggregated by gender. For example in Nepal, the NPC’s Poverty and Monitoring Analysis System (PMAS) for monitoring the Five Year Plans, and the Poverty Monitoring Information System (PMIS), are providing a certain level of relevant information, but still need to better reflect gender equality and social inclusion (GESI) aspects. In our case studies, the Ministries, including the Ministry for Local Development (MLD), report using M&E formats issued by the National Planning Commission (NPC). The Poverty Monitoring Division of NPC has the key responsibility to work in this area. Sectoral Information Management Systems exist, but do not provide information (numerical data) disaggregated by gender (except to some extent in the Education and Health sectors). *It is these existing statistical systems which need to be linked with the implementation of Resolution 1325.*

5.4.2 Implementation of national action plans for implementation of Resolution 1325

As was discussed above in section 5.3, the UN is currently developing global and national indicators to monitor the implementation of Resolution 1325. In this section, we look at the monitoring of Finland’s own activities.

At the moment there is only scarce and sporadic data available from the MFA on the relation of Finnish development cooperation interventions and activities to

implementation of Resolution 1325 and Finland's NAP. Thus, monitoring activities, and measuring outputs and potential impact is difficult, if not impossible. Without this database, and lacking a requirement for MFA and Finnish Embassies to report on activities which contribute to the implementation of Resolution 1325, it will not be possible to monitor the potential outcome and impact of these activities. Reporting on the implementation of Resolution 1325 should further be linked to monitoring of a broader impact which includes gender equality and human rights, as well as peace and security.

Gender mainstreaming in Finland's bilateral development programmes, and including gender as a category for allocations for support from the Local Cooperation Fund (LCF), has been problematic and has not resulted in the expected outcomes. Gender has not been systematically on the agenda, and accordingly the planning frameworks have not included gender-specific activities or indicators disaggregating the information by gender. This has made monitoring of the outcomes and impact, or even the monitoring of easily measurable inputs and outputs, very challenging. Separate evaluations of gender (outputs, impact) have not been conducted. Generally, it is difficult to distinguish the impact of Finnish development cooperation interventions from the impact of interventions by other actors. It is clear that any significant monitoring of anything done by Finland's Ministry for Foreign Affairs in a foreign country, not to mention the impact of these actions, can only be carried out at the country level in a country where Finland has an Embassy. Even when this is the case, the Embassy still needs to take on the responsibility of reporting regularly on specific issues related to the implementation of Resolution 1325, which is not being done at the moment. In those countries where NAPs exist and are supported by Finland, development of a monitoring mechanism can be made part of the support provided, and thus closely linked to the Government's monitoring efforts. Current monitoring of progress regarding gender equality in bilateral programmes (and the use of LCFs) is sporadic. If reporting on this progress was required by the MFA, the contribution of the bilateral programmes towards implementation of the FNAP could easily be measured through e.g. monitoring with specific indicators within these programmes. This would include measuring impact in those cases in which the Monthly Tracking Reports and evaluations systematically include impact.

Many of the interventions supported by the LCF contribute directly towards implementation of Resolution 1325. However, there is no statistical database in Finland at the MFA in which data from these interventions can be easily identified. With Finland's decentralised management structure, the LCF is being administered by the Embassies and thereby the information related to them is mainly available in the Embassies.

At times, some CSOs in Southern Hemisphere and Asian countries, working on

Resolution 1325 related issues and receiving funding from international and bilateral donors, may have a slightly worrisome perception of monitoring. Some CSOs may at times have the understanding that they should monitor their activities for the sake of the *donors*. One CSO representative, for example, told us that donors required data on the numbers of women raped in a certain village, and that they had tried to produce such data – for the sake of the donor. Finland should always seek to share a common understanding of monitoring: why and for whom monitoring is being done.

Since the capacity of the National Statistics Bureau, or Statistics Office, is often very weak in many post-conflict societies and developing countries, and since it is an area where Finland has much knowledge and experience, Finland could seek ways for supporting Bureaus of Statistics. *A best practice* is the GEEP project in Bosnia-Herzegovina where funding was provided for gender sensitisation of Government statistics offices.

5.5 Partnerships and networks

The International Conference on Monitoring and Indicators, organised by INSTRAW and FOKUS in Oslo in October 2009, discussed networking and brought into focus some potential new forms of partnerships. The closing session of the Conference called for improved networking and collaboration on information sharing. The need to improve collaboration among Government Ministries, between Government and civil society, and among donors at a country level was an issue that continually came up in our study.

On a global level, Finland should continue its good work on policies to promote the implementation of Resolution 1325. In this work, Finland has successfully partnered with like-minded countries within the UN. However, through development policy and activities, Finland should also seek for and support new forms of partnerships based on existing good practices.

In bilateral partner countries, the Finnish Embassies, which are responsible for implementing the LCF in each country where Finland has an Embassy, have a direct link to the local NGO and CSO network. This local network continues to provide an opportunity for partnerships and creation of new networks. There are great differences however in how individual Embassies use this opportunity. In some countries, they seem to be very informed about the relevant actors and networks related to, e.g. Resolution 1325 and women's rights, and in other countries the communication between the Finnish Embassy and local NGOs and CSOs is merely limited to the funding and reporting procedures. There are countries however, Kenya for example, where the existing donor coordination mechanisms for small grants

from the LCF allows for more information sharing and networking among donors.

NGO South-South and North-South dialogue and cooperation – a good practice: The Norwegian NGO FOKUS (Forum for Women and Development), through funding from the Norwegian Ministry for Foreign Affairs, organised a Dialogue on Resolution 1325 for Norwegian and Southern NGOs in Bangkok in 2007. Some of the same participants then also participated in two subsequent international conferences, which FOKUS organised together with UN-INSTRAW in 2008 and 2009: this made a continuing dialogue among at least some of the participants possible. Such processes, if done in a systematic manner, can also lead to new partnerships between Southern groups, research institutes, and similar bodies.

Research institutes in developing countries may act as intermediaries between funding agencies and local women's groups; we have identified several good examples of such cooperation in our research. One of these is the Calcutta Research Group (CRG) in North-East India, which we discussed above. CRG has been engaged for more than 10 years in facilitation of a dialogue between conflicting local groups. It also managed to create a space for women's local organisations, and enabled cooperation between women's organisations and other CSOs such as student groups.

Strategic support to research institutes in partner countries can contribute to both information gathering as well as creation and building of networks and partnerships. However, such cooperation should be long-term, as has been the very good practice of the Embassy of Finland in New Delhi providing support to the CRG. When supporting research institutes, it should be understood that there are great differences in terms of their research capacities in different fields, including SGBV, VAW and other sensitive issues. It should also be kept in mind that research carried out by NGOs can be counterproductive and easily delegitimised by a Government. For this reason, too, academic institutions should be actively considered as partners when feasible and when it is possible to continue this partnership for several years.

Most of the work on Resolution 1325 concentrates on only a very few sectors, such as promotion of women in politics and governance, legislation, etc. There is very little support for creating new partnerships between, for example, women's organisations and groups of officials, civil servants, or CSOs in other sectors such as natural resource management or the environment. More support is needed for facilitation of women's participation in the implementation of Resolution 1325, particularly for women as civil servants, as well as for the creation of networks between women's NGOs and organisations operating in related fields. A post-conflict situation might provide a window of opportunity for such work if it is properly supported.

6 RESPONSE OF DIFFERENT ACTORS TO THE NEEDS AND PRIORITIES OF THE IMPLEMENTATION OF RESOLUTION 1325

6.1 Government gender strategies, policies, and Resolution 1325

6.1.1 National action plans (NAPs) for implementation of Resolution 1325

Both countries under review here, Kenya and Nepal, have proven their interest in preparation of a country-specific National Action Plan (NAP) for implementation of Resolution 1325 by actively starting *a process of preparation of their NAPs*. In Kenya this will be mainly assisted by Finland, and in Nepal by UNFPA. In both countries preparation is still in the initial stages: in Nepal the process has been on the agenda for quite some time; in Kenya negotiations with the Ministry for the Foreign Affairs of Finland are presently on-going.

Kenya and Nepal have different histories in the promotion of gender equality. It can be argued that the involvement of the Government of Nepal in addressing women's rights and their empowerment issues is a rather recent phenomenon which has been the result of the women's movement and donor enforcement, rather than an internal realisation of the need for gender equality and a commitment by either the men of Nepal or the Government that they form. However, once women's issues and gender equality were on the agenda, however they came to be there, it became impossible to remove them.

Notwithstanding what the Government did or did not do in Nepal, the country is not new to women's activism. Women have participated in pro-democracy movements and in leftist politics from the 1970s. Women in Nepal have assumed leadership roles against all odds, and despite such barriers and challenges as the caste system, Hindu patriarchal structures, an unstable government, pervasive violence, etc. Our findings indicate that, once implemented, Resolution 1325 is an instrument that women hope to use in their campaigns for empowerment. The women's movement for equity and equal rights in Nepal, as also in Kenya, is far greater than any UN Resolution. In fact Resolution 1325 can only be successful if it aids the Nepali women's movement in their march ahead. To support them, a vigilant international community, an inclusive civil society, and an aware Government are necessary. Resolution 1325 can be a tool for aiding Nepali women as they continue the march that they themselves have begun.

The situation in Kenya is very different. The Government of Kenya has a long history in the promotion of gender issues. It has set up gender mechanisms (min-

istry and commission) and has formulated gender policies, strategies and action plans; Nepal has also recently begun to follow a similar agenda. In addition, some sectoral Ministries in Kenya have their own gender policies. The Government has developed a Service Charter which commits them to providing better service delivery to women. Our findings, particularly in Kenya, indicate that the key challenge is finding ways to ensure these gender policies and strategies will reach the local women to enable their voices to be heard. The Government has been very good at generating national level gender policies and strategies but somewhat weak when implementing those policies. The biggest weakness, however, manifests itself in enacting and enforcing gender related laws. There has not been a comprehensive study in Kenya that has analysed the success levels of implementing such policies, nor the effectiveness of the government gender machinery. It is notable, though, that even *despite a long history, and even with gender machinery, policies and strategies in place, it is still a huge challenge for the Government of Kenya, and other authorities, to reach the rural, mostly poor, women, and the poorest women in urban areas, to support them as active participants in development interventions. This is even more true in Nepal.*

The Government of Nepal only began paying attention to Resolution 1325 in late 2007 after continuous lobbying by the UN, donor agencies and civil society, and especially by the women-led organisations. Despite being involved in donor consultation, capacity building and two years of preliminary planning following an initial commitment in 2007 to create a NAP for implementation of Resolutions 1325 and 1820, the Government of Nepal has not yet begun formulating the NAP. It can be argued that the high level of political instability, and the current political bickering over power sharing and Government formation, have combined to keep issues related to the Resolution 1325 off the priority list for the time being. Only recently has there has been news that the GoN is now working on the NAP for Resolution 1325.

A high-level Steering Committee was established in October 2009 to start to prepare the NAP for Nepal. As of November 2009, the Committee had not yet met, but members include representatives of the Foreign Ministry and the Ministry for Peace and Reconstruction, as well as civil society representatives. The Ministry for Foreign Affairs will act as the lead agency. However, there seems to be some confusion among the CSOs as to who should and who will be invited to participate, and how broad the participation of civil society is going to be.

As part of their activities in the implementation of Resolution 1325, the Government of Nepal has, with support from the UN, provided training for the new Constituent Assembly members on the issues of women, peace, and security, set out in Resolution 1325. Other activities in relation to Resolution 1325 which have already been carried out are the training for peacekeepers recently provided by civil society

experts (IRICON, NGO-based consultants). If Finland wants to consider cooperation related to gender training for peacekeepers, Nepal could be an interesting country to work with, since both Finland and Nepal are relatively large providers of peacekeepers. In fact, some initial training of peacekeepers in gender awareness has been organized in both countries.

An interesting aspect regarding Nepal is that, as mentioned above, *Nepal is one of the four countries in an UN-led pilot project for developing indicators for monitoring the implementation of the Resolutions 1325 and 1820*. This project is going to take place alongside the development of the NAP in Nepal. The representative of the UNFPA told our team member in Nepal in November 2009 that the UNFPA (and UNIFEM and OSAGI) are going to support the Government of Nepal in the development of their NAP for implementation of Resolutions 1325 and 1820. As part of the pilot project, UNFPA (UNIFEM, OSAGI) plans to organise a large planning workshop in Kathmandu as soon as possible, at the latest in early 2010, with representatives from different stakeholders. As per November 2009, there was no time-frame for this work as yet, but the UN is eager to see the Government of Nepal with a completed NAP relatively quickly. with the 10th Anniversary of Resolution 1325 in October 2010 in mind. Considering how much time participatory preparation of an NAP in Finland and some other countries took, the *idea to quickly prepare the plan is not necessarily only a positive idea, but may actually have concrete results*.

Taking into consideration that *development of indicators and setting up the M&E system* will also be a challenge in the Kenyan context, *lessons should be learned from the process in Nepal and other pilot countries*. As indicator development workshops have already taken place in other pilot countries such as Sierra Leone and Uganda, the participation of the Kenyan NAP preparation team in a workshop in Kathmandu in early 2010 could be supported.

In general, it seems that in Nepal there are major challenges regarding coordination of the Resolution 1325 NAP planning, both within the Government, among the CSOs, between UN agencies, and between the UN agencies and the Government. The active involvement of the UN agencies in the development of NAPs (e.g. those of Uganda and Sierra Leone) brings the country into an international forum and can in many ways enhance the process. However, the fact that the process is actively pushed (and funded) by a UN agency includes a risk of undermining the Government commitment to completing the NAP. According to some UN representatives, the Government ministries in many countries have very limited human resources for the drafting of the NAP, and will thus most likely hire a consultant to prepare a first draft. On the other hand, the Government of Nepal aims to involve existing Local Peace Committees in the process, which could increase the ownership of the future NAP.

As our findings from Kenya indicate, though, women's meaningful participation in Local Peace Committees, and their impact in general in decision-making, has been questionable, mainly due to the lack of an enabling environment for women's participation. *Prior to engaging Local Peace Committees in the process of preparation of the NAP for implementation of Resolution 1325, their performance on gender issues should be assessed, and a strategy for women's participation carefully thought out.* This assessment should look particularly at the *conditions for women's participation*, which can then be addressed as part of the NAP on the implementation of Resolution 1325.

It would be important for Finland to support *a participatory and proper planning process and encourage better coordination among the different actors.* In this matter, the Embassy of Finland should actively coordinate with the (development cooperation experts in) Embassies of Sweden and Norway, two countries which have been active in the process of the development of the NAP in Nepal. Finland should also consider participating in the funding of the preparation process in Nepal and Kenya, and specifically the implementation of the forthcoming NAP, possibly jointly with Norway and Sweden. If Finland considers support for such implementation, it should commit itself to long-term funding in both countries. Our key informant interviews, especially in Kenya, indicate that *what is needed is implementation that reaches local and rural areas, not another policy, strategy or plan of action at the national level.*

As our findings indicate, women and girls have multiple needs related to traditional and non-traditional security, and to ensuring their active role in participation in decision-making, peace processes and prevention of conflict. In this respect it is of crucial importance to *recognise that conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non-violence. Strategies for ensuring the participation of women should take all of this into account.* Resolution 1325 and the NAPs for its implementation need to be aligned with existing instruments such as CEDAW and the BPFA. As UN instruments, they are not only but largely instruments for use by Governments. Our findings from the review of the literature also indicate that directly related to Resolution 1325 have been largely implemented only by CSOs, up until the present, this has also been the case in both Kenya and Nepal. Both the Government and CSOs are important actors in implementing Resolution 1325. However, at the end of the day it is Governments which bear the main responsibility for the security of their citizens.

Particularly in Kenya our findings from the field study indicate that *regional instruments created in Africa for promotion of gender equality and peacebuilding* bear more weight in the country context than, for example, UN Resolution such as 1325. In this case it is of utmost importance to link the Kenya NAP for implementa-

tion of Resolution 1325 with already existing regional initiatives, and to incorporate regional peacebuilding policies and practises (e.g. RECs; policies of the African Union; African Women’s Protocol) into the Kenya NAP framework.

Similarly, because it is a UN Security Council Resolution, implementation of Resolution 1325 is binding on the Governments of UN Member States. Accordingly, the creation of a NAP should not be seen as an exercise separate from other Government interventions, either strategic or practical. NAPs for the implementation of Resolution 1325 should be *linked to the on-going policies, programmes and strategies of the Government agencies, departments and line ministries, which should all be proactively involved in the implementation of Resolution 1325*. A country NAP for implementation of Resolution 1325 should also be linked with *other national policies and plans, and mainstreamed into the policies, strategies and plans of actions of all Ministries*.

Another important issue in NAP preparation is deciding where implementation of Resolution 1325 should be ‘located’ within the Government. Evidence from countries around the globe has shown that despite being able to achieve positive improvements, for example, regarding national level policies and strategies, most gender machineries are very weak in implementation. For example in Kenya, *responsibility for leading the implementation should not be left only to the Ministry of Gender or the National Commission on Gender*. These Government bodies have had an active role in ensuring gender equality in post-conflict development, particularly in the Gender Cluster, however they do not have either the capacity or the ability to effectively reach the rural population. The best mechanism for accountability and M&E would be to have a Commission (or similar) for Implementation of Resolution 1325, including both the civil society and the Government as a Steering Committee (or similar) built around the Resolution 1325 NAP implementation.

In Kenya, the National Steering Committee on Peacebuilding, which includes representatives from both the Government and civil society, already exists within the Office of the President. If a National Steering Committee were set up comprising relevant interventions in the areas of women, peace, and security (peacebuilding initiatives; small arms interventions) and which would also oversee the coordination, preparation and implementation of the Kenya NAP for implementation of Resolution 1325, this Committee could also facilitate mainstreaming Resolution 1325 issues into the design and implementation of other interventions. *For Resolution 1325 to become a meaningful tool in national policy and strategy implementation, it needs to have strong political backing*. Responsibility for different aspects should be distributed to key government Ministries/Departments (Defence; Internal Affairs; Office of the President; Gender), along with built-in and well-defined accountability mechanisms.

In Africa, several NAPs for implementing Resolution 1325 have already been prepared, and many countries now have experiences from the first years of implementation. *Experts from those African countries which already have NAPs should also participate also in the preparation process in Kenya.* Preparation should be a joint effort between the Government of Kenya and the civil society. It should be *a participatory process which also involves representatives from the district and community levels (women and men),* as the main challenge is implementation. The Kenya NAP should clearly indicate the *activities, responsibilities, budget and the M&E system* (qualitative and quantitative indicators) for implementation of Resolution 1325 in Kenya.

The desk review of the literature, and our findings from the case studies in Kenya and Nepal, both indicate that all three arms of the Government, *judiciary, legislative and executive,* need to participate in the implementation of Resolution 1325. NAPs for implementation should particularly involve local governance structures, as they are closest to the people. *Local authorities, including police,* play a critical role in the conflict, reconciliation and rehabilitation process. As they are closest to the people, local authorities can positively or negatively influence the way in which the situation evolves.

Implementation of the NAPs further needs to include *capacity development* for gender analysis, gender mainstreaming, gender budgeting, and so on, in addition to conflict resolution and peacebuilding. It should also strengthen the capacity of the national gender machineries to fulfil their mandate. Capacity development is required at all levels; and capacity assessment should be part of the NAP preparation process. *The budget for implementation of the NAP should include sufficient financial resources to ensure the capacity gaps are addressed and filled.*

6.1.2 'Best practises' of the government of Nepal

In addition to the proven interest of the governments of the countries under review to proceed with preparation of NAPs, they have also taken positive steps towards implementing gender sensitive policies and strategies. The change is particularly notable in Nepal, where promotion of gender equality had not been significantly on the agenda of the Government of Nepal prior to the Maoists' participation in the Government.

When thinking of 'best practises' by the Governments, apart from the NAPs, it is worth mentioning that the Government of Nepal has introduced a large scale programme on Local Governance and Community Development (LGCDP). It is a national programme aimed at improving good governance and inclusive community development. Gender issues have not been incorporated or mainstreamed in the main document of the programme itself, but interestingly a specific gender strat-

egy, “Gender Equality and Social Inclusion Operational Strategy” (April 2009) has been prepared and combined with the aspects of social inclusion in the LGCDP. This gender strategy is a document which clearly addresses gender issues regarding the prevention of conflict. It also responds to the question of how to address, for example, challenges of ethnicity, caste and gender at the local governance level, which is that closest to the women.

It is also noteworthy that the new gender strategy addresses gender and social inclusion in planning, programming, budgeting, monitoring of both institutions and programmes, and in ensures that their management and organisation are sensitive to gender and social inclusion. This gender strategy, while recognising that different groups have different needs, defines exclusion as being based on four factors: i) gender-based; ii) caste, ethnicity, religion-based; iii) poverty-based; and iv) region-based. It has primarily been developed for district, municipal and village level governance structures, and is used i.a. to define who are the excluded in local populations. and to determine the cause of their exclusion.

The “Gender Equality and Social Inclusion (GESI) Operational Strategy” (April 2009) comprises three components, which are also its aims. Component 1 “*Citizens and communities engaged actively with local governments and hold them accountable to enhance citizen’s participation, including women and people from excluded groups*” includes i) information and knowledge building of citizens and communities; ii) strengthening capacity for ensuring that all citizens, including women and people from excluded groups are able to engage with planning, programming, budgeting, monitoring and oversight of local bodies; and iii) building capacity of networks, federations and representative organisations.

Component 2 “*Increased capacity of local governments to manage resources and deliver basic services in an inclusive and equitable manner*” deals with i) allocation of fiscal resources to local governments, including a quota for the grants for women (increase from 15 percent to 25 percent for women and other excluded groups, out of which 10 percent will be earmarked for women specific programs) and ii) that at least 15 percent of all PM indicators will be GESI (Gender Equality and Social Inclusion) sensitive. Importantly Component 2 includes iii) a comprehensive capacity development programme, for strengthening both institutional and individual capacity. This strategy thus identifies the required capacities for Gender Equality and Social Inclusion (GESI) for both institutional and individuals. It also covers conceptual clarity on GESI, GESI analytical and responsive skills, capacity to use social accountability mechanisms, selected PRA tools, and behaviour change and skills.

A Village Citizens’ Forum will advocate with the Village Development Committee (VDC) to establish links with line agencies to coordinate basic service provision at

settlement level where possible, or VDC level. A disaggregated database will be maintained.

Component 3 “*Strengthened policy and national institutional framework for devolution and local self-governance*” includes a review of whether policies and institutions are addressing the specific needs of women and the excluded as well as *contributing to transforming existing power relations between the advantaged and the excluded communities*. Component 3 also places emphasis on staffing policies so that they will be GESI sensitive and will further *consider the specific issues of women and the excluded during recruitment, promotion, transfer and capacity building*. In addition, national government bodies will be provided with technical support for mainstreaming GESI in their routine work.

The M&E system in the new GESI Strategy is also planned to reach down to the village level. All monitoring and reporting formats will have: i) disaggregation by poverty, sex, caste, ethnicity, and location; ii) monitoring and reporting will be done in 3 areas/domains: a) changes in assets/services, b) changes in voice and ability to influence, c) changes in informal and formal policies and behaviour (e.g. access of women and excluded to services, reduction in discriminatory social practices like VAW, caste-based discrimination, changes in decision-making power of excluded, acceptance of advantaged groups regarding support to the disadvantaged); and iii) budget monitoring done from a GESI perspective: how much of the allocated budget is being spent on specific, supportive or neutral activities in relation to women and other excluded groups.

A Local Governance Voice and Accountability Facility is planned to be established, which will support the GESI section of the Ministry of Local Development and the GESI Implementation Committee of District Development Committees (DDCs), to develop GESI sensitive monitoring and reporting systems.

The preparation process of the new GESI strategy was a participatory process at the community level, followed with consultations at central, regional, district and VDC levels with different stakeholders from government bodies, donors, programmes, representative organisations, NGOs, and community women and men of different social identities. Ministry of Local Development representatives, GESI advisers from the Japan International Cooperation Agency (JICA), German Technology Cooperation – International Services (GTZ-IS), Local Governance and Community Development Programme (LGCDP) in Nepal (supported by UNDP), UNICEF and especially CIDA, were fully engaged with the consultant team of HURDEC in the field consultations, analysis and preparation of the GESI strategy. As such it is already a strategy and a *tool that can also be used in different contexts*, not only in Nepal.

The GESI strategy was based on a comprehensive nationwide study on “Citizen Mo-

bilization in Nepal: Building on Nepal’s Tradition of Social Mobilization to Make Local Governance More Inclusive and Accountable”²². This study was supported by the World Bank/DFID and Swiss Development Cooperation (SDC).

Another ‘best practise’ initiated by the Government of Nepal is Gender Responsive Budgeting. The Gender Responsive Budget guidelines are comprehensive and cover many aspects of mainstreaming gender into the planning and programme cycle of local bodies. This set of guidelines provides guidance on how to do a gender audit so that it covers aspects of programme implementation, institutional issues and staff skills.

A major drawback in the guidelines is that the document has dealt with gender issues alone, and has not taken a holistic view of exclusion. There is no recognition that gender is a cross-cutting dimension of discrimination across all social groups in Nepal, and that both gender and social inclusion issues require to be addressed together for effective change in the lives of the excluded women and men. A key gap in the guideline is that it does not provide specific guidance on how to do GESI responsive budgeting. At the moment it only provides a list of questions which are not sufficient for substantive budget analysis.

This guideline has not yet been implemented, and so lessons about its practical application are still to be learnt. Discussion on its revision to include social inclusion and budgeting aspects is also yet to take place. However, as an initiative it is interesting and, as in the case of LGCDP, should be incorporated to help form the basis for Nepal’s NAP for the implementation of Resolution 1325. The LGCDP should form the basis for implementation of the Nepal NAP.

6.1.3 ‘Best practises’ by government of Kenya

There are several good practises by the Government of Kenya in promoting gender equality, particularly at the national level. The major challenge is how these initiatives will be able to reach the rural women and the urban poor women and make them active participants.

There has been an intense, wide-spread, and in some cases very well coordinated increase in Resolution 1325 related activities following the post-election violence in Kenya. The *Inter-Agency Gender Based Violence* sub-cluster co-chaired by the United Nations Population Fund (UNFPA) and the *National Commission on Gender and Development* (the Gender Cluster) played a significant role in assisting the Commission of Inquiry into Post-Election Violence (The Waki Commission). This assistance made it possible for the Commission to be the first in Kenyan history to detail and demand accountability for sexual and gender based violence

²² “Citizen Mobilization in Nepal: Building on Nepal’s Tradition of Social Mobilization to Make Local Governance More Inclusive and Accountable”; LGCDP, April 2009, Chhaya Jha and Sitaram Prasai (HURDEC), Mary Hogley and Lynn Bennett.

(Waki 2008: 239-271). A National Plan of Action for addressing SGBV has now been prepared, and Norway and Denmark are supporting its implementation.

Currently the Gender Cluster is working on strategies to influence the workings of the proposed *Truth, Justice and Reconciliation Commission*, and intends to ensure that women are heard. The Gender Cluster has also sought to influence the shape the proposed *Special Tribunal for Kenya* would take and to ensure that the Tribunal has the mandate, power and the capacity to address sexual and gender-based violence cases.

Within the work of the Gender Cluster on SGBV, excellent results were gained in coordination efforts of actors at the lowest level of governance: districts chiefs worked together with local women leaders. Capacity development and coordination of actors (CSOs; Government) at the lowest governance level has significantly contributed to the increase in the reporting of GBV cases. As the coordination mechanism (led by different ministries, mainly health) included institutions, and not just individuals, it resulted in a positive outcome. As the support provided for setting up the coordination mechanisms was classified as emergency support, it ended after six months. Local level coordination mechanisms which would have a direct impact on the lives of people, and similar interventions, should be supported on a longer-term basis than six months. Such support could come for example from within the GGPIII, but it should be led by the Government.

The National Gender Commission of Kenya (NGC) is also looking into how to build on the lessons learnt and best practices from the interventions on Gender-Responsive-Budgeting (GRB) initiated and studied by UNIFEM and CIDA. A field study on GRB was done, but it was carried out without the Government's involvement. For the first time, NGC has been able to influence the Budget Outlook Paper (BOP), which is a significant achievement. The BOP now includes a separate Chapter on gender, together with youth and the most vulnerable groups.

Regarding economic security, the Government of Kenya has set up a Women's Enterprise Fund which has recently been evaluated by UNIFEM (final report in preparation and not yet available). Despite its flaws in reaching the rural poor, as also evidenced in our research, it has potential which should be looked into. Its positive influence can be attributed at least in part to the fact that women from the Women's Office have been managing the fund. However, they have not had proper resources and capacity to do all they could have done. At the moment the Fund is providing grants and loans (through micro-finance institutions) for women, based on their economic status. The Government is eager to upgrade the WEF into a proper bank with established offices at the district level (with low interest rates). They are in need of technical assistance for looking at the modalities for transforming the WEF into a bank with a pilot project in one district, for example.

6.2 Donor response to UNSCR 1325 in Kenya and Nepal (including CSOs)

Our findings indicate that there is no blue-print or ready-made solution for donors to support interventions related to Resolution 1325. As the issues of women, peace, and security are very complex, including as they do aspects of women’s participation and protection, as well as their role in prevention of conflicts, interventions need to be multi-faceted and based on a thorough understanding of the core challenges in each country context. In both Kenya and Nepal *interventions directly related to the implementation of Resolution 1325 are currently being carried out by CSOs* with the support of various donors, including Finland (LCF support). This section will discuss donor interventions related to Resolution 1325 which have been carried out in our three case study countries.

6.2.1 Nepal

We will first discuss the donor responses in Nepal. The EU’s support to gender equality in Nepal is concentrated on implementation of the Guidelines on VAW/Gs and combating all forms of discrimination against women. Many EU missions support different kinds of NGO projects (similar to LCF support) related to VAW, which work on legislative reform to ensure equality of women before the law. The EU has also provided support to lesbian HRDs through funding of a protection manual and a women’s publishing house. Gender equality is referred to as a cross-cutting issue, and *a better sharing of ‘best practises’ of bilateral projects has been planned*. Support is also foreseen for the Population and Housing Census in 2011, with special emphasis being placed on obtaining reliable data disaggregated by age, gender, caste/ethnicity and religion.

A combined list of activities²³ combating VAW that have been carried out by the EU, and the embassies and missions in Nepal of EU Member States, has been prepared. This list includes the contributions of the United Kingdom, Finland, Germany, Denmark, and the EC. All the activities listed have been implemented by CSOs. It is worth noting that *only Finland mentioned that promotion of women and girls is a cross-cutting issue in bilateral programmes*, however, none of Finland’s interventions are on the list. All these activities towards eliminating VAW are relevant to implementation of Resolution 1325. However, as said above, they aim at changes from outside the governance structures, not from within. Numerous similar activities are also supported. All of these efforts are important and lessons should be learned from them; but on their own they not able to make broad-based changes because they are not positioned to address the core challenges identified

²³List of activities the EU missions have undertaken towards combating VAW (as of April 2009/Finland July 2009)

in this study. Examples of the activities reported by the EC include: combating trafficking (Maiti Nepal; Women Progress Centre); mobilisation of single women as peace makers at the district level (Women for Human Rights – Single Women Group); empowering women migrant workers in Nepal (People Forum for Human Rights); promoting human rights and democratic reform (19 districts, the Women Rehabilitation Centre); and community empowering for protection of the rights of women and girls at district level (Association Planete Enfants).

The Peace Support Working Group on UNSCR 1325 (PSWG) is a UN and donor coordination group established in Nepal in July 2006 (now also includes UNSCR 1820). Altogether four working groups were established after signing of the Comprehensive Peace Agreement following the conflict in Nepal. The other three working groups are: i) Disarmament, Demobilisation and Reintegration (DDR); ii) Transitional Justice; and iii) Constitution Reform. PSWG, which is chaired jointly by UNFPA (lead UN agency for Resolution 1325 in Nepal) and the Embassy of Norway in Nepal, has conducted a variety of activities, mainly focussing on advocacy and awareness. More precisely, these actions have included (high level) advocacy on Resolution 1325 to the GoN; capacity development of the GoN and CSOs in regard to Resolution 1325; work on creation of a mechanism to ensure seats and not just candidature for women candidates in the CA elections; *mapping of activities related to Resolution 1325; mapping of organisations working on women and peace; compiled information on influential and capable women in Nepal;* and work on securing commitment to start-up of the Nepal NAP preparation process which is currently on hold.

PSWG is re-orienting its work and *preparing a new work plan²⁴ for 2009–2010*. Many EU Missions in Nepal are members of PSWG, which works on participation and protection as per Resolutions 1325 and 1820. The primary objective of PSWG is “*to coordinate UN and donor agencies to provide consistent and consolidated support to the GoN to ensure implementation of UNSCR 1325 and 1820.*” The key areas of work include: i) advocacy to the GoN in relation to women who have been affected by the conflict, and provide support to victims of SGBV and end impunity by holding perpetrators accountable; ii) sharing experiences; iii) provide TA for development and implementation of the NNAP; iv) ensure integration of Resolution recommendations in transitional justice, discharge/reintegration and rehabilitation processes, including UN and donor support; v) ensure women’s meaningful participation in peace committees, vi) liaise with women’s networks; vii) monitor the progress of implementation of the Resolutions; viii) ensure that *UN Peace Trust Fund and Nepal Peace Trust Fund include Resolution 1325 and 1820 recommendations* as funding criteria; and ix) provide TA to peace and gender and rights-

²⁴ Terms of Reference (ToR) for UNSCR 1325 and 1820 Peace Support Working Group, Revised in May 2009.

based perspective. *Finland participated more actively in the UNSCR 1325 PSWG meeting while it was included in the portfolio of the Conflict Advisor. After ending that particular adviser post, participation has been on ad hoc basis, if any.*

The new work plan for PSWG includes expected outcomes, outputs, activities, indicators and responsible agencies. The outcome of the work plan is: “GoN is supported in a coordinated manner for women’s participation, representation and protection in Nepal’s peace process as per UNSCR 1325 and 1820.” Outputs are as follows: i) increased capacity for stakeholders to ensure participation and representation of women in Nepal’s peace process; ii) increased capacity for inclusion of gender perspectives in training for peacekeeping forces and national security forces; iii) increased capacity for protection of women and girls in conflict affected areas; iv) *increased capacity* for UN and donor agencies *to mainstream UNSCR 1325 and 1820 in plans and budgets as well as in programme implementation and monitoring*; and v) increased efficiency and effectiveness of GoN in implementing UNSCR 1325 and 1820.

It is worth noting that the work foreseen does not explicitly include elements related to conflict prevention, unless the mainstreaming of Resolutions 1325 and 1820 is considered as a preventive measure. However, in the PSWG work plan, “mainstreaming” refers to the proposals submitted to the Peace Trust Fund and the CA Support Fund.

Draft guidelines²⁵ for assessing different funding proposals have been prepared by a task force within PSWG. The purpose of the guidelines is to assist development partners (donor agencies and funding sources) to *screen funding proposals and their compliance with Resolution 1325. Minimum standards* developed include dimensions of planning, programming, policies, budgeting and M&E. The minimum standards include:

Planning	Contextual gender analysis; comprehensive data on women and girls; women and girls are consulted in the planning and implementation; women’s empowerment as an objective.
Programming	Appropriate gender balance in staff reflecting the objectives and activities envisaged in the project; support empowerment of women and girls; opportunities and services generated are accessible to women and girls; gender-specific needs and concerns are known and considered (child soldiers; IDPs; refugees; survivors of SGBV)
Policies	Sensitisation of staff on SGBV and women’s rights and capacity to act on the basis of their rights; gender mainstreaming capacity.
Budgeting	Direct budget appropriations to provide opportunities and services for women and girls.
M&E	Gender disaggregated data; process is inclusive of the needs of women and girls and is participatory; log frames include indicators for gender equality in the peace process, as stated in Resolution 1325.

²⁵ Guidelines for Resolution 1325 implementation in proposal selection process, Version of May 27, 2009

At the same time the EU Heads of Mission (HoMs) are to continue working to change the culture of impunity, and violence against women (VOW) is part of that dialogue. At the same time, EU Missions are to continue monitoring the situation of women and girls, and strengthen relations to WHRDs, as stated in the EU Guidelines for missions in Nepal. Empowering women journalists is also an important part of the cooperation. In 2007, the EU Human Rights Defenders (HRD) working group was established, including female Human Rights Defenders' representatives.

Nepal is also a pilot country for *EC/UN Partnership on Gender Equality for Development for Peace*, which is a joint programme of the European Commission, UNIFEM and the International Training Centre (ILO) (12 pilot countries). The purpose of the GEDP Programme is to "ensure that gender equality and women's human rights are fully incorporated into national development processes and in cooperation programmes supported by EC"²⁶. The GEDP Programme aims at responding to "unfulfilled commitments to gender equality, CEDAW, BPFA and Resolution 1325 and ensuring that the implementation of the Paris Declaration promotes gender equality." Its target groups include government and policy makers (increased understanding of gender equality regarding aid effectiveness); gender equality advocates (stronger capacity to influence national planning and budgeting processes); and the donor community (translate policy commitments into adequate and predictable financing in line with the Paris Declaration). The five main strategies for the GEDP Programme cover knowledge generation (mapping studies); capacity building (national stakeholders and development partners); information sharing (web-site and best practises); and advocacy and partnership building (national, regional and global levels). A focus of the GEDP Programme is on Resolution 1325 in post-conflict countries to ensure that institutions, constitutions, priorities and resource allocations support gender equality and women's human rights.

In Nepal, the achievements of the GEDP Programme to date (July 2009) include conducting the mapping study; holding national consultations on capacity needs of stakeholders, identifying linkages with Gender-Responsive-Budgeting and Aid Effectiveness, identifying indicators to assess the impact of aid effectiveness on gender equality; capacity development plans have been developed, and preparation of the Resolution 1325 Nepal NAP has begun.

Presentation of the results of the mapping studies and papers in thematic issues was included in a conference on "National Consultations on Gender and Aid Effectiveness" which took place in Kathmandu from 6 to 7 May 2008. A broad range of stakeholders representing the GON line ministries and including high level policy makers, Parliamentarians, the National Planning Commission (NPC), National Women's Commission, Dalit Commission, Social Welfare Council, civil

²⁶ Presentation of the programme on www.gendermatters.eu, accessed 2.12.2009.

society organisations, gender advocates and practitioners, women representatives from different political parties, bilateral (including Finland) /multi-lateral agencies, UN agencies, UNIFEM Think Tank, Technical Committee of the Mapping Study, academia, and journalists participated in the program. A very comprehensive report including papers presented at the conference was prepared²⁷. Planned Activities planned for the future include setting up a Forum for Gender and Aid Effectiveness, start-up of capacity development (donor funding), developing a strategy for systemic involvement of CSOs, and developing a media and advocacy campaign.

These efforts are significant, as they aim at changing the national planning and development processes. Apart from the CSO interventions, the most promising and already existing intervention is the GoN LGCDP and its Gender Equality and Social Inclusion (GESI) strategy, and the planned Nepal NAP for implementation of Resolution 1325.

As National Action Plans are now becoming the *modus operandi* for implementation of Resolution 1325, also in both Kenya and Nepal, the limitations of the NAP need to be clearly recognised in their preparation, and complemented with support to other long-term gender equality processes. The NAP preparation process should enable a thorough review of the situation in each country. Support to the preparation process, such as that by Finland in Kenya and UNFPA in Nepal, is an excellent donor practise. Whether the preparation of NAP results in ‘best practises’, also regarding the preparation process, which may be used to ensure that future policy and action plans are inclusive of all levels of governance, ethnicities, women (and men) of rural and urban areas, and participatory in a meaningful way, remains to be seen. However, lessons should be learned from both of the on-going NAP preparation processes and shared widely internationally. A process-analysis should be carried out during the entire process in both countries; Finland could provide necessary funding for such an exercise and for a short publication on the findings and conclusions of the process analysis. Particularly important for Finnish development cooperation is how the process will proceed in Kenya.

A comprehensive study on *Gender Equality and Empowerment of Women in Nepal (UNFPA 2007)*²⁸ has looked at gender equality in Nepal from institutional and programming perspectives across all sectors. Its findings reveal that, although much progress has been made in participation of women in sector programmes, thus far the major issues of equity in access to resources (e.g. water, land, forest, etc.), and women’s meaningful participation in resource conservation and management, land development and infrastructure projects, have not been addressed effectively. The findings of our study indicate that these issues need to be attended to, as they are

²⁷ Report of National Consultation on Aid Effectiveness and Gender Equality, UNIFEM July 2008.

²⁸ Gender Equality and Empowerment of Women in Nepal, 2007, UNFPA.

an essential part of women’s security, particularly economic security.

The UNFPA study lists the key issues as challenges: i) equity in resource transfers and impact of macro- and micro-economic policies; ii) strengthening of government institutions, including gender machinery; and iii) gender sensitisation of government machinery, and catering for women’s major needs. Monitoring and evaluation of gender issues is the weakest point in activities and hence a major challenge, according to the study. In sectors where Finland is currently involved (e.g. forestry; water), the study recommends that gender equity in public resource transfers should include e.g. access to resources (land, water, forests) and increasing magnitude and quality of women’s involvement in resource conservation, water management, land development, and infrastructure projects. The study also includes a full package of sector specific recommendations which is too broad to be summarised here.

6.2.2 Kenya

Moving now to explore the situation in Kenya, we find that similar interventions and activities to those in Nepal have been carried out even though Kenya is not a pilot country for the GEDP Programme (*EC/UN Partnership on Gender Equality for Development for Peace*). A Gender Donor Round Table was established as early as 1998; it has fostered donor harmonisation, alignment and coordination (HAC) in respect to gender aspects. A strategic gender review, facilitated by CIDA²⁹, made a very significant, specific recommendation that within the Finnish NGO Federation for Human Rights (KIOS) *donors and partner countries should recognise gender equality as a separate development sector and develop a harmonised approach to funding this sector through innovative funding mechanisms, including basket funding*. This also means that gender equality should be recognised as a *component of poverty reduction and national development*. This aim of this new aid architecture is to target and monitor gender equality by ensuring *adequate financing* for programmes and putting in place an *accountability system* to track contributions to gender equality. Many changes in donor practises will result, as the main strategy during recent years has been gender mainstreaming only.

For reasons unknown to our study team, CIDA pulled out of supporting UNIFEM’s harmonized funding mechanism, the Gender Equality Fund. At the moment, UNIFEM is, however, finalising preparation of a joint UN programme on Gender Equality³⁰ and is hoping to find donors to fund it. UNIFEM also hopes that the new joint programme will bring together the currently fragmented CSOs which

²⁹ *Division of Labour in Practise: Responding to Paris Declaration Principles and a Model for Financing Gender Equality in Kenya*, CIDA and UNIFEM, 2008.

³⁰ Interview with Meryem Aslan, Regional Programme Director, UNIFEM on 2.12.2009.

are supported from different sources. According to UNIFEM, the joint programme would be closely linked with Government ministries such as Justice, Planning, Finance, Foreign Affairs, Interior and Home Affairs. In Kenya, implementation of the programme would be based on mapping the development plans of Kenya in the light of CEDAW, BPFA and the African Protocols, to identify possible gaps and designing a comprehensive programme to fill them. The joint programme would also include an economic empowerment component, particularly addressing social protection and the informal economy sector (insurance, pension, credit) and job/employment creation (whole value chain). The donors could then ‘ earmark ’ their contributions according to their interests.

In addition, UNIFEM has recently commissioned a study on gender mainstreaming mechanisms, to be conducted in Kenya, Ethiopia, Sudan, Tanzania and Uganda. The study will be carried out by Social Development Direct, which is a consultancy company specialised e.g. in gender, conflict and governance issues. This study is, once again, looking at the challenges faced by gender machineries and the question of how to address those challenges. The results will be incorporated into the UN Joint Programme in Kenya.

Meanwhile UNIFEM has also had discussions with various donors (including Finland) on including implementation of Resolution 1325 in the new phase of the Gender and Governance Programme, Phase III (2008–2011) (GGP III), administered by UNIFEM in Kenya. Finland has already committed funds for GGP III, separate from discussions of Resolution 1325 (MEUR 1.5).

The goal of the GGP III is to ensure that “Kenyan Women and Men Access Services and Opportunities and Exercise their Rights Equally”. The expected impact is that State institutions consistently implement gender-responsive policies and laws. The expected outcomes are: 1) National and local institutions have gender-responsive policy and legal frameworks (Constitutional Review process, civic and penal law codes, inheritance and property rights, Law Reform Commission, Gender-Responsive Budgeting, support to National Bureau of Statistics, national gender policies in different sectors, promotion of CEDAW); 2) Women participate in governance and decision-making processes at national and local levels, and actively lobby for women’s issues (Public Sector Reform, TJRC, Political Parties Bill, Kenya Women Parliamentary Association, decentralised governance levels, youth mentorship programmes, work with traditional community leaders/elders); and 3) Kenyan civil society has a unified voice in articulating women’s needs, demanding and influencing the delivery of equitable services (the women’s movement, network and agenda, the media, 2012 elections, election violence prevention, peace education, legal aid).

GGP III is very much in line with the recommendations which we make below

in this report. However, based on the evaluation of the GGP II and out interviews with key persons in GoK, our team has some additional concerns. When discussing Resolution 1325, and particularly its linkages to other more binding UN instruments such as CEDAW, and its linkages to national development plans, it is evident that any exercises or interventions undertaken to implement Resolution 1325 need to be first and foremost *Government-led processes*.

An evaluation of the previous phase, GGP II, revealed key weaknesses which are related to the focus of the programme and linkages with Government. GGP II had a strong focus on political participation and numbers as an end in itself in electoral politics. This can be attributed to the strong focus of UNIFEM on addressing political and electoral participation. The evaluation showed that GGP II had not been able to transform governance at the local level.

GGP II operated systematically through CSOs with limited, if any, links with the Government. The programmatic design and framework of GGP III address these issues. However, GGP III still remains managed by UNIFEM in the role of Programme and Financial Management Agency, as appointed by the Donor Steering Committee. Key informants of the Government expressed, the view, which is also that of our research team, that GGP III is a 'UNIFEM project'. Linkages to the Government institutions mandated to promote gender equality are very weak, and do not include any aspects of *decision-making*. A concern expressed by a key Government interviewee is that, for example, studies planned within GGP III have *not included meaningful participation of the Government*. As this is the case, Government does not feel or indeed have any ownership of these exercises. For example, issues related to Gender Responsive Budgeting will only proceed through Government to Government dialogue. This can be assisted by other partners, e.g. the UN, but the leadership needs to be within Government. Thus, it is questionable how the changes proposed in these studies will be adopted by the Government – or if they will just remain in studies on a shelf.

If GGP III does not work with GoK (or is not at least institutionalised within the Government), it will be difficult for GoK to strengthen its capacity in undertaking the tasks of implementation of gender equality. Careful assessment of linking Finland's support to implementation of Resolution 1325 through GGP III is required, to ensure that GoK is not by-passed, but rather in the "driver's seat". This also applies to the location of the GGP III office, which should be within GoK premises, to increase GoK ownership and enable hands-on, practical capacity development from within.

Our research team strongly supports the idea of increased coordination, harmonisation and alignment. Comparing Nepal and Kenya, it seems that the process of the implementation of Resolution 1325 has so far been more inclusive and Gov-

ernment led in Nepal. This can possibly be attributed to the fact that UNFPA is the lead agency in UN supported activities and interventions in the joint process of implementation. In Nepal, UNFPA has a close relationship with the Government and allows GoN to lead, for example, processes related to SGBV. This may also be the reason for the success of those processes. In Kenya, our research team endorses Finland's support to GGP III, but does not feel that linking Finland's support for implementation of Resolution 1325 with support for the GGP III can be recommended, unless the GGP III is truly a Government-led process. We recommend that the forthcoming MTOR of the GGPIII closely looks at GoK's position within and links to the programme.

Our findings in Kenya and Nepal indicate that the impact of the donors' own NAPs on their development cooperation programmes will remain quite limited, unless specific measures are taken. For example, the Embassy of Norway in Nepal has been reporting on implementation of Resolution of 1325 implementation, starting in the year 2009. At the time of this study, none of the Embassies we included in our study seemed to have in-depth knowledge of the provisions being taken for the implementation of Resolution 1325 in the countries where the Embassies were located, and the local personnel in the Embassies were not up to date on the NAPs for implementation. Yet, it is precisely these local personnel are often responsible for monitoring gender issues. Assistance for implementation of Resolution 1325 is provided by donors mainly through CSOs (HR) in donor countries, and various baskets (e.g. GGPII/III and the National Response Initiative Fund in Kenya). Funding is often for immediate needs on a short-term basis. As mentioned earlier, Norway and Denmark, jointly with UNFPA and working through Nepal's National Commission of Gender and Development, are supporting the work of implementation of the Nepal National Plan of Action on SGBV.

6.3 Finnish development cooperation, Finland's national action plan, and Resolution 1325, in case study countries

6.3.1 Kenya

Finnish development cooperation in Kenya aims at reducing poverty. According to the current budget, in 2008–2011 Kenya will receive EUR 63.4 million from Finland in development aid (Embassy of Finland, Nairobi, website accessed 13.6.2008). Development cooperation between Finland and Kenya is implemented within the Kenyan Joint Assistance Strategy (KJAS) framework. Operating within the KJAS and the Harmonization, Alignment, and Coherence (HAC) agreements, there is a Democratic Governance umbrella sector group led by the Netherlands. Under this

umbrella, Finland functions *as a lead donor in the good governance, justice, law and order* sector. Finland is also one of the leading donors in the forestry sector in the KJAS Division of Labour as well as being a core group country for the Geneva Declaration, and the coordinator of its implementation in Kenya. In addition, Finland is seen as an active advocate for Millennium Development Goals (MDGs) within the donor community. This is based on Finland's support to the Ministry of Planning for mainstreaming and implementation of MDGs into the national development planning processes such as the Vision 2030.

These are highly relevant for implementation of Resolution 1325. The other key focus areas besides the MDGs, are anti-corruption, equality, sustainable resource management and climate change. Support to the forestry sector will significantly increase in the future. This sector will have a central role (together with possible new interventions) in the struggle against climate change. The justice sector and good governance programmes will be directed towards implementing the reform processes and rehabilitation efforts to recover from the crisis, as agreed upon in Agenda 4. According to Finland's Kenyan Embassy plan, greater efforts will be made in future to ensure that good governance, the fight against corruption, human rights and democracy will be increasingly emphasised in all development cooperation.

Implementation of Resolution 1325 is specifically mentioned in the Embassy plans for development cooperation, as part of conflict prevention, using local actors and taking into consideration women's situation. This is to be done through the "Gender and Governance Programme", LCFs and as a cross-cutting theme in bilateral programmes. In addition to this, particularly significant for Resolution 1325 is the planned support ("twinning") given by Finland to preparation in Kenya of the National Action Plan (NAP) for implementation of Resolution 1325. Preparation of the NAP has progressed during the period of this study, and a Kenyan delegation visited Finland in early December to discuss further how to proceed, at the same time this delegation participated in an 'Equality, Poverty Reduction and Sustainable Development' workshop (1–2 December 2009). This workshop was jointly organised by the OECD Development Centre and MFA, Finland, and had a strong gender focus.

There are numerous existing Government strategies and plans of action, but there are numerous challenges that must be overcome in their implementation, particularly at the field level. At the policy and strategy level, many influential actors can contribute to and lead the reconciliation and rehabilitation processes within a framework of gender and Resolution 1325. However, the main challenges for implementation are within the lower levels of governance, at community level and below. Preparation of the Kenya NAP would certainly increase emphasis on women and conflict issues, as defined in Resolution 1325, but that cannot remain the only objective. The main focus needs to be on implementation of the NAP. In

order to show a strong commitment, Finland should be able to also commit significant financial resources to ensure support to the implementation of the Kenya NAP through the long-term. It is of extreme importance that this Finnish commitment would be evidenced by high level political participation during the initiation process in addition to the financial and technical commitment. These means participation of a high level representative from a relevant Finnish ministry (e.g. MFA) or if possible, even the President of Finland as she has been active promoting issues related to Resolution 1325 in several contexts. The Government of Kenya (GoK) should allocate funds in the national budget line for implementation of the NAP as soon as it is prepared. We recommend that *Finland should not start this initiative if the purpose is only to assist in preparation of the Kenya NAP*. We recommend that Finland should commit to multi-year funding for both the preparation and the implementation of the Kenyan NAP.

There are immediate needs, for example, to ensure that the continuously changing legal framework is gendered, and that Resolution 1325 issues are incorporated in the Constitution Review and other reform processes (Agenda 4), as part of the legal framework. An immediately applicable way to proceed would be to link Resolution 1325's provisions more explicitly to relevant international human rights standards and humanitarian law to which the Governments, including GoK, have already committed. This linking of Resolution 1325 should be based on an assessment and incorporation of the already existing interventions contributing to its implementation. Finland's support to GGP III and LCF support are already contributing to this effect.

This is just one example to illustrate that, even though a truly participatory process is required for preparing a National Action Plan, which can (and should) be a lengthy process, there are immediate needs that still need a response. These needs are particularly related to the economic security of women. It was not possible during this study to sufficiently assess potential interventions for improving women's economic security, particularly women in rural areas, which implies that there are not very many broad-based interventions already in place. There are, however, the Women's Enterprise Fund (GoK), Micro-financing Institutions, the Fanikisha Project (supported by UNDP, ILO, UNIDO), Kenya Private Sector Alliance, Kenya Flower Council, NS Kenya Association of Manufacturers, all of which have interventions with an eye to women's' economic security. We recommend that a more thorough assessment will be carried out of existing modalities and/or this component will be incorporated in existing bilateral programmes.

The *Gender and Governance Programme (GGP III)* has been discussed above in the previous Chapter. Finland has committed EUR1.5 million to its implementation. This is a direct contribution to the implementation of Resolution 1325 and, accord-

ingly, Finland’s NAP for the implementation of Resolution 1325. The Objectives of the GGP III are highly endorsed by our research team. Our concerns with the Programme have been also raised in the previous Chapter, including linking the planned Resolution 1325 “twinning” support with GGPIII. Our key informant interviews, especially in Kenya, but to some extent also in Nepal, indicated that Resolution 1325 is already seen largely as an external exercise. If support for implementation of Resolution 1325 in Kenya is linked to GGP III, there is a danger that, again, GoK will be overlooked or by-passed. It is evident that in this case ownership, sustainability and political will of GoK to implement Resolution 1325 will be challenged, and as previously been the case, implementation of Resolution 1325 will be mainly carried out by CSOs. In any case, all the interviewed stakeholders were of the view that the *implementing Resolution 1325 in a domestic context, and ensuring GoK is the lead implementing body is the only way for it to have any impact in Kenya.*

Most interventions supported by the *Local Cooperation Fund (LCF)* focus on human rights; but there are still some service delivery organisations involved. Annual allocation of funds is approx. EUR 1 million. The *focus of these interventions is very relevant for Resolution 1325*: 1) good governance, democracy and human rights; 2) MDGs; 3) environment and forestry. During the conflict and post-conflict period, numerous applications for financial support from the LCF were received by the Finnish Embassy in Kenya, and quickly granted including, for example, TESO on peacebuilding and human rights in Mount Elgon (hot spot). LCF as an instrument showed its comparative advantage in this respect. It could not, given its financial limitations, provide any broad-based support but applications which were not approved were directed to different ‘basket funds’ for funding.

According to the Strategy for the Local Cooperation Fund (2009–2011)³¹, central to the LCF’s approach is firstly, mainstreaming human rights concerns into all its policies and programs; and secondly, financing specific projects to promote and protect human rights. Support for good governance includes such projects as local administration and civil society training (KAMADEP); civic education (National Council for Women; NCEP); anti-corruption (Transparency International; AfriCog); and a separate allocation for women’s empowerment (not specifically defined). Support to human rights includes paralegal training (ALDEF, CHRCE, Kisumu Advisory Group), paralegal training for communities (CHRCE, FIDA), and support to the Kenya Human Rights Commission and their work for the release of political prisoners. As per the LCF Strategy, inclusion of all ethnic groups and mainstreaming gender equality is central to all projects funded by the LCF. LCF interventions within MDGs will focus on supporting localised initiatives, the so-called ‘quick impacts’, and activities at the grassroots level. Through this Strategy, the Finnish Embassy supports the empow-

³¹ Embassy of Finland in Nairobi, Kenya, 05.06.2009.

erment of communities as well as women, and increases their income generation.

Finnish development cooperation in Kenya is, in some ways, exemplary; and the Finnish support to a specific gender equality project, Gender and Governance Programme (multi-bi basis), the support for preparation of the Kenyan NAP for implementing Resolution 1325, and the well-planned focus of the LCF, can be perceived as best practices. However, implementation of Resolution 1325 related activities, or of activities and interventions aimed at gender equality in general, has been less successful in the bilateral programming where gender is expected to be a cross-cutting issue. This does not mean that Finland does not work towards implementing some of the aspects of Resolution 1325 – on the contrary – but this is not being done through mainstreaming nor has it been done systematically or consciously under the umbrella of Resolution 1325.

During the period of our study positive steps have been taken toward gender equality, particularly related to planning of Finland’s new intervention in Western Kenya. However, it can be said that women’s rights and/or Resolution 1325 are not systematically included in Finnish bilateral development cooperation in Kenya. This result is very similar to the results of a recent evaluation ‘Cross-cutting Themes in Finnish Development Cooperation’ (2008)³², in which the problems and challenges related to the process of mainstreaming were discussed. The evaluation found that specific projects/programmes were more effective in promotion of any single cross-cutting issue than in using mainstreaming as a strategy.

Preparation of a *bilateral project supporting integrated rural development in Western Kenya* is on-going. This project will operate in one of the ‘hot spots’ where the potential for a new conflict is high, as the core causes of the conflict have not been addressed. It is of utmost importance that the project is seen in the context of a post-conflict and potential conflict. At minimum, this intervention should not escalate the potential for conflict. This ‘hot spot’ has *all the elements of potential conflict*: returning IDPs, unresolved land use issues, unemployment and youth gangs, and a serious, negative impact of conflict on women. The forthcoming project needs to thoroughly address the core causes of conflict and emphasise the elements of conflict prevention. The new Finnish rural development project in Western Kenya has the potential to become a flagship bilateral project in implementation of Resolution 1325, if the issues of women, peace, and security are raised early enough. The project aims at reaching 500 000 – 700 000 people; and the financial commitment is EUR 30 million over the long-term. In terms of Resolution 1325 implementation, this project provides a tremendous opportunity to implement the Resolution, if fully utilised. Our study has identified the key challenges women face regarding economic, social and environmental security. The

³² Report 2008:6, Ministry for Foreign Affairs, Finland.

precondition for women to survive, let alone participate, is *economic security*: *this should be extensively addressed together with other key challenges identified in this study*. We have been informed by the MFA that *a separate component for women's empowerment will be included in the project along with a separate budget for this component alone*. If this becomes operational, it has a potential of becoming 'a best practise' as well.

At present, the briefing process the MFA provides for consultancy teams going to work in development cooperation has been a best practice in which the relevant Desk of MFA (the Africa Desk in the case of Kenya), cross-cutting issue advisors, and the consultancy team have participated. The research team for this study participated in such a briefing prior to going into the field. The question is how this process can be systematised so that it just does not remain as an isolated 'best practise'. This briefing process is a concrete example of implementation of the previous MFA Gender Strategy and Action Plan 2002–2007. It is evident that currently the cross-cutting issues, including gender, have gained more importance than was previously the case in most existing projects, especially in Kenya, and there is pressure to show concrete results. The previous Gender Strategy and Action Plan of the Foreign Ministry of Finland (2003–2007) can provide concrete examples of how this could be operationalised at both the organisational and programming level.

In another bilateral project supporting *Kenya Forestry Service (MEUR18)*, gender issues were not addressed during the Inception Phase. This issue was taken up by Finland in the Steering Committee meeting with the Government and has been corrected. In the Implementation Phase of the forestry service programme, specific activities and budgets will be allocated for promoting gender equality (and other cross-cutting issues). This has the potential of becoming a best practise; and the emerging practises, especially in regard to the issues of Resolution 1325, i.e. women, peace, and security, should be closely followed up for further application.

GoK has made efforts to mainstream gender at the Ministry and policy levels, but these efforts have not influenced the content of strategic plans, policies and legislation of, for example, the Ministry of Environment and Natural Resources. Mainstreaming of gender has remained only at the level of statement of intent. Intent is already a positive step which should be supported further so that it actually leads to action. Challenges for GoK in the forestry sector include a limited understanding of gender mainstreaming, gender insensitive policies, politicising the concept of gender, no gender analysis carried out, limited capacity, and no budget for gender-specific activities (Kaudia and Obonyou, 2007). Recommendations for improving gender mainstreaming include a policy and legislation review, preparation of a gender strategy and action plan in forestry, strengthening the institutional structures, and capacity development ((Kaudia and Obonyou, 2007). This could also be

an outline of the elements which could be included in the Finnish bilateral forestry programme. Support should be geared towards enabling the national actors to engender the processes. Community forestry aspects should also be included, as well as women’s land ownership issues, and natural resource management (prevention of land grabbing), actions to ensure women’s role in forestry conservation.

There are local actors (KEPWAE, Kenya Forest Society) who promote linking gender and forestry; they could be supported for example by LCF funding.

Some information is disaggregated by gender in the project documentation of bilateral projects; and the Finnish Embassy in Nairobi has been proactive in promoting the use of GDD formats for reporting of data, at least regarding participation. As Finland is a lead donor in the forestry sector, there are ample opportunities to ensure inclusion of Resolution 1325 aspects in the implementation of projects and programmes in the forestry sector. A careful analysis of the current situation should be undertaken before implementation begins. At least the following should be considered: demographics, including gender aspects and the reasons why people are living in the project area, number of IDPs, returning IDPs, and so on. The effects of the programme on women need to be well understood in advance. Ways in which to include the community, and the roles of women and men in forestry, e.g. in conservation, need to be found. The capacity of the Kenya Forest Society (KFS) may need to be strengthened to allow it to deal with these issues. There are also several critical aspects related to conflict prevention that need to be looked into, particularly the ownership issues, forestry management (land grabbing), and women’s ownership of land, firewood collection, and grazing of domestic animals in forests. All these issues can be seen as underlying reasons for causing conflict or escalating it further unless they are solved before a potential conflict begins. All of them need to be addressed and managed through a legal framework.

An interesting example of Finnish support in the forestry sector is The Peace Forestry project, which is being implemented by a consortium of NGOs and KFS. This project is a smaller initiative within a larger programme that is being funded by several donors to carry out activities on a long-term basis with the aim of addressing the impacts on forests in Western Kenya caused by the post-election violence (PEV) that erupted following the disputed results of the December 2007 General Elections. An Interim Progress Report (August 2008 – January 2009) on activities being implemented by NGOs supporting the Kenya Forestry Sector in the Peace Forestry Project summarises the progress made in the three main activities of this project: i) surveying of forests in areas which were hotspots during the PEV in Western Kenya; ii) implementation of Peace Forums in forest areas affected by PEV in forests in Western Kenya; and iii) training of forestry stakeholders on peace-building and conflict management in forest areas affected by PEV. *Despite its high*

relevance to Resolution 1325 and women’s role in the peace and natural resource management processes, the Report does not mention any gender-related aspects of the Peace Forestry Project.

Governance, Justice, Law and Order Sector Reform (Government of Kenya Programme – GJLOS): Finland has participated actively in this programme, but recent evaluations show that activities in the Programme are not progressing well, and there is a lack of coordination between donors and GoK. No decision has been made on continuation of the Finnish support. GJLOS does not have specific gender aspects built into the Programme. As the lead donor, Finland should take an active stand to influence the GJLOS and support incorporation of gender issues if the decision is made to continue support. It is interesting that the support to the governance project ‘proper’ supports GoK as a responsible authority and aims at changes from inside, while the governance and gender project (GGPII/GGPIII) aims at changing the governance structures from outside, through CSOs. The question of where mainstreaming of gender aspects is done, and by whom, GoK, donors, or both, still remains to be answered.

The Geneva Declaration and Finland’s lead role in its implementation provide an opportunity for raising Resolution 1325 issues in national forums. Launching of implementation in Kenya was supposed to take place in June 2009 but was postponed. At the level of the Government ministries, incorporating gender issues into e.g. reduction of small arms (UNDP managed) should be combined with implementation of Resolution 1325.

An event (luncheon) which was organised by the Finnish Ambassador within the framework of implementing the EU HRD Guidelines to support human rights defenders is a ‘best practise’. As a result an EU statement to support the HRDs was made. This is a sign of very visible support to HRDs and provides a model which could also be used for Resolution 1325. This event received a great deal of media coverage. Another such example of a highly visible event was the “Walking the Talk” book launch organised by the Norwegian Embassy to support female champions of alleviating the impacts of the post-election violence.

Management framework

The Finnish Embassy in Nairobi has excellent human resources (both Kenyan and Finnish) and expertise in the area of human rights which is the key factor for successful implementation of interventions related to Resolution 1325. However, at the time our field work was carried out, only those who are experts in human rights were well informed about Resolution 1325. Other personnel interviewed were not aware of the issues and were not using the Finnish NAP for implementation of Res-

olution 1325 as a tool. This lack of awareness has had an impact, for example, on mainstreaming gender and conflict issues in on-going bilateral programmes. This is expected to change with the forthcoming support to preparation of the Kenya NAP for Resolution 1325. The process of preparing the Kenya NAP is also *an opportunity to have hands-on, practical training on Resolution 1325 for the Finnish Embassy personnel*, particularly for the person responsible for development cooperation, and for all the advisors.

The Finnish Embassy in Nairobi has no specific responsibility for reporting on activities related to Resolution 1325, even though the Finnish NAP exists, if such activities are not included in the general human rights reporting. This is a factor hindering monitoring of the implementation of the Finnish NAP. For example, as of this year (2010) the personnel in the Embassy of Norway have a specific responsibility for reporting on implementation of Resolution 1325 in Kenya. Even for the Norwegians, nothing was reported prior to the post-election violent conflict.

Country negotiations between Kenya and Finland were carried out in 2009, which provided an opportunity to raise issues related to Resolution 1325. There was recognition of the fact that conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non-violence and ‘walking the talk’ by committing financial resources as a sign of Finnish commitment and support.

6.3.2 Nepal

Nepal’s Foreign Aid Policy (2002) forms an integral part of the country’s overall policy for mobilising external resources for development. The overall policy calls for donors, INGOs, and NGOs to enhance transparency and strengthen realignment of their resources with national and local government priorities. In addition, it encourages INGOs and NGOs to contribute to and strengthen the national development process. The Government of Nepal (GoN) is now introducing two large scale programmes: a Rural Reconstruction & Rehabilitation Sector Development Project (RRRSDP) and a Local Governance and Community Development Programme (LGCDP). Both are supported by multiple donors. *Finland is currently not one of the contributing donors, but participation in LGCDF specifically along with like-minded donors might prove to be a functional way to engage in the crucial dialogue on local governance.* There is an obvious expectation that these programmes will enhance capacity development at the district level, and as such build capacity to absorb external and internal financing to public services and infrastructure. Such capacity building will provide the de facto backbone and framework for enabling ODA disbursements to flow in coming years. In the GoN Minimum Package, the key priorities are completion of the peace agreement, writing of the Constitution,

and speeding up of economic development. The key sectors in economic development are infrastructure, agriculture, energy, education, health, and tourism. Finnish development cooperation *is not fully in line with these GoN priorities*, as Finland has placed a strong emphasis on environment and natural resource management (NRM).

Strengthening the peace process and democracy, improving the human rights situation, and building capacity in natural resource management are specified as key aspects of Finnish development cooperation in Nepal (Embassy Result Card 2009). Neither Resolution 1325 or Finnish NAP 1325 are explicitly mentioned, but there is a strong focus on inclusion, security and protection of human rights: increasing insecurity, work to achieve at least limited improvements in the human rights situation, and providing rescue and relief in natural disasters are the key concerns (Result Agreement 2009). In the Embassy’s Result Card Finland’s actions to promote security in Nepal are to be based on a concept of security that is broader than the traditional definition. Particularly important is that all the development cooperation support e.g. to education and natural resource management are seen *as part of conflict prevention*. Finland is planning on mapping out possibilities to increase support to local governance and rural development, as well as working on impunity issues together with EU and OHCHR, and on trafficking of human beings with the NHRC. *It is explicitly stated that all support is directed towards the promotion of security*. Mainstreaming and institutionalisation of the cross-cutting issues (gender equality, rights of women and girls, rights and equal participation of marginalised groups; HIV/AIDS) in all programmes and projects are mentioned as some of the main actions.

In terms of funding modalities, the aim is to move from projects towards joint planning and bigger programmes (sector programmes), taking into consideration various funding channels to increase effectiveness. An essential element in sector programmes will be capacity development of the governance structures.

The key question for our research is how issues related to Resolution 1325 are being implemented within this particularly enabling framework for planning of conflict prevention and security. We looked at what is already being implemented, and what are the best practices and potentially hindering elements in development cooperation in Nepal, especially in relation to implementation of Resolution 1325.

Local cooperation fund

Implementation of the Local Cooperation Fund³³ has been highly relevant for Resolution 1325 and Finland’s NAP for its implementation. The creation and implementa-

³³ Local Cooperation Fund (LCF) provides small grants administered fully by the Finnish Embassy. It is an instrument through which the Embassy can allocate funds to Nepalese NGOs. Annual allocation is approximately €500 000.

tion of the LCF is based on a recent strategy for its implementation for 2008–2011³⁴. The strategy comprises two components: 1) Peacebuilding and conflict transformation, including promotion of *human and improving the civic rights* situation; along with strengthening of *democratic processes through economical, political, social and cultural inclusion; rehabilitation and reconciliation*; and 2) Innovative ideas linked with the Finnish Development Policy.

The first component, in particular, is directly related to the reconciliation and prevention of conflict from the perspective of a wider, non-traditional concept of security, and thereby implementation of the Finnish NAP for implementation of Resolution 1325. It is particularly strong in linking together the concepts of security and development with human rights issues. Finland’s NAP specifically mentions gender inequality and social exclusion as the root causes of the widespread poverty in the world, together with lack of employment opportunities and proper education. The strategy for the LCF emphasises that “all projects supported... should promote creation of a diverse society where every individual living in Nepal has equal rights regardless of gender, ethnicity or caste identity.” This is expected to be achieved through social inclusion and/or empowerment of traditionally marginalised groups.

The LCF Annual Report 2008³⁵ indicates that a more programmatic approach in the LCF implementation will be taken during 2009, which in practise means decreasing the number of partner organisations and concentrating on cooperation with the selected partners. In the Report, of the 13 projects on-going at the time, only three were marked as promoting gender equality and empowering women³⁶. They were related to the social, economic and political empowerment and capacity building of the target communities to enable them to register as multi-purpose cooperatives in different districts and national campaigns³⁷ on media literacy for women³⁸. Other projects promoted were in the area of democracy and human rights; these were carried out in a gender-neutral manner, even though some of them also targeted women³⁹. Special emphasis is to be placed on districts with a low Human Develop-

³⁴ Fund for Local Cooperation Plan: August 2008 – December 2011, Embassy of Finland in Kathmandu, 5.8.2009.

³⁵ Nepal, PYM -vuosiraportointi (Annual Report) 2008, 31.3.2009, KAT5003-11.

³⁶ At the moment (30.7.2009 update) there are 11 on-going LCF projects (4 are outside the strategy). Out of the seven in the strategy, two have a gender-specific focus. The Asmita Women’s Publishing House is implementing the project ‘National Campaign on Media Literacy for Women’. It aims at making Nepali media more gender sensitive, democratic and accountable. Its main target group is and media producers and women consumers of media. The range of beneficiaries is very wide, e.g. women’s right activists, women’s organisations, media agencies, etc. The main activities are developing a media literacy package, forming women’s media groups, orientation on media literacy, media monitoring and interaction with women audiences and media producers. The other gender-specific project is implemented by the Nepal Disabled Women Association. It aims at empowering women with disabilities in remote communities to ensure access to their basic rights. Activities include creation of a network of women with disabilities, increasing women’s access to basic services, raising awareness of the rights of disabled people in the communities where they live, and aiding them to participate in community governance at the decision-making level.

³⁷ Part of the separate Democracy Fund: these projects ended as a result of LCF evaluation and a specific Democracy Fund evaluation

³⁸ Asmita Women’s Publishing House.

³⁹ The LCF supports a project entitled ‘Protection and Promotion of the Human Rights of Terai/Madhesi Dalits and Minority Groups’. Its broad target group is widely scattered in four target districts; the project specifically identifies women as a separate target group (127 310 women in four districts). The project aims at promotion and protection of the basic human rights of the Terai/Madhesi Dalits and other

ment Index (HDI), and on marginalised and excluded groups.

A major initiative in the LCF strategy is cooperation with the Alliance for Peace⁴⁰ in cooperation with DANIDA Hugou and MS Nepal. The total cost of the Alliance for Peace Programme is €890 000 for a 5-year period, of which the Finnish contribution is €210 000. Assistance is based on the 5-year strategic framework of the Alliance for Peace, which includes internal democratisation of political students and youth wings, human rights and transitional justice, peacebuilding and conflict transformation, youth engagement and outreach in constitution building, and organisational strengthening. In collaboration with the Institute for Democracy and Electoral Assistance (International IDEA) and DEMO Finland, the Alliance for Peace has been implementing ‘Youth and Constitution Building Initiative’ as a platform for discussion. The aim is to strengthen the understanding of the Constituent Assembly (CA) process and developing knowledge resources, focusing on young women and their role in the constitution building process. The initiative has established a Youth Expert Group (YEG) comprising representatives from the CA, lawyers, political party members and affiliates, as well as civil society.

Linkages with bilateral programmes have been also created. The Nepal Red Cross Society is implementing a ‘Diarrhoea Outbreak Response Project’ dealing with water, sanitation and hygiene promotion in 17 districts of the Far and Mid-Western Development Regions. This project includes awareness raising and a media campaign on hygiene, sanitation and water purification. This is partly in the same areas as the Finnish bilateral water, sanitation and health projects (6 same districts). The project area is one of Nepal’s poorest, in which the worst affected by outbreaks of diarrhoea are women and children.

LCF support has a strong focus on conflict prevention; the basis for provision of support from the LCF includes a good analysis of project proposals and a programmatic approach. The Finnish Embassy has planned participation in regional meetings and creation of an LCF network in Asia. Such a network would provide opportunities to address issues on a broader scale. Meetings have been held and

marginalised groups, by raising their awareness, organisational capacity and level of participation, and by lobbying for more pro-poor policies and programmes at all levels. Formation of social capital to access rights based services (citizenship and birth certificates) is also one of the outputs. Other projects supported by LCF include improving quality of life for c. 7020 conflict-affected persons in 10 villages of Dhanusha district, through enhancing the capacity of local institutions to better address the challenges of reintegration and post-conflict development for these persons, and to deliver health, education and protection services. LCF will provide advice and referral services, assistance to schools and support for provision of psycho-social services for vulnerable children and youth. Special emphasis in support provided by LCF is on GBV, FHHs and girl children. The LCF is building linkages with the local authorities and the communities that will be active decision-makers in making improvements that aim at reconstruction and meeting development needs. Such links also include LCF support to the Nepal Disabled Human Rights Centre to promote equal rights and treatment of Persons with Disabilities (PWDs) irrespective of racial, ethnic or caste origin. Another focus of LDF is on improving the national level policy framework. Still another aspect of LCF assistance is addressing the impunity issue through media campaigns, discussion papers, Focus Group Discussions (FGDs) and lobbying with the members of the drafting bodies of the CA. An important initiative supported by LCF is being implemented by ‘A School for a Community’ which empowers youth through skills development training, formation of entrepreneurial groups at village level, developing market linkages/networks, creation of an environment for learning, and sharing and development of an entrepreneurial group.

⁴⁰ www.afpnepal.org

cooperation of the LCF with Finnish NGOs, bilateral projects and LCF recipients has been established to create a more comprehensive approach. All these meetings provide opportunities for detailed discussions on Resolution 1325 related issues.

According to the strategy which is its framework, LCF is also used to study and test new approaches to operations in situations where government to government development cooperation is challenging because of Nepal is a fragile state. LCF is a mechanism that can be utilised to obtain *insight into and early warnings* of emerging development challenges, including possible *social, ethnic, religious tensions*.

As in the case of Kenya, most of the LCF programmes can be considered as direct support to the implementation of the Finnish NAP for implementation of Resolution 1325. What is different in Nepal is that best practices of implementing gender and conflict issues have been incorporated in the bilateral projects, specifically those projects implemented within water sector bilateral programmes.

Bilateral programmes and sector support

In 2005, due to the political situation in Nepal, Finland along with many other cooperation partners postponed new development projects in Nepal. After the democratic transition started in April 2006, Finland decided to restart the postponed projects. The current bilateral Finland-Nepal projects are: i) Rural Village Water Resource Management Project (RVWRMP) in Central and Far West Nepal (2006–2010); ii) Rural Water and Sanitation Service Project in Western Nepal (2008–2012) (Inception Phase began in August 2008); iii) Strengthening Environmental Administration and Management in Eastern Development Region (2008–2011); iv) Solid Waste Management Project in Morang-Sunsari (2009–2011) (environment); v) Mapping of Forestry Resources; vi) Leasehold Forestry Support (IFAD&FAO) (2009-ongoing); and vii) Education For All.

When looking at these bilateral programmes from the perspective of Resolution 1325 and Finland’s NAP 1325, the ‘best practises’ have been most evident within the water sector. Within the RVWRMP, systematic work on Resolution 1325 issues has been started; and this work has been strongly reflected in the RWSSP-WN.

The Rural Village Water Resource Management Project (RVWRMP) in Central and Far West (2006–2010) has approached gender and social inclusion issues in a serious and responsible manner⁴¹. A strong basis has been laid by first conducting the *Gender Equality and Social Inclusion (GESI) study*. *Building on the findings and on the policies of GON and GOF, a GESI Strategy and Action Plan has been developed*. The Strategy and Action Plan reflects the Project’s commitment to achieve an inclusive, equitable and participatory development approach.

⁴¹ Mid-Term Review of the Rural Village Water Resource Management Project in Far and Mid-Western Regions, Nepal, Final Report, March 2009, Hannu Vikman Consulting.

Partly as a result of changing reality arising from the *changes in the political situation* since April 2006, RVWRMP *recognised the need to strengthen its gender equality and social inclusion programming*. The approach taken under the previous water sector project, RWSSSP, had focused primarily on the more common approach of integrating gender dimensions into project work, the hiring of a permanent Gender Specialist and, in 2004, carrying out a gender audit. Several key recommendations of the gender audit were in fact taken forward in the new project's (RVWRMP) HRD policies and project strategies.

In order to better understand the context, and the districts where activities will be implemented, as well as to tackle barriers to inclusive development, RVWRMP carried out a *'Gender and Social Discrimination' Study* to explore the socio-cultural, religious, political and economic practices related to gender and social discrimination *at the community level*. The study attempted to identify practices, values and norms used to justify and rationalise discriminatory practices. It also explored opportunities to overcome these barriers and to increase voice, participation and assertiveness of the excluded groups. As a result, a number of *gender and caste based discriminatory practices* that are due to socio-cultural and religious beliefs and practices were identified. The degree and forms of the discrimination varied across the communities, but what was similar was the justification of these practices. This was based on a triangular equilibrium of *faith, fate and fear* that is built and maintained on *superstition and traditional beliefs*. *As a result women lack access to educational, social and economic opportunities that can enable them to actively engage in their communities and pursue their livelihoods*. The study indicated that while the political changes initiated discussion on inclusion and led to some changes at the community level, there had not been the much-needed social transformation central to and necessary for sustained change.

As a result of the study it was recognised that a process of social mobilisation, sensitisation, and confidence building is required and that the RVWRMP could plant the seeds for change by providing and ensuring equal opportunities and access to project benefits, and by *acting as role models in the communities*. The study was very comprehensive and can be seen as a best practise for Finnish bilateral projects, as it really addresses the root causes of discrimination and advocates for social change.

Based on the study, a *Gender and Social Inclusion (GESI) Strategy and Action Plan* was developed which i) *includes quotas for women and excluded – monitored in project implementation and human resources* (ultra poor, Dalits (the untouchables) and women as a specific focus); ii) *addresses women's lack of economic resources and empowerment, capacity building and leadership* and includes collaboration with Women Development Office (WDO), iii) has a special emphasis on *caste* (impurity and purity linked with water and water use – Dalits and women);

iv) *identified a number of gender and caste based discriminatory practises* in which the degree and forms of discrimination varied but had a similar justification. As said above, these practices are built and maintained on superstition and traditional beliefs through a balance of faith, fate, and fear. For example, the Hindu concept of impurity and the purity of different castes and of women and men is closely linked with water. The Dalits and women are generally perceived as more polluted (*jbuto*) than the higher castes and men. There has traditionally been restriction (discrimination) of women’s use of water and taps and wells during their menstruations, pregnancy and after childbirth, as well as restrictions (discrimination) of Dalits concerning which tap stands and *kuwas* (shallow wells) they may use. The concept of “Pani-chalne and pani-ne-chalne people” (Hindu rules on who can give and take and share water from/with whom) is still found among the poorest and the most conservative people in the remotest areas of Nepal.

Beyond project level interventions, RVWRMP further recognises that it cannot seek social change in project communities without also addressing these issues internally. For this reason, the GESI Strategy relates to both: (i) the organisation’s work – i.e. project level activities of planning, construction, operation, maintenance and management of domestic water supply, irrigation, sanitation or environmental protection, etc. and (ii) the organisation’s human resources development – i.e. issues affecting staff at work, recruitment, promotion, training opportunities, sexual discrimination, child care, maternity or paternity leave, etc. The GESI strategy was developed from staff and partner inputs during two workshops held in May 2007, and on the basis of RVWRMP’s previous experience and learning.

While RVWRMP’s main project goal is to improve the quality of life through *increased livelihood opportunities and the equitable use of water resources*, it also aims to promote social change by empowering women and disadvantaged groups through an inclusive development process. The purpose of the GESI Strategy and Action Plan is to “ensure that RVWRMP and its stakeholders adopt practices that lead to increased and equitable access to opportunities and resources and meaningful participation in decision making particularly for women, the poor and socially excluded”. Achieving this purpose is considered as an on-going process and a ‘live’ tool at both the organisational and field level.

In implementing the GESI Strategy and Action Plan, RVWRMP explicitly took a rights perspective which aims to “create an environment in which all community members, especially women, the poor and socially excluded, have equitable opportunities to pursue meeting their basic needs and livelihoods.” This includes improving the status of women and other excluded groups in the family and community and increasing their meaningful participation at the decision-making level. It entails the need for a strong analysis of the root causes of discrimination, gender

relations, and local power structures among and between the different caste and ethnic groups, and in decision-making at the household and community level. RVWRMP believes and explicitly states in the strategy that if there is a clear understanding of the reasons for social inequity and the barriers that restrict access, then project designs can be more responsive to bringing about positive social change and having a lasting impact. It is strongly emphasised that linkages should be created between project partners, local actors and project communities in order to form strategic alliances that can be sustained even after the project is completed.

At the organisational level, the responsibility of each individual staff member to address gender and caste inequities, and to critically question their own behaviour and action, is explicitly stated in the GESI Strategy and Action Plan.

The experiences of this process should be widely shared among the experts, consultants, and researchers in the Finnish water sectors and also with bilateral projects in all sectors in the context of Nepal. Unfortunately it has not been possible during this study to assess what results have been achieved in practise in applying the GESI Strategy and Action Plan. Undoubtedly, the process has affected the project design of another water sector project: The Rural Water and Sanitation Service Project in Western Nepal (RWSSP-WN) (2008–2012) project document is another ‘best practise’ of applying gender mainstreaming, carrying out gender specific analyses and combining gender with social inclusion in order to contribute to prevention of conflict. Another factor contributing to maximising the use of Finnish water sector interventions for prevention of conflict is their geographical location.

The comparative advantage of the Finnish water sector interventions is that they are not bound by the ceiling of expenditures per capita. That allows these interventions to be implemented in the areas which are the most vulnerable and marginalised, and which include excluded groups of women, men, boys and girls. The geographical location of both the above water projects is in areas of Nepal which according to the latest Human Development Report 2009 are the most vulnerable in the country.⁴² According to the HDR, in these areas the Gender-related Development Index (GDI) and the Gender Equity Index GEI are also the lowest in Nepal. These areas have also been hardest hit by the conflict; and in order to prevent possible future conflicts, increasing development and security in these areas is of utmost importance. The geographical focus of Finnish development cooperation in Nepal is on directly supporting the implementation of the Finnish NPA for implementation of Resolution 1325. *The right geographical focus enables addressing poverty related to social inclusion, and social inclusion and gender issues, in a significant way.*

⁴² The RWSSP-WN works in altogether nine districts of Nepal. Six of them are located in the hills and three in the southern plains (Terai). Eight of the districts are in the Western Development Region and one in Mid-Western.

In the project document⁴³ design, promotion of gender equality is explicitly specified throughout the entire document. At the level of the overall objective the indicators for increased wellbeing include HDI, Poverty Index and so on, but do NOT mention GDI or GEI. Including GDI and GEI would have contributed to an even more gender sensitive design.

In defining the project strategy and approach, gender equality aspects are strongly included in RWSSP-WN. It is explicitly mentioned that, in line with the purpose and aim of the Project, gender responsive implementation of the UN supported Water Supply & Sanitation Collaborative Council (WSSCC) known as WASH (**W**ater, **S**anitation & **H**ygien) Nepal activities will be supported, driven by the principles of gender equality and social inclusion in the selection of project areas, designs, staffing, institution establishment and capacity building. At the level of the results/outcomes of the Project, women’s participation and their productive role in communities should be increased, gender and social discrimination should be decreased, especially that linked with water, sanitation and hygiene. GESI responsive WASH sector policies, strategies and guidelines at the central and local level adopted are also mentioned as outputs.

In addition, RWSSP-WN promotes gender sensitive, inclusive, community led, need-based, demand-driven, participatory planning in its design, implementation, monitoring and evaluation. The Project fully supports the Local Level Governance Programme by assisting and providing support to the District Development Committees (DDC) at the district level, with WASH implementation taking the district level Multi Stakeholder Forum as an entry point.

Additionally, gender will also be mainstreamed in treating problems in water supply and sanitation yet to be adequately addressed, including GESI, which is specifically mentioned. All principles and strategies have already been approved on paper, but in practice the very poor and socially excluded groups are still not effectively involved in the planning, design and implementation stages. They are left outside of the WASH services either because they live in isolated pockets of the countryside or they live in areas where construction of traditional services becomes very costly. They may also be left out because they have not been represented in the project implementation and management committees; or they are not yet able to contribute financially to the project matching fund or the operation and maintenance (O&M) fund- They are often without adequate funds to build their own sanitation structures, and not sufficiently aware of the benefits available to them.

RWSSP-WN activities related to governance include enhancing local bodies’ capacity to facilitate the GESI responsive WASH service delivery system; enhancing

⁴³Rural Water Supply and Sanitation Project in Western Nepal (RWSSP-WN) (August 2008 – July 2012), Revised Project Document, Draft, The Government of Nepal, Ministry of Local Development, Department of Infrastructure Development and Agricultural Roads, and The Republic of Finland, Ministry for Foreign Affairs.

roles, responsibility, transparency and accountability of local bodies and Water Users and Sanitation Committees (WUSCs); *strengthening local bodies to be more GESI responsive in their planning, programming, budgeting, and monitoring and evaluation systems.* It is again specifically mentioned that the Project is designed so that it *strengthens i.a. the participation of women in social and economic activity, promotes social equality, democracy and human rights, improves the status of women and girls, and encourages equal participation by women in society and production.*

The differences between different groups in the community in regard to their water, sanitation and hygiene needs have been analysed; and the implications for community level organizations, the roles women and men have in the communities, the general status of women, and the roles of the traditionally excluded groups, as well as the need for communication among the groups have been recognized. The economic situation of the various groups has also been taken into consideration.

The Project will ensure transparency and GESI sensitiveness in all its operations, in its budgets and in the decision-making process, as well as in communication and coordination among line agencies and non-state agencies, and in ensuring that the Project reaches areas where poor and excluded groups live. The Project will delineate the roles and responsibilities of all actors, and will use a systematic implementation approach to increase accountability at all levels.

Peoples' voice will be heard through the mechanism of participation; the social mobilization process and people's response will be organized and handled by the local bodies. DDC and VDCs will coordinate the participation of local NGOs and civil society, and optimise use of their resources. Civil society will provide forums where the voice of the disadvantaged and marginal people can be heard. Indigenous Nationalized District Coordination Committee, District Dalits Coordination Committee, District Gender Mainstreaming Committee will be further mobilised as channels for hearing the voice of the people.

The gender-sensitive design of RWSSP-WN cannot be attributed only to the capacity of the project formulators, but also to the existing GoN sector framework, and the GESI strategy of the Local Level Governance and Community Development Programme. In addition, the water sector framework⁴⁴, the National Policy for Urban Water Supply and Sanitation in Nepal, includes the latest development work done in urban and rural water resources, national sanitation, rural water supply and sanitation, water quality and urban development. The urban water policy explicitly addresses the poor and excluded and states that they “will have access to sustainable basic services at affordable prices and a voice in service-related decision-making that will affect them.” According to the policy the rights and needs of poor and marginalised groups, and especially of women, will be protected primarily through

⁴⁴ The National Urban Water Supply and Sanitation Sector Policy, 3rd Draft V.3, August 2008

their statutory and proportional representation in Water Users and Sanitation Committees (WUSCs) and related sub-committees. Affirmative action is proposed to ensure that such representatives also fill executive positions in these committees, thereby ensuring that their interests are protected. Women’s participation will be emphasised in all aspects of water supply and sanitation planning, implementation, management, operation and maintenance.

The RWSSP-WN is a good illustration of the good effects on development of Government sector policies which take gender into account from the very beginning. When projects and programmes are based on such policies, there is a much higher possibility of GESI activities appearing in donor programmes and being mainstreamed throughout the programme. This is particularly the case for bi-lateral funding in which project document preparation is done through tendering by the donor.

In addition to the current policies of Nepal, this GESI approach may also reflect the decades of long-term cooperation in the water sector between Finland and Nepal, where efforts to improve gender mainstreaming and promote gender equality have been made throughout the years, sometimes more and sometimes less successfully. The existence of institutional capacity, starting from the Foreign Ministry (Finland), is fruitfully reflected in *RWSSP-WN*.

Planning for the Solid Waste Management Project in Morang-Sunsari (2009–2011) is on-going. Our research team only had access to the short-term consultancy report⁴⁵ which evaluated three landfill sites as possible locations for dumping the solid waste. The report did not include any socio-economic aspects (apart from listing a number of aspects as potential environmental issues but not analysing them), nor did it include any references to conflict, inclusion of women, or gender. A forthcoming environmental impact assessment (EIA) was mentioned in the report, which will hopefully address these issues in an in-depth manner.

The project document of the Forest Resource Assessment in Nepal⁴⁶ describes *a highly technical exercise for forest resource mapping*. It is a five year project with the budget of c. EUR 5.5 million. The project document barely mentions any socio-cultural aspects. It simply states that “the complex socio-cultural aspects of the country are to be taken into consideration.” In addition, the project “will assess the forest condition including assessment of human pressure.” According to the document this will lead to better strategies to conserve forests and establish better linkages with poverty issues.

Regarding social inclusion and gender, the document states that “gender is not a critical issue as the benefits of the development of information systems can be appreciated by both women and men.” It is mentioned that the project will “re-

⁴⁵ Short-term Consultancy to the Supporting Environmental Administration and Management at Local Level, SEAM-N II, Evaluation of the Three Landfill sites, Final Report August 2009, Finnish Consulting Group (FCG).

⁴⁶ Forest Resource Assessment in Nepal, Project Document, 23 April, 2009.

spect" the national agenda on mainstreaming the marginalised sections of society and interact with various organisations to address inclusion (Women's and Dalit Commissions). The proposed technical assistance (TA) team does not include any expertise in socio-economic issues and/or gender.

The Solid Waste Management consultancy report and the Forest Resource Assessment project document are examples of development cooperation interventions which by being technical avoid recognising that they operate in a socio-cultural environment which includes people. In a project the size of the Forest Resource Assessment, forests and forestry resources could have been looked at from a more holistic perspective of natural resource management, rather than only mapping the resources. As the ultimate goal of the project should be sustainable natural resource management and conservation in which local communities participate, the people in these communities should also be actively involved from the beginning, in the mapping of the resources. Whether this will be done in the project is at any rate not indicated in the project document. Mapping of the forest resources should further include the aspects of the use of the forest resources by local communities, men and particularly women, and the broader socio-economic implications of utilising the forest resources e.g. for commercial purposes.

Projects with a highly technical and narrow focus do not contribute to implementation of the Resolution 1325 or the Finnish NAP for implementation of Resolution 1325; such projects in fact constitute a hindering factor for their implementation. As was just said above, the consultant companies and individuals working in these water sector projects should carefully study how GESI aspects and issues have been addressed.

Finland has been one of the many donors supporting the 'Education for All' initiative. Recently, the GoN has prepared a School Sector Reform Programme (SSRP), including representatives of indigenous people, Dalits, Jalits, PWDs and IDPs in the preparation. A Joint Appraisal Document of SSRP has been recently prepared. Finland has committed funding to SSRP which has social safeguards in place and emphasises the needs of marginalised groups, focussing on primary education. The overarching goal of SSRP is to "bridge the gender and social gaps in basic education by 2015." As the Programme particularly addresses gender gaps which are more prevalent in marginalised groups, it can be assumed that it will have a positive impact on the lives of girls in rural and poor areas.

7 CONCLUSIONS

This Chapter summarises our findings regarding the implementation of Resolution 1325 and the Finnish National Action Plan for implementation of Resolution 1325, in relation to Finnish development cooperation and the Finnish Development Policy. In particular, we look at implementation of Resolution 1325 in three case studies of former conflict areas. We then draw some conclusions regarding how Resolution 1325 and the related Finnish NAP can best be implemented in Finnish development cooperation. Before presenting our conclusions, we will first summarise our findings related to the needs of women and girls in a conflict and post-conflict situation, and in prevention of conflicts.

Firstly, in the discussion related to Resolution 1325, one needs to understand the diversity of the conflicts which affect women. While some conflicts can be termed armed conflicts, others are so called ‘low intensity’ conflicts, which often receive less international attention but typically last for years or even decades. At times, conflicts cannot be described as armed conflicts, yet, on-going violence, structural inequality and related disputes continue to negatively affect populations, and women, in many cases, disproportionately. Armed or low intensity conflict impact negatively on the economic, social and environmental security of women and girls, as a result, their needs are immense. In these situations, multiple structural inequalities put women in a more difficult situation than men. In conflict situations ethnicity often plays the key role: ethnicity may even overpower gender as a factor of discrimination. However, women in their own ethnic groups are typically more discriminated against than men, which underlines the inter-relationships of gender, ethnicity and other hierarchical dimensions. All these inequalities are not caused solely by a conflict. They are often based on structural inequality related to wealth and class, ethnicity, religion, caste, and so on, and are exacerbated by the conflict.

It is self-evident that implementation of any UN Resolution alone cannot respond to these immense needs. Resolution 1325 should, accordingly, be viewed in the a broader context of women’s rights and policies, and mechanisms such as CEDAW and the Beijing Platform of Action. Based on our findings, it can also be concluded that for Resolution 1325 to have a substantive impact at the national level, it needs to be contextualised and linked to existing national and also regional gender policies and plans of action, as well as to national and regional peace and security policies and plans of action. First and foremost, implementation of Resolution 1325 needs to be a Government-led process, in cooperation with other development partners. This is particularly important to understand now as the preparation of National Action Plans for implementation of Resolution 1325 are becoming the *modus operandi* for implementation of Resolution 1325, especially in development coop-

eration. Only by ensuring that national governments take the lead in implementation will it be possible to address the multiple challenges currently preventing women from participation as active agents of change. As evidenced in our study, expecting rural women and poor urban women to participate as peace builders and active agents of change in a conflict and post-conflict situation is questionable, if the conditions for their involvement are not enabling. Their primary interest is, understandably, in every day economic survival, not in 'talking'. Based on our findings, we further conclude that conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non-violence – and for that a holistic approach is required.

Our study has explored how women's voices from below can be heard. We conclude that issues of: *i) economic empowerment, livelihood and job creation; ii) local governance and decision-making (including community level); iii) customary laws and practises (multiple legal realities); iv) land ownership and property rights, and v) sexual and gender based violence and the related impunity, are the key issues for women's security in general. The most important of these is economic empowerment, livelihood and job creation.* Our findings indicate that *women's participation in general, and in conflict situation and prevention of conflicts in particular, is directly linked with their economic status.* There is also a link between SGBV and women's economic status. Accordingly, for responding to the needs of women 'voiced from below' and for enabling women to become active in implementation of Resolution 1325, related issues, and development in general, the focus of Finnish development cooperation should be on addressing this challenge.

When thinking of the three pillars or dimensions of sustainability in Finnish Development Policy (FDP): economic, social and ecological sustainability, it is evident that they are 'inextricably' linked, as stated in the FDP. The needs of women are also inextricably linked to sustainability: economic, social, and ecological. It is evident that improving the economic status of women cannot take place without addressing social aspects. Again, economic development is dependent on access to and ownership of natural resources, which often are causes of conflicts. In concrete and practical terms for Finnish development cooperation and implementation of Resolution 1325, this means that generally speaking, there is a need to recognise that conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non-violence. It must be further ensured that this approach is reflected in development cooperation. This means not only addressing issues related to Resolution 1325, but also significantly contributing towards gender equality overall in partner countries, through supporting implementation of national (and regional) gender strategies, policies and plans of action. Finland's involvement in the preparation of National Action Plans for the implementation of

Resolution 1325, for example in Kenya, provides an opportunity to focus Finland's support on meeting and overcoming the key challenges identified in this study.

Above all, Finland should direct support to women's economic empowerment – both formal and informal, particularly at the local level, in a comprehensive manner. Up to date, Finland has allocated very limited support to women's economic empowerment. At best this has been through the LCF or Finnish NGO support. These interventions have their limitations in terms of coverage and expertise. What is required is support to programmes which look at women's economic empowerment through the whole value chain, including micro-finance institutions (MFI) and Small and Medium Enterprises (SME) etc., or projects which create conditions for enabling the participation of women in the labour market. Finland's development cooperation during recent years has promoted the view that for example credit should be provided only through the formal banking system. As this has not been feasible in many rural contexts, local level economic empowerment has not remained on the agenda. This is a very severe hindering factor for women's economic empowerment. If Finland want to seriously enhance attempts to strengthen an enabling environment for women so that they can be an active in development in general and in activities related to Resolution 1325 in particular, Finnish support should aim at this objective. As this study was not in a position to evaluate the performance of individual interventions, comprehensive and feasible programmes should be separately identified and evaluated as to their contributions to women's economic empowerment. Since Finland is also directly involved in preparation of the Kenya NAP for implementation of Resolution 1325, steps should be taken to ensure that this key element is included in Finnish support. The Kenya NAP preparation process will enable more detailed assessment of appropriate interventions for funding, for example, an evaluation of the performance of different MFIs in Kenya in aiding economic empowerment of women.

When looking at the social sustainability dimension, FDP explicitly refers to issues of peace and security, well-functioning democratic governance, respect for human rights, inclusive social and cultural development, and action to fight corruption. As the social sustainability dimension is a prerequisite for the two other pillars of economic and ecological sustainability to progress, aspects and issues of prevention of conflict become the key focus area. *All development interventions, linked to any of the three FDP pillars, have implications for contributing to either preventing or accelerating a potential conflict.*

In both Kenya and Nepal, there are several interventions directly supporting local CSOs which are addressing issues of democratic governance, human rights, women's rights and corruption through LCF support. In both countries, LCF support also includes the fight against impunity for SGBV. In a way, Finland's support

has assisted in addressing these issues from outside the Government, through the support to the civil society. In most cases this has been relatively successful, but also relatively small in size. It is evident that LCF as an instrument has a comparative advantage in promoting issues which might be sometimes too sensitive for bilateral programming. However, bilateral interventions are larger in budgets, operate often in rural ('hot spot') contexts and thereby have the potential to address issues which can be seen as possible causes of conflicts.

As in our case study countries, developing countries are often in a fragile stage of social stability, if not in an actual armed conflict. In this situation, *it is of crucial importance that it is the operating environment in general is understood, along with the underlying causes of the fragility or conflict., In particular ways for women and girls – and men and boys – to be supportive actors should be studied.* It is important to understand how key issues related to promotion of gender equality, women's rights and the '3Ps' are being treated in a project or programme area. In the cases of both Nepal and Kenya, the Finnish bilateral development cooperation interventions are operating in the context of a fragile political environment in which security is a problem, and in locations which are geographically in the 'hot spot' areas of the countries with ethnic and political problems. In this situation the impact of development interventions can either promote or negatively affect gender equality and realising the women's rights, and at the same time implementation of Resolution 1325. The 'best practise' from Nepal of conducting a thorough gender and social inclusion baseline study addressing the core challenges related to the operating environment, and using that study as the basis for developing a gender and social inclusion strategy, seems to be an optimum way for mapping out and understanding the operating environment of Finnish development cooperation interventions related to implementation of Resolution 1325. Combining gender equality with social inclusion enables addressing *ethnicity as the most prominent factor for causing discrimination*, particularly in a conflict or post-conflict situation, *together with gender-based discrimination.* Studies of customary laws and harmful practises (multiple legal realities) should be conducted; and organisations working on the issues supported.

It is important to notice that one of the main contributing factors to having achieved 'best practises' for a GESI strategy in Nepal is the GoN's *strong national framework for gender and social inclusion*, particularly in regard to local governance. Many studies over the years have indicated that when supporting national gender machineries, actual mainstreaming of gender issues into the policies and strategies of the implementing line ministries does not necessarily materialise. In the case of Nepal, the *donor support was provided directly to a line ministry*, The Ministry of Local Development (MLD), and to a national programme on Local Gov-

ernance and Community Development (LGCDP). Partly as a result, a specific GESI strategy has been prepared with an immediate impact on the Finnish water sector interventions. Our research results indicate that women’s meaningful participation in both formal and informal local governance structures will make a positive contribution to governance, and particularly to conflict resolution in a post-conflict situation, and that women can be a positive force in conflict prevention at the local level.

Regarding the environmental dimension of security, it is notable that because its heightened interest in the environment, in many partner countries Finland is one of the lead donors in, for example, water and forestry, and also climate change in a broader sense. This provides an excellent opportunity to incorporate gender and conflict prevention issues (economic and social aspects) into Finland’s interventions in this area. Based on our limited sample in two of Finland’s partner countries, we conclude that Finnish support to the water sector in these countries provides ‘best practises’ of incorporating gender and conflict prevention into project and programme support. For example in Nepal, this can be considered as direct support to implementation of Resolution 1325. The forestry and water sectors, however, lag far behind climate change and environmental changes as causes of conflict. Gender aspects of natural resource management, women’s related rights, women’s participation and the needs of women and girls should all be of concern, since women are often the practical managers of many natural resources at the local level, for example, the local environment (fuel wood and other sources of energy), water, forests, etc.

Based on our study findings, we conclude that the main challenge for promotion of gender equality and the implementation of Resolution 1325 in partner countries is not a lack of policy or of strategy framework, but, rather, finding practical methods of implementing the existing and new national plans (e.g. NAP 1325) so that real contributions can be made to ending discrimination of poor people in general, and poor women in particular at the local level, and enhancing the participation of these people in local decision-making and economic activities. At the same time, there are many actors involved in promoting women’s participation in political and electoral participation. Accordingly, Finland should mainly focus its support on ensuring implementation of these existing policies and strategies at the local level, so that the political and social environment will become more enabling for women’s participation and their active role as agents of change. Apart from direct support at the local level, this also entails making policies, strategies, plans of action, implementation mechanisms, and the responsible ministries more gender responsive.

We conclude that since Finland has repeatedly emphasised its support to the implementation of Resolution 1325 and gender equality in general, it is high time to allocate significant support to the key focus areas mentioned above. There are,

however, some factors related to FDP, development cooperation practices and management framework which hinder Finland’s contribution to implementing Resolution 1325.

One of the factors in Finnish Development Policy (FDP) severely hindering promotion of gender equality in general is that FDP explicitly states that addressing gender issues will be undertaken only through mainstreaming gender as a cross-cutting issue in all development cooperation. According to recent evaluations⁴⁷ and also our findings, this is not the optimum way to implement promotion of gender equity, inclusion of gender issues in Resolution 1325 activities in general, and the Finnish NAP for Resolution 1325 in particular. ‘Mainstreaming’ is also not in line with the recent developments related to harmonisation and alignment, where gender is increasingly seen as a separate sector. Using a one-track strategy is also not in line with international commitments such as the Beijing Platform for Action (1995) nor with the EU gender policies which clearly, based on past experiences and lessons learned, promote the use of a two-track strategy: mainstreaming and gender-based affirmative action. In relation to Resolution 1325 this mainly means affirmative action for women and girls in regard to participation, protection and prevention in pre-conflict, active conflict and post-conflict situations. Both mainstreaming and separate gender-specific interventions are certainly needed.

Use of a one-track strategy has led to MFA supporting only an insignificant number of gender specific projects with limited budgets, as a result of using as an approach the mainstreaming of gender equality and women’s and girls’ rights in all projects and programmes across the board. Currently, Finland does not support bilateral projects which focus on gender equality, and support to gender equality is allocated mainly through LCF and multilateral organisations. The multiplicity of women’s rights NGOs supported through LCR might, to a certain extent, be seen to justify the lack of funding for gender equality through other instruments.

MFA has also recently recognised the difficulties related to mainstreaming gender issues, and has taken a significant, positive step towards more optimum ways of promoting gender equality. The MFA issued new Guidelines regarding the cross-cutting themes in the FDP⁴⁸. These Guidelines still emphasise that gender (and all the other cross-cutting issues) will be taken into consideration by integrating them in all aspects of development policy and development cooperation. However, it is also noted, that *in case mainstreaming of a cross-cutting issue does not lead to a significant impact, it can be complemented with specifically targeted actions and projects/programmes*, leaving the door open for development of gender-specific programmes.

⁴⁷ Valtiontarkastusvirasto (June 2008); Evaluation of the Cross-cutting Issues in Finnish Development Cooperation (MFA 2008:6, December 2008).

⁴⁸ Kehityspolitiikan läpilleikkaavat teemat; Toimintaohje; 25.05.2009; HELM171-20.

The new Guidelines also explicitly emphasise that mainstreaming of the cross-cutting issues is a binding key principle, and any deviation from this needs to be separately justified. In order to operationalise the Guidelines, the Department of Development Policy will define political and programme targets for cross-cutting issues for the other departments. MFA will ask Embassies to define their own targets, taking into consideration the local context. More importantly, the Guidelines explicitly specify that promotion of gender equality and other cross-cutting issues will be integrated in all project/programme planning, implementation, monitoring and evaluation and reporting guidelines.

Our opinion is that despite having Guidelines for integrating cross-cutting issues, there is still a need for a specific strategy and plan of action for promoting gender equality if the MFA wishes to systematically promote gender equality and thereby implementation of Resolution 1325 and Finland's 1325 NAP. MFA previously had a Gender Strategy and Plan of Action for development policy which according to a recent evaluation (MFA 2008:6) formed a strong basis for promotion of gender equality. Since considerable time and in-house ministerial effort was put into the development of the previous strategy, it would seem logical and effective to revise and update the existing strategy. This would both strengthen the implementation of Resolution 1325 and put it in the context of the overall gender strategy of MFA.

The data collected in our study also leads us to conclude that where competent human resources are available either at the Embassy, or through contracting outside expertise, good strategic planning in relation to gender issues takes place. Good planning for inclusion of gender issues in projects and programmes means that the potential influence of activities and interventions will be greater, and their impact higher. According to the new Guidelines on cross-cutting themes, including gender, MFA should organize needs-based capacity building when integrating cross-cutting themes into actual implementation, as well as in planning. In order to prepare practical tools, collect best practices and to provide assistance during the planning processes, MFA in Helsinki has established a team of advisors including those with expertise in gender equality, social development, and HIV/AIDS, as well as on consolidation of gender issues and ensuring their coherence within MFA and development programming. A general checklist for programming has been included in the Guidelines.

This shift from a mainstreaming to a twin-track strategy, and at the same time to a much more systematic approach to promoting gender equality, provides a significant opportunity for addressing aspects related to Resolution 1325. A recent concrete example and a best practice for implementing Resolution 1325 in Finnish development cooperation has been the planning process of the Western Kenya Rural Integrated Project (Kenya RIP). In MFA, the Unit for Eastern and Western Af-

rica within the Department for Africa and the Middle East, jointly with the Gender Advisor of the MFA, held meetings to discuss implementation of Resolution 1325 and the Finnish NAP for this implementation in relation to the planned intervention in Western Kenya. In addition, a joint meeting with the planning consultancy team, selected MFA advisors (gender equality; HIV/AIDS; good governance), and our research team was organized to discuss the related issues. We have also since been informed that a separate component and a respective budget allocation, for addressing challenges of gender (and conflict) will be included in Kenya RIP, which undoubtedly is a 'best practise'.

MFA has not previously demanded an explicit focus on gender equality in bilateral programming (throughout the whole process, starting with tendering) although Finland is committed to it. This has often resulted in consultancy companies also not sufficiently, if at all, responding to promotion of gender equality. There are positive examples of the inclusion of gender as well, however, and this lack of a focus on gender cannot be generalised. However, the response has not been systematic.

Finally, at the international level, there are several on-going interventions which are indirectly linked to implementation of Resolution 1325. For example, the post of a UN Special Representative for UNSC Resolution 1888 has been approved but does not yet have funding. Depending on the definition of the task, this post might also have a positive influence on implementation of the Resolution 1325. Since the limited time available did not allow for a thorough understanding of the task and mandate of the approved UN Special Representative, our study team is not in a position to assess whether funding the position would make a substantive difference in the promotion and protection of women's rights, the rights of poor women in particular, or whether it could be considered as a direct input for implementation of Resolution 1325. Finland has also been active in promoting the new gender architecture of the UN. Our opinion is that a separate assessment should be conducted to look at the funding possibilities of the new post, particularly in light of Resolution 1325. This assessment should also include the location of this post in the new architecture.

Finland is also represented in Steering Committees of multinational donors (World Bank; UNDP, UNIFEM, OECD), and has been supporting for example implementation of the World Bank's Gender Action Plan. These provide an opportunity for promoting implementation of Resolution 1325. Finland has, in our understanding, been very active in promoting the inclusion of gender issues in these forums. This has recently been very visible in the context of the UN Climate Change Conference in Copenhagen in December 2009. Finland has been one of the leading countries in promoting inclusion of gender issues in the final agreement of the Copenhagen Conference. Finland was given the 'Gender Champion' prize by the development and gender equality organisations, the first time this award has been given.

We encourage Finland to continue to promote gender issues, but such political lobbying would gain more strength if Finland would also provide more substantive funding for implementation of gender related activities and interventions through its development cooperation. Ultimately, as our study indicates, the main challenges are at the implementation level. Moreover, Finland could more actively raise the question of women’s economic empowerment in both the World Bank and UNDP. Although women’s economic empowerment is one of UNIFEM’s focus areas, in our opinion it should be a central element in all poverty reduction strategies. The people interviewed in our case studies emphasized that economic empowerment of women was the key to ensuring implementation of Resolution 1325.

Based on our case studies, Finland should continue to encourage open cooperation with the Governments and civil societies in which the UN agencies, e.g. the UNDP, and UNIFEM, operate. We assume this is already being done, and the lack of more visible results in regard to implementation of Resolution 1325 is probably related to the inadequacies of the UN agencies at the country level in general.

8 RECOMMENDATIONS

Based on our case studies and the above conclusions, the study team would like to make the following recommendations. All the recommendations below are in line with the objectives of Finland's Development Policy and should facilitate its implementation.

8.1 Focus of Finland's support to implementation of UNSC Resolution 1325

8.1.1 General recommendations

- i) Re-affirm and adopt a twin-track strategy for the promotion of gender equality: provide significant financial support to specific projects on gender equality and women's rights, together with support for gender mainstreaming.
- ii) Support preparation and implementation of NAPs for the implementation of Resolution 1325 in bilateral partner countries.
- iii) Directly support implementation of the national gender policies and plans of action through bilateral programming (in at least one main partner country, in addition to and separate from support for preparation of NAP for implementation of Resolution 1325).
- iv) Significantly increase funding and technical assistance for implementation of existing national gender strategies, policies, and plans of action, particularly in the following areas: women's economic empowerment, livelihood and job creation; local governance and decision-making (including community level); customary laws and practises (multiple legal realities); and land ownership and property rights. Support should be geared towards Government-led processes in order to complement the already existing support now being made through the civil society (NGOs and CSOs).
- v) Support (through targeted funding and TA, when necessary) the cooperation within governments of bilateral partner countries among the gender ministries and sectoral ministries in regard to their activities in the above-mentioned fields (economic empowerment; livelihood and job creation; local governance and decision-making; and legal sector), especially with the aim of integrating gender justice and women's rights into sectoral policies and programmes.
- vi) Include implementation of Resolution 1325 in support to bilateral partner countries and in programmes, at the least in the areas of rural development, forestry, water and other natural resource management programmes (climate change) and governance programmes. Include in programming aspects of women's

economic empowerment and livelihoods; and an emphasis on participation of women in the local governance.

- viii) Make a call for proposals for regional NGOs to implement specifically regional activities related to implementation of Resolution 1325.
- ix) Engage, as the Government of Finland, in systematic and persistent political work on an international and national level to improve the status of the Internally Displaced People (IDPs) (i.e., their registration, provision of services, etc.).
- x) Follow-up developments and support development and implementation of the African Union Women’s Trust Fund for African Women’s Decade 2010-2020. Particularly pay attention to development of National Gender Equality Funds for support at later stages.

8.1.2 Economically sustainable development

- i) Identify and support broad-based existing women’s economic empowerment programmes in partner countries (preferably UN supported or implemented by a large NGO specialised in the sector), and consider specific bilateral programming in this field. Programmes should look at the whole value chain of production and the production networks. Added value of the support would be provided if it operated in the same geographical areas where Finnish bilateral programmes also operate.
- ii) Carefully analyse situations in the bilateral programme areas from the viewpoint of livelihoods, employment, labour rights, and income generation, and incorporate support to economic empowerment of people in general, and of women in particular.
- iii) Support work of the bilateral partner country governments on Gender Responsive Budgeting (e.g. through provision of TA to the Ministries of Finance and Planning).

8.1.3 Socially sustainable development

- i) Support Government-led governance programmes (bilateral and/or multilateral basis) addressing women’s participation in local level governance, particularly linkages with local level governance and local communities (as both duty bearers and claim holders).
- ii) Combine gender and social inclusion (including possible IDPs) particularly in the conflict or potential conflict areas, in all Finland’s development cooperation interventions in main partner countries. Support the conducting of gender and social inclusion baseline surveys, and develop Gender and Social Inclusion (GESI) strategies for all bilateral programmes in all main partner countries

- (in non-conflict, post-conflict, and active conflict situations) to ensure gender mainstreaming throughout the project cycle. Include affirmative action for women and girls regarding participation, protection and prevention by ensuring the inclusion of specific components on these issues.
- iii) Support interventions addressing sexual and gender-based violence (SGBV) and harmful traditional practises affecting women (both Government and NGOs) including work with the executive arm of the judiciary (police; justice system and governance structures) (e.g. work of the Gender Cluster in Kenya). When supporting sexual and reproductive rights, provide long-term and significant financial support as part of the overall development of the health sector.
 - iv) Support Universities and research institutes in partner countries and regionally in developing multi-year long-term research projects investigating e.g. violence against women; gender and the legal framework (including customary law, impunity); gender and natural resources and IDPs.
 - v) Provide support to the development of research projects to study which existing legal systems are more supportive of women’s and girls’ rights. Also develop strategies to harmonise the indigenous legal systems with international standards for women’s and girls’ rights.
 - vi) Support and invest funds in developing curriculums to train men as trainers in regard to issues relevant to Resolution 1325, for example, through local research institutes. (Follow-up on the Costa Rica Peace University MA programme on peace and gender which MFA has funded.)
 - vii) Support Women’s Leadership Institutes, particularly by providing funds for capacity development of women in civil service and local governance, not only for high level politicians and administrators, or eminent civil society leaders in the Capitals.
 - viii) Continue the already on-going support to the UN Trust Funds addressing Violence against Women and Human Security. Consider funding INSTRAW’s Gender Peace and Security Research, and similar initiatives.
 - ix) Support regional and national/local initiatives for development of gender-sensitive early warning systems, and demand their use in Finnish development cooperation interventions as indicators.

8.1.4 Ecologically sustainable development

- i) Incorporate a broad understanding of land use resource management (including human rights and women’s land use rights) in the interventions aiming at environmental security and climate change. Any bilateral, sector or direct budget support programme should have this as the starting point, thoroughly analysed beforehand and supported.

- ii) Support partner country ministries of environment and natural resources in making policies, strategies and plans of action more gender-responsive, particularly in the sectors of Finnish bilateral support in those countries (e.g. forestry, water, and environment). Incorporate gender justice and women’s rights in the programme support in these sectors, or through support to national gender mechanisms.
- iii) Through LCF, support CSOs which work on environment, gender equality and women’s land use and property rights.
- iv) Facilitate joint capacity-building in partner countries for women’s rights Civil Society Organisations (CSOs) and those CSOs working on natural resources and environmental issues.
- v) Strengthen other key actors (women’s organisations; gender machineries; female parliamentarians and female members of local governance structures) in dealing with decision-making regarding natural resources.

8.1.5 Support partner countries in the preparation and implementation of their national action plans (NAPs) for implementation of UNSC Resolution 1325

- i) When supporting preparation (or implementation) of National Action Plans (NAPs) for implementation of Resolution 1325 in partner countries, Finland should take into consideration:
 - a) preparation of the NAP for implementation of Resolution 1325 should be a Government-led exercise and should not be seen as an exercise separate from other Government interventions, either strategic or practical. Link the NAP to the on-going policies, programmes, and strategies of the Government agencies, departments and line ministries, and proactively involve them in the implementation of the NAP. Link the NAP with other national development gender policies and plans, and mainstream it into the policies, strategies and plans of actions of other ministries.
 - b) Recognise that conflict prevention depends on the achievement of substantive gender equality together with a commitment to non-violence, and ensure that participation strategies take these both into account. Align Resolution 1325 and the NAP for its implementation with existing instruments such as CEDAW and the Beijing Platform of Action, and with existing peace and security sectoral strategies.
 - c) The NAP for implementation of Resolution 1325 needs to be “owned” by a Government body (in cooperation with the civil society). However, responsibility for leading the implementation should not be left to the national gender machinery only. One feasible alternative is to include the NAP in a Ministry

responsible for planning: that would facilitate its incorporation in national development planning processes (e.g. poverty reduction). The best mechanism for accountability and M&E would be to have a Steering Committee (SC) (or similar) including representatives from both the civil society and the Government. If an SC already exists for supervision of all relevant interventions in the area, (peacebuilding initiatives; small arms interventions), it also could include coordination, preparation and implementation of the NAP for implementation of Resolution 1325, which would also facilitate mainstreaming Resolution 1325 issues into the design and implementation of other interventions. For the Resolution 1325 to become a meaningful tool in the implementation of national policy and strategies, it needs to have a strong political backing. Responsibility for different aspects should be distributed to key government ministries/departments (defence, internal affairs, office of the President, gender, planning and finance, natural resources) with defined accountability mechanisms.

- d) Experts from those countries in Africa (and in other relevant regions) which already have NAPs for the implementation of Resolution 1325 should participate in the preparation process of NAPs for Resolution 1325 in other countries. Preparation should be a joint effort between the Government and the civil society. It should be a participatory process involving representatives from the district and community as well as the national levels (women and men), as the main challenge is implementation at local levels. The NAP should clearly indicate the activities, responsibilities, budget, and the M&E system (qualitative and quantitative indicators) for projects and interventions for the implementation of Resolution 1325.
- e) Judiciary, legislative and executive arms of the Government of Finland's bilateral partners need to participate in the implementation of the NAP. NAP should particularly involve local governance structures, as they are closest to the people. Local authorities, including police, play a critical role in the conflict, reconciliation and rehabilitation process, and they can positively or negatively influence how the situation evolves.
- f) Funding should also be provided for the long-term implementation of the NAPs, over several years, not only for the preparation of the NAP.
- g) Implementation of the NAP needs to include capacity development for gender analysis, gender mainstreaming, gender budgeting, etc., in addition to conflict resolution and peacebuilding. Implementation should also strengthen the capacity of the national gender machineries to fulfil their mandate. Capacity development is required at all levels; and capacity assessment should be carried out prior to finalisation of the NAP, or as part of it with a lump sum reserved in the budget for capacity development.

- h) NAP should incorporate regional peacebuilding policies and practises (for example in case of Kenya Regional Economic Commissions (RECs), African Union, African Women’s Protocol).
- ii) Finland’s support to implementation of NAPs for implementation of Resolution 1325 should include aspects of economic empowerment, local governance, legal reforms, and the implementation of existing laws on sexual and gender-based violence (e.g. on abolishing harmful practises); and women’s land and property ownership rights.
- iii) In those countries where Finland has Resolution 1325 as its special focus in development cooperation (e.g. Kenya), Finland could take up the role of a donor Focal Point on Resolution 1325 and collect relevant information on what different actors are doing, and then share this information. In other countries, Finland’s participation in donor coordination on gender issues should be ensured.
- iv) Study the potential (through seed funding) for cooperation on gender and human rights training for international peacekeepers, between Finland and, potentially, Kenya and Nepal (e.g. facilitating joint Training of Trainers, facilitating study and exchange tours, organising planning for training departments, etc.).
- vi) Support studying and developing of early warning mechanisms for potential conflict, and men’s and women’s role in them (including the existing efforts of ECOWAS).

8.2 Monitoring

- i) Establish a sub-group to the current monitoring group of Finland’s NAP for implementation of Resolution 1325, to monitor implementation of the Finnish NAP, specifically regarding development policy and cooperation. The sub-group could include officials and members of lead development NGOs (and possibly from the Resolution 1325 Network), for example, through existing “Kumppanuus-järjestöt”, and annual meetings with the MFA. Embassies in main partner countries and countries in conflict or post-conflict situation organise a series of one-day meetings for representatives of Finnish NGOs and bilateral programmes in each country to share information on their respective activities in relation to Resolution 1325; after each meeting, the Embassy would prepare a report to the above-mentioned monitoring group. A half-day capacity-building workshop or seminar on Resolution 1325 could also potentially be provided for these actors during the first round of meetings round.
- ii) Establish a data base on interventions contributing either directly or indirectly to implementation of Resolution 1325 within Finnish development cooperation interventions, and update regularly.

- iii) In key partner countries, encourage inclusion of Resolution 1325 in the broader gender policy, in strategy and action plan frameworks, and in peace and security policies, and support these interventions, including developing their monitoring mechanisms.
- iv) Develop a set of key indicators (follow-up the indicator development being done by INSTRAW and UNFPA) and demand use of these indicators and reporting based on them, in each bilateral programme, including post-conflict countries, in order to measure inputs to promote gender equality and implementation of Resolution 1325. Such basic indicators, irrespective of the sector, could be linked with the goals of participation and visibility of women, economic empowerment of women (budgets provided for this, increase knowledge of women about what is available, etc.), physical protection of women and girls (whether a project has promoted this or not), legal rights and customary laws.
- v) Include monitoring of women's rights and implementation of Resolution 1325 as part of the tailor-made capacity development for Finnish Embassy personnel in main partner countries and in conflict countries.
- vi) Carry out an (impact) evaluation of specific gender and social inclusion related to Finnish bilateral projects and sector support.

8.3 Partnerships and networks

- i) Support local research institutes (with a proven record on issues related to gender, peace, security, land use, etc.) by providing long-term funding.
- ii) Provide funds for facilitation of new, innovative network building, such as between environmental and women's rights NGOs in partner countries (together with Finnish NGOs, for example).
- iii) Encourage through the Finnish Embassies the participation of local gender and human rights experts at national, regional and local governance level in the processes of the planning and implementation of the NAP of Resolution 1325 in the fields of natural resources, land-use, forestry, etc., Support organising regional meetings (e.g. within South Asia and/or Asia-Africa) on issues related to Resolution 1325.
- iv) Create and fund a facility for North-South dialogue between Finnish development NGOs and their partners in conflict-countries.

8.4 Management framework

- i) Revise, update and *operationalise the MFA Gender Strategy and Plan of Action* (2003–2007) to ensure that the momentum and imperative for implementation

of both gender mainstreaming and affirmative action for women and girls (specific programmes) exist within the MFA, Embassies and consultancy companies.

- ii) *Capacity Development of the MFA/Embassy:* a) Provide a round of gender training/mentoring for each Embassy staff member responsible for gender issues and Resolution 1325; b) Provide gender training for each advisor employed by the Embassies in bilateral countries and post-conflict cooperation countries if they do not have previous skills in this area.

The Foreign Ministry could also assign a training institute/individual consultants with approved training competence to carry out a series of training sessions on Resolution 1325. Ideally, this should be done as part of the more general training on gender issues carried out both at the Ministry and in the Embassies. However, it is our understanding that the Ministry does not regularly provide gender training for the Embassy personnel. Therefore, the issue needs to be thoroughly discussed with the Training Unit of the Ministry to discuss different alternatives. The continuity of the training activities needs to be discussed with the Training Unit(s).

People who would need a hands-on, practical, two-day training course include, at least: Advisors in the areas of human rights, conflict/conflict prevention, natural resources. People who would need an introductory training session (at least three hours) specifically on Resolution 1325 are all civil servants (including the Heads of Missions, Ambassadors) who are posted (or about to be posted) in conflict-countries.

Gender training and training on Resolution 1325 should be provided either in the Ministry or in the Embassies through a visit of a training team, possibly together with several Embassies (regional). Possibilities to organise training jointly with other Nordic Embassies (e.g. with Norway and/or Sweden in Nepal) should be considered.

- iii) MFA needs to explicitly demand and *ensure through concrete goals and activities the inclusion of promotion of gender equality in the TORs and expertise requirements of all its bilateral programming* (tendering; project formulation), and the inclusion of gender, conflict and inclusion issues in all development cooperation in conflict and post-conflict contexts.
- iv) Provide *information and knowledge* on Resolution 1325 (especially in the form of toolkits etc.) to MFA officials, Finnish consultants, Finnish NGOs etc. in an easily accessible form, to make use of already existing, rich information available.
- v) Demand gender sensitivity and basic understanding of gender issues from all members of the research teams involved in any development research carried out through funding from MFA (see Evaluation of Development Research 2009).
- vi) In partner countries recovering from violent conflict: concentrate Finnish support on a limited number of sectors (two rather than five) and continue support to those sectors instead of continuous sectoral re-prioritising; bring in support for gender equality within these sectors.

ANNEX 1:

IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 1325 “WOMEN, PEACE AND SECURITY” IN THE CONTEXT OF FINNISH DEVELOPMENT POLICY: COUNTRY CONTEXT

1 COUNTRY CONTEXT

1.1 Brief history and present situation of the conflict

Kenya witnessed an explosion of inter-ethnic violence immediately after the conclusion of the nation's fourth multi-party elections in December 2007. This violence had antecedents in the ethnic clashes that accompanied both the first multi-party elections in 1992 as well as the second multi-party elections in 1997. The third multi-party elections in December 2002 were peaceful. The peaceful nature of the 2002 elections has been attributed to the broad-based, in ethnic terms, coalition that was cobbled together in the later months of 2002 and that came to be known as the National Rainbow Coalition (NARC). Others have been of the view that the corruption, misrule and gross human rights abuses which had characterized the 40 year reign of the Kenya African National Union (KANU) had reached crisis levels. This had the effect of galvanising the country to rally behind one cause: unseating KANU from power. It has been argued that this unifying purpose did not allow space for any divisiveness, let alone inter-ethnic violence. Researchers are still trying to understand what was different in the 2002 elections that made them violence free.

Although previously violence occurred prior to the elections, in 2007 violence erupted after the elections and took on dimensions never witnessed before. The Waki Report and other reports of the events that followed on Kenya's elections in December 2007 all agree that while some of the violence was spontaneous in some regions, in other places it was organised.¹ The report of the Commission of Inquiry into Post Election Violence (CIPEV or the Waki Commission)² also highlighted the fact that the post-election violence marked an escalation of the election-related violence that has characterised Kenyan elections since the re-introduction of multi-party politics in 1991.³

The impact of the post-election violence was great: 1500 people lost their lives,⁴ and over 350 000 persons were forced to leave their homes. This violence also included horrific cases of sexual violence, and the torture of victims before their death. In addition, there was great loss of personal property, damage to businesses,

¹ See among others *Kenya in Crisis*, A report of the International Crisis Group, February 2008; *Ballots to Bullet: Organized Political Violence and Kenya's Crisis of Governance*, A Report of Human Rights Watch, March 2008; and, *The Report of the OHCHR Fact Finding Mission to Kenya* February 2008.

² The Commission was established 23 May 2008 and was chaired by Justice Phillip Waki.

³ See the Waki Report p. xiii.

⁴ The Waki Report at p. 306 talks of 779 deaths. Other reports have been consistent in estimating the number of deaths attributed to the post-election violence at 1500. See *Kenya in Crisis*, A report of the International Crisis Group, February 2008; *Ballots to Bullet: Organized Political Violence and Kenya's Crisis of Governance*, A Report of Human Rights Watch, March 2008; and *The Report of the OHCHR Fact Finding Mission to Kenya* February 2008.

and the demolition and complete destruction of public buildings and transport infrastructure. Crops in the fields and granaries were destroyed, leading in the months that followed to severe food shortages that are still being experienced today.

The violence that was a direct consequence of the political crisis ended officially on February 28th 2008 when the two principals, President Mwai Kibaki and Prime Minister Raila Odinga, signed the National Accord and Reconciliation Agreement⁵ which had been brokered by a panel of Eminent African Persons led by the Former UN Secretary General Kofi Annan, with very strong support from the international community.

1.2 Impact of conflict on women

Women were among the hundreds of people killed and the thousands displaced by the post-election violence. They witnessed their children being killed and maimed. Women miscarried or gave birth to children in the bush. Some lost their livelihoods, market women watched as their market stands and wares went up in flames. Others lost their crops and their homes that had taken decades to build. Livestock and poultry were lost, further injuring the livelihoods of thousands of women and reducing the incomes of their households. Some of the women now have no access to family property because after their husband died their in-laws made it difficult for widows to utilise their dead husband's property, especially land. Women's access to property in Kenya is in most cases culturally and legally dependent on a woman's relationship to a male relative, primarily her husband (Human Rights Watch 2003; Nyamu 2000: 395; Commission on Laws Relating to the Status of Women 1998; Mbote 2002). Thousands of women are still in IDP camps or transit camps and therefore homeless. This continued stay in IDP camps further exposes women to sexual violence and to health hazards from the unsanitary living conditions.

During the conflict, sexual Violence (SV) was very prevalent and often used as a weapon. People (both women and men) were raped, children were defiled, there were incidents of gang rapes, and many had their sexual organs mutilated (especially uncircumcised males). In other cases, objects were inserted into people's sexual organs or anus.⁶ Sexual violence also resulted in mental torment and psychological trauma whose impact is yet to be fully documented. Victims who watched their

⁵ The Accord committed the parties whose representatives constituted the Kenya National Dialogue and Reconciliation team to four Agenda Items that would restore and secure peace for Kenya: Agenda Item 1 was action to immediately stop the violence; Agenda Item 2 was to take measures to address the humanitarian crisis and promote national healing and reconciliation; Agenda Item 3 was to end the political crises; and, Agenda Item 4 was to address the underlying long-term issues that were believed to be the cause of the crises, these being: constitutional and institutional reforms, land reforms, poverty and inequalities, youth unemployment, national cohesion, and transparency and accountability.

⁶ *Ibid.* p. 239.

wives, daughters, and sisters being raped or sodomized, witnessed men having their genitals cut off, were severely psychologically damaged. It has been reported that some men who witnessed their wives being raped abandoned their families because they were psychologically unable to stay in the family, leading to broken homes.⁷ Others contracted HIV, miscarried or had premature births, while the worst cases are those in which the victims committed suicide.

Sexual violence was most prevalent in low income neighbourhoods in Nairobi and among displaced persons (IDPs) in the provinces. SV was used to enforce the eviction of persons who belonged to the “wrong” tribes or voted for the “wrong” political party, and was meant to humiliate and degrade them and their communities.⁸ In other cases SV could be classified as opportunistic in the context of lawlessness.⁹ In other situations, SV was exploitative, for example SV perpetrated by security forces, humanitarian workers or members of communities that bordered IDP camps. IDPs were being made to trade sexual favours for basic needs and protection.¹⁰

Although the immediate violence directly related to the elections is over, there have been repercussions that could be attributed to the fact that thousands of people were displaced and their livelihoods destroyed. This is evident in the increasing violent crime rates in Nairobi and other urban areas. In addition, the conflicts that existed before the violence, such as the conflict involving the Sabaot Land Defense Force (SLDF) in Mt. Elgon, are still ongoing albeit on a lower scale after a strong military offensive in the region. The SLDF militia are adapting to the situation but have not abandoned violence as the primary means to advance their cause. The same can be said about the *Mungiki*¹¹ militia that has been operating mainly in Nairobi, Central Province, and parts of the Rift Valley.

As a result of the continued existence of low level conflict, and long running conflicts in areas such as Mt Elgon and Kuresoi, there has been a gradual acceptance of violence and extra-legality in general in the Kenyan society. This has emboldened private militias and gangs that have been responsible for unprecedented levels of violence in local communities, including sexual and gender based-violence. The *Mungiki sect*, a quasi-political religious cult operating in most of Central Province and Nairobi, has been practising the forced clitoral circumcision of girls and women and has attempted to enforce a dress code that bans the use of trousers by women. The Sabaot Land Defence Force (SLDF), just as vicious as the *Mungiki*, has been committing violent acts in the Mt. Elgon region of Western Province, including

⁷ *Ibid.*

⁸ The Waki Report, *supra note 3* p. 254.

⁹ *Ibid.* p. 255.

¹⁰ *Ibid.*

¹¹ On the *Mungiki sect* see Mutuma Ruteere, *Dilemmas of Crime, Human Rights and the Politics of Mungiki Violence in Kenya* (Nairobi: The Kenya Human Rights Institute, 2008).

cutting off people’s ears, and rape on a mass scale (Kenya National Commission on Human Rights, KNCHR 2008; Medecins San Frontieres 2008; Human Rights Watch 2008).

The major impact of the conflict has been to compound the problems that women face in a patriarchal society such as Kenya, and to further undermine the social-economic status of women in Kenyan society. Further, as was discussed above, for those women who were direct victims of the conflict there was immense suffering, emotional distress and economic loss that will take decades to recover from. A majority of these women were rural poor women, and urban poor, especially those women living in informal settlements in and near Kenya’s cities.

2 PARTICIPATION, PROTECTION AND PREVENTION: NEEDS AND PRIORITIES

2.1 Women’s participation in decision-making in conflict situations, peace processes and post-conflict activities

2.1.1 Women’s formal participation in society before and after the conflict

Formal peace negotiations

Kenyan women minimally participated in the peace-making negotiations that followed the immediate explosion of violence after the disputed December 2007 Presidential elections. Women’s participation was mainly at the level of political actors: the two negotiating teams, one representing the Party of National Unity (PNU) and the other the Orange Democratic Movement (ODM), had one woman representative each. Each team was comprised of four elected members of parliament who were also senior political figures in their own right, so women comprised one-quarter of the negotiators. Kenyan women were also able to present a Memorandum¹² detailing their demands to the Panel of Eminent African Personalities. This Panel, led by former Secretary General Kofi Annan, negotiated the power sharing arrangement that restored peace in Kenya.¹³ This Memorandum was drafted by leaders of women’s organisations and NGOs but was not broadly representative of the women’s movement in Kenya. It was signed by a total of eleven (11) women leaders. This small number may be attributed to the time constraints faced at the time by that anyone who wanted to provide input into the peace negotiations- These time constraints specifically referred to involvement in implementing Agenda Items 1 to 3. Under Agenda Item 1 the parties undertook to take action to immediately stop the violence; Agenda Item 2 was on taking measures to address the humanitarian crisis and promote national healing and reconciliation; Agenda Item 3 was on finding ways to end the political crises.

Agenda Item 4 addressed the underlying long-term issues which were believed to be the cause of the crises and armed conflict, i.e. *constitutional and institutional reforms, land reforms, poverty and inequalities, youth unemployment, national cohesion, transparency and accountability*. There has been considerable progress in putting in place the necessary institutions that will oversee the needed

¹² See Peace and Conflict Monitor, Kenyan Women’s Memorandum to the Mediation Team presented on January 25th 2008. Accessed at www.monitor.upeace.org/archive.cfm?id-article=481 on 9 October 2009.

¹³ The National Accord and Reconciliation Act was signed on February 28 2008 by President Mwai Kibaki and Prime Minister Raila Odinga.

reforms. Women have participated in this process through civil society organisations involved in generating the National Land Policy, and women constitute half of the members of the Truth, Justice and Reconciliation Commission (TJRC). The Committee of Experts on Constitutional Reforms has made considerable progress; and the government has made some changes in a bid to carry out policy reforms. The Electoral Commission of Kenya was disbanded and replaced with the Interim Independent Electoral Commission. All of these organs have women's representation. The question that cannot be answered now is whether these institutions will effectively involve women in their work, and will be sensitive and responsive to gender concerns. The Gender Cluster of representatives from the Government of Kenya (GoK), donors and CSOs, is keen to engender the processes related to implementation of Agenda Item 4. There is a need for continued investment in this kind of coordination in order to be able to exercise sufficient influence.

Beyond the national accord and reconciliation agreement

Women have been more active in Post-Conflict Peace Building than they were in formal process before the conflict, especially through women's organisations and NGOs. Some of their activities have been high profiled and attracted a lot of publicity, igniting sustained public debate on peace building and the role of women. For example, Kenyan women's organisations held a Gender Festival between 3–5 June 2009, in which the key themes included marginalisation in peace building processes, decision-making and education. Between the 30 April and 6 May 2009, women's NGOs called for a sex boycott to pressure men and especially male politicians to implement reforms in order to secure peace. The sex boycott was very controversial, attracting some derogatory remarks from several quarters. What it did achieve was a loud public debate about women, sex, peace and political reforms in Kenya.

The point to note is that the peace-building efforts were initially at the national level because of the urgent need to restore peace in the country. However, it is not clear how far the Government and other actors have invested in grassroots level peace building. GoK has put in place District Peace Committees whose work has been hindered by operational costs since June 2008.¹⁴ It is not clear whether these Committees exist in every district in the country or only in the most affected areas. Accordingly, there are still lingering questions with respect to grassroots peace building: Is it happening? Is it nationwide? Is it consistent? Is it gender-inclusive? Is there a method to it? What are the levels of participation? In our field research the evidence for grass roots peace building work was inconsistent and most of the persons we met were of the view that the majority of the organisations were not able to sustain the initiatives they had started in the Provinces, and that they folded up

¹⁴ See OCHA, *Humanitarian Update No. 40, November 2008*.

too soon: this is one of the drawbacks of assistance marked as emergency assistance, it ends when the emergency is perceived to be over. Some women have been involved in peace committees, but the practice of including women is not uniform across western Kenya. Further, people still have misgivings about participating in such committees because they feel their views will be labelled, and therefore undermined or supported, on the basis of their ethnicity.

The participation of women in decision-making is difficult; and in some situations, ethnic interests trump gender interests. This is especially so in the context of a conflict that pitted different ethnic communities against each other. Gender equality must therefore be pursued in a broader context that has at its core the equality principle, which involves promoting the interests of all marginalised groups and working against negative ethnicity.

There is therefore the need to study what is happening at local levels, because a sustainable peace is only possible with the involvement of all citizens, including women, at all levels. Pacts by national political elites are not sustainable, because their alliances change depending on the exigencies of the moment. Leaving the ordinary people out of peace building could mean that, once a national leader shifts alliances and declares a former ally as an “enemy”, members of that leader’s group will follow suit. This will result in constant political tension. Kenya has to construct a peace that holds among all communities, irrespective of what elites in Nairobi say or do.

Participation of women in politics

The question of proportionate gender representation in politics and decision-making still remains a major challenge in Kenya. One of the key negotiating platforms for women during the Constitutional Review process is that the Constitution should guarantee that institutional arrangements ensure women’s representation in decision-making in a manner that represents their numerical position in the country. The reality so far has been different. The electoral process has not effectively facilitated this, with women still facing immense challenges that hinder them from participating in and emerging as winners in any elections. After the 2002 general elections, for example, women constituted only 8% of the 9th Parliament. There was a slight improvement after the 2007 elections, the proportion of women has increased modestly to 9.45% in the 10th Parliament.

In the key decision-making organs within political parties, women remain grossly underrepresented. There is only one political party headed by a woman, the NARC Kenya. In all the other parties, there are no women in any of the first 5 top positions of the National Executive Council of any party (Gender Commission, 2009). The Political Parties Act, 2007 provides that political parties should not be

registered if they do not adhere to the 30% representation principle. The gap exists because, even though some parties such as the Orange Democratic Party have adhered to the quota and have women in leading positions in all the provincial committees, there are no women at the national level of party leadership. The Party of National Unity has 27 national level leadership positions, of which eight, or 29%, are held by women- In the Orange Democratic Party 15 of the 44 national positions (34%) are held by women. In Ford (Forum for the Restoration of Democracy) Kenya, 23 of the 61 national positions (37.7%) are held by women. The NARC (National Rainbow Coalition)-Kenya party has 36 national level leaders, of which 15 (41%) are women.

With the review of the standing orders and the expansion of the number of Parliamentary Committees, more women are chairing these committees. However, women are still under-represented here: there are currently only 3 women chairs and 3 deputy chairs of the 27 Parliamentary Committees.

Men have also tended to be appointed to key positions, since men are the key players in the political processes and these positions are good for gaining national recognition. Of the 44 Permanent Secretaries for example, only 7 are women, which is well below the 30% target of the Presidential Directive of 2006.

Despite these discouraging statistics, in the recently constituted Special Commissions set up to aid in implementing the National Reconciliation Accord, 2008, the principle of a minimum of 30% representation has been adhered to in the appointment of the new officials. The Truth Justice and Reconciliation Commission has 50% representation of women among the appointees (Gender Commission, 2009). Table 1 below indicates the distribution of men and women in key decision making positions in the Government of Kenya.

Table 1. Political and Senior Decision Making Positions

	Women	Men	Total	(%) Women
President	0	1	1	0
Prime Minister	0	1	1	0
Deputy Prime Minister	0	2	2	0
Ministers	6	34	40	15
Assistant Ministers	06	46	52	11.5
Members of parliament	19	213	222	8.6
Ambassadors/ High Commissioners	11	29	40	27.5
Permanent Secretaries (PS)	7	37	44	15.9
Provincial Commissioners (PC)	1	7	8	12.5
Senior Deputy PC	2	20	22	9
Deputy Secretaries	33	92	125	26.4
Councillors	393	2 093	2 486	15.8

Source: Department of Gender and Social Development, Electoral Commission, DPM Complimentary Statistics Unit in Ministry of Gender, Children and Social Development, 2009.

Women’s participation in governance structures

Both before and after the December 2007 conflict, Kenyan women were and still are heavily under-represented in all key decision-making organs of the state (See Table 2 and 3 below). This is the situation despite decades of advocacy and interventions to guarantee women have a greater presence in decision-making organs. For example, the representation of women in the Judicial Service has improved, but women are still a minority in senior positions. Overall women constitute 33.5% of judicial positions, most of them being Senior Resident Magistrates and Resident Magistrates (GOK, 2009). This level is lower than was the case in both 2003 and 2005, at which times women represented 36.4% and 38.4% of the judiciary, respectively (National Commission on Gender and Development 2006.)

Table 2. Female Representation in the Judiciary

Rank	F	M	Total	(%) F
Chief Justice	0	1	1	0
Court of Appeal Judges	1	9	10	10
High Court Judges	12	36	48	25.0
Chief Magistrates	5	9	14	35.7
Senior Principal Magistrates	5	13	18	27.8
Principal Magistrates	12	23	35	34.3
Senior Resident Magistrates	38	62	100	38.0
Resident Magistrates	47	69	116	40.5
District Magistrates(11)	2	3	5	40.0
Kadhis (Muslim Law Courts)	0	17	17	0
Total	122	242	364	33.5

Source: Judiciary, June 2009 in Ministry of Gender, Children and Social Development, 2009.

This minimal presence of women in key decision-making organs and offices of the state is an expected outcome of the legal and social status as well as the economic ability of women in Kenya. There are many studies that have analysed the cultural and social barriers to the social and economic advancement of women. The continued economic dependence on men of the majority of Kenyan women will continue to limit the choices they can make in their lives. The question of economic dependence is at the core of improving women’s participation in decision-making. A successful model of participation has to recognise that women’s participation in decision-making must begin at the household level.

For women to become part of decision-making there has to be an improvement in their status through review of relevant legislation and other social interventions. Critically, interventions should focus on women’s participation in the economy and ensure that they do not continue to participate almost solely from the fringes of society.

Human resource distribution in the civil service

Overall figures for recruitment of men and women in the public sector show that women make up 30.9% and men 69.1% of the workforce. However 72% of employed women work in the lower cadres of job groups. A survey undertaken by the Ministry of Gender, Children and Social Development in 2009 indicates that of the 32 Ministries surveyed, only 3 had women in senior positions. These Ministries are: the Ministry of Gender, Children and Social Development; the State Law Office; and the Ministry of State for Defence (GOK, 2009).

In the State Owned Enterprises and Parastatals, under-representation of women still persists, with women constituting 39.2% of the overall workforce, but holding less than 13% of senior positions in these institutions (GOK, 2009).

Women constitute less than 10% of senior positions in the Civil Service, from heads of departments on down. In local councils 65% of women employees are subordinate staff in offices, such as cleaning and sweeping offices, and collecting fees in markets and bus parks (GOK, 2009).

The Ministry for Local Government, Ministry of Water and Irrigation, and Ministry for Environment and Mineral Resources have a very low representation of women in the overall workforce; and the situation is even more pronounced in senior positions.

Women's participation in the economy

Women continue to participate only on the periphery of the economy of Kenya, with the largest presence of women being in the informal economy. Table 3 below shows that women's participation in the formal economy has consistently remained at less than 30% for a decade, between 1995 and 2005. It is unlikely that the situation has changed.

Table 3. Women in the Formal Economy in Kenya, in millions of persons

Year	Women	Men	Total	% Women
1995	407.8	1149.2	1157.0	26.2
1996	461.3	1157.5	1618.8	28.5
1997	473.4	1174.0	1647.4	28.7
1998	487.1	1177.8	1664.9	29.3
1999	490.5	1183.1	1673.6	29.3
2000	500.6	1194.8	1695.4	29.5
2001	496.7	1180.4	1677.1	29.6
2002	503.4	1196.3	1699.7	29.6
2003	511.2	1216.1	1727.3	29.6
2004	521.3	1242.4	1763.7	29.6
2005	532.3	1275.4	1807.7	29.5

Source: The National Commission on Gender and Development 2006.

Women’s ability to participate in the economy is crucial for gender equality. This was also confirmed during our field research. Issues related to economy and livelihoods dominated focus group discussions. For example, the question of the Women’s Enterprise Fund, and the ability of rural women to have access to it, were persistently and intensely discussed by rural women. They expressed their concern that they do not know how to access the fund or what the criteria to access the fund are, and they doubt that even if they knew they would still not be able to access the fund. The same can be said of the discussions on women’s participation in the Constituency Development Fund Committees (CDF). It was felt that CDF is now channeling substantial resources to the local level, but women’s participation is not guaranteed by law, making the CDF rather discretionary in respect to gender.

Considering that employment is a major source of economic power, the marginalisation of women trying to participate in the economy is increased by the fact that women are also not doing well in the labour market. According to the Kenya Institute for Public Policy Research and Analysis (KIPPRA), women’s participation in the labour market declined compared to men between 1998/9 and 2005/06, with the highest rate of decline, 6%, recorded for women between 25-29 and 30-32 ages (KIPPRA 2008: 11). In addition, the unemployment rate for women in 2005/06 was higher than that for men, 14.3% as compared to 11.2 for men (KIPPRA 2008:13).

Constituency development fund (CDF) committees

In regard to the administration of the CDFs, the Constituency Development Fund Act (2003) specifies that the administrative Committees (Constituency Development Fund (CDF) Committee) should be made up of: 2 councillors, 1 district officer, 2 representatives of religious faiths, 2 men representatives, 2 women representatives, 1 youth representative, and 1 NGO representative. A Member of Parliament is the Chair of the Committee. This is a total of 12 members, although the Act provides for 15 Members to be appointed to the Committee (CDF Act, 2003). The MP who is the Chair has the discretionary right to appoint the other 3 members. If the discretionary appointed members are all men, then women explicitly would constitute a meagre 13.3%. This situation may vary depending on different contexts, for example in instances where the other categories are represented by a woman. During our field work we found that some women were not aware that they had the right to be represented in CDF Committees: those who were demanded that the law should guarantee women’s representation in the CDF Committees.

2.1.2 Women’s informal participation at the community level

Our field research indicates that women’s participation in decision-making, peace building and post-conflict reconstruction would be greatly aided by empowering

women with basic life skills, and especially economic empowerment. Poverty was identified as a large obstacle to women’s empowerment. The question of economic empowerment for women was persistent. In our field research, discussions with women in regard to economic empowerment mainly centred on the Women’s Enterprise Fund and CDF projects. The concerns expressed were that women at grassroots level do not know how to get funding, do not know the criteria for qualification for funding, and do not believe they can get the money in any case. They feel such interventions only benefit middle class women who have the ability to network and access such funds. They felt left out.

The majority of women we interviewed felt that if they could be more involved in decision-making in the community, such as through the CDF Committees, this would improve their community’s development and positively impact on the future of their children. Even though women are involved in the CDF Committees, most of the times their involvement is ineffective because of the way CDF Committees are appointed and structured.

Many of the discussions also focused on inhibitions that stop women from pursuing an education, careers and leadership roles. Community members who participated in our discussions and interviews, both women and men, were of the opinion that such inhibitions, most of them cultural, should be done away with. The cultural barriers identified as a hindrance to women’s participation in decision-making and the economy include practices such as female genital mutilation (FGM), favouring boys, and the preference of husbands and in-laws for meek women. Our research indicates that the people in our study feel that harmful cultural practices, and laws which prohibit women from owning and accessing property, should be changed.

“Men should stop saying a working woman is no woman”. **Participant in the Eldoret Focus Group Discussion.**

In order to empower women and remove the barriers to their socio-economic advancement, the interviewees and participants in the Focus Group Discussions (FGD) stated that both government and civil society organisations need to invest in public education (civic education) of children, both boys and girls, that enables communities to embrace women’s empowerment. The same can be said of civic education for women, so that they are able to claim their space in the public realm as well as supporting those women that decide to seek leadership roles. Leadership training should be by arranged by civil society organisations and the government. It was repeatedly stated that women should become more aggressive and relentlessly demand for their rights. FGDs carried out by our research team also indicated that there should be education that targets men alone, “consciousness raising” sessions, so that men can become supportive of women’s participation in decision-making

and peacebuilding.

Our research findings also indicate that women believe that, given the chance, education, skills, exposure and social support they need, they would make great contributions in peace building and the development of the country. They would like to be given this chance by both the government and the communities in which they live.

In this regard, the government should appoint more women to senior positions, not just as representatives but also as executives with decision-making power. The government should enact laws and formulate policies that empower women and eradicate discrimination against women. Such policies should be implemented, and not just left on paper. One way of ensuring that the policies are implemented is by allocating funds to gender issues. Other recommendations made were that the government should target grassroots women when disbursing the women’s enterprise fund, and the communities should support women by eradicating retrogressive cultural practices and beliefs. Furthermore, there is a need for role models and grooming of future women leaders.

Lastly, the community members interviewed felt that education is central to empowering women. They recommended that government should put education activities as the first priority within the implementation framework of the UN Security Council Resolution 1325 (hereinafter Resolution 1325). Through education women will, in the immediate, medium, and long term, be in a position to protect and empower themselves. As such it was proposed by community participants in our field study that priority be given to activities which ensure a secure environment for women to access schooling without fear, build capacity of teachers and promote school organs such as the Parents-Teachers Associations (PTAs).

“Society questions a woman who delays her marriage or childbirth for studies. Teachers and parents should identify their girls’ talents at an early age in the family and help nurture them to maturity and full potential. From the start, at the family level, parents should treat sons and daughters in the same way, and share domestic chores regardless of their traditional gender roles as apportioned by society.”

Participant in the Eldoret FGD

Women should be sensitised to appreciate and accept leadership of other women. It is said that women rarely support fellow women who run for high offices. This comes from years of socialisation to believe that women should not indulge in activities that are meant for men, such as politics and leadership. When women do not vote for women, it is a way of disciplining “difficult” women, to make them behave in a culturally acceptable way, leaving politics and leadership to men. This mind-set is changing however, but it is taking a very long time to change ingrained attitudes towards female leadership, especially in the public arena.

2.1.3. *The role of women in conflict prevention and post-conflict development*

Our field research confirmed that women play various roles in conflict, but not always as victims. In Kenya, women carried out different traditional roles in conflict, ranging from encouraging their men folk to fight, cooking for the warriors, and secretly transporting weapons. For example, among the Kisii, women scream in chorus to declare the start of war between the Kisii and the Maasai. Women who refused to scream were divorced by their husbands, because it is the women who are supposed to announce the beginning of a conflict. Kisii women collect stones for men to fight. The women also sharpen arrows and poison them in preparation for war. In some cultures, women taunt men for cowardice if they do not seem ready to participate in a conflict between their community and other communities. Women also nurture children and inculcate in them values that would make them either peacemakers or people who readily engage in conflict. However, women are also involved in encouraging dialogue between the communities, rather than supporting men who wish to fight.

In pastoral tribes in Kenya, women traditionally give blessings to young men who are going to war. They transport arms and food for warriors and pass on important information. Women also traditionally preach peace through song and dance. The role of women in peace and conflict in pastoralist areas is, however, changing due to the changing nature of conflict. Traditional conflict was mostly associated with cattle rustling, and was redistributive and not predatory. Accordingly, this did not negatively affect women on such a broad scale as does modern cattle rustling, which is heavily commercialised and very predatory, with women also being targets. Modern cattle rustling results in people being displaced from their homes, an alarming rise in sexual and gender based violence, the rapid spread of HIV/AIDS, increased poverty, and human rights abuses. If men wanted women's advice, it was customary to consult informally, but there is now a need to involve women in decisions regarding conflict, and a need to hear women's voices directly.

Pastoralist women are also peacebuilders. Women play a huge role in inter-community dialogue. Among the Pokot and the Marakwet, where cattle rustling conflicts are rampant, women are able to influence the men to achieve a peaceful outcome. There is a belt that Marakwet women tie around their waist after birth to indicate that both communities need to maintain a peace in order to give time to their women folk to give birth.

2.1.4 Protection of women in conflicts

During the early stages of the December 2007 conflict, the capacity of the Kenyan government to protect women from the vagaries of the conflict was very limited, as was the case with the civilian population in general. After some time had passed, the Government of Kenya (GoK) with the assistance of international agencies such as United Nations High Commission for Refugees (UNHCR), international NGOs, and Kenyan NGOs, was able to mount an effective joint campaign that set up IDP camps in the various regions that had been severely affected by the conflict. The initial hiccups were partially due to lack of preparedness, and a total lack of previous experience with internal conflict on the scale witnessed between December 2007 and February 2008. GoK needs to invest in emergency preparedness, and in so doing make good use of the lessons learnt during the post-election crisis.

The protection of women at the IDP camps was inadequate, the most disturbing lack being the continued exposure of women to sexual and gender based violence (SGBV) in the camps. The problem of sexual violence persists even now. Another problem is that the majority of the former IDPs are now returnees, but they have no real place to return to, because “host” communities are still hostile. Women returnees, especially widows, have problems accessing land and other family assets, because a widowed woman is culturally vulnerable to dispossession and disinheritance by her (male) in-laws.

In fact, one of the biggest challenges for IDP women, in addition to the exposure to SGBV, has been dispossession, destitution and the violation of their property rights. Once displaced or widowed, upon return to their homes they may not succeed in claiming family property because often property is in the husband’s name and women are not regarded as having the capacity to own property. This exposes women to harassment and disinheritance by (male) in-laws who feel they have the better right to the property. This condemns widowed women and their children to destitution.

Although various forms of violence against women exist in Kenya, there are no adequate laws, policies and/or programmes to address this serious gender based problem. The coexistence of three legal systems in Kenya, civil, religious and customary, makes it difficult to adopt and enforce laws which genuinely protect women’s rights.

Particularly CSOs should facilitate and activate communities to support and enable women to achieve gender equality through awareness raising, consultations and capacity building. One of the key objectives should be to strengthen the capacity of community-based structures, such as committees, youth associations, children’s clubs and CBOs, to better protect women from abuse, exploitation, neglect and violence.

3 SPECIFIC RESEARCH THEMES IN THE CASE STUDY

3.1 Internally displaced persons (IDPs)

IDPs are a significant challenge to post-violence reconstruction in Kenya. Part of the problem is that the issues that fuelled the conflict are still unresolved, and that there has not been much movement at the national level to implement far reaching reforms to address these problems (Agenda Item 4 issues).

According to OCHA, quoting GoK figures released in January 2009, there were 3,334 IDPs remaining in four camps. Eldoret showground at the time was hosting 2,400; Naivasha camp 183; Limuru camp 201; and Mt. Elgon 550 IDPs. In addition, there were 105 transit camps in 9 districts hosting 42,574 IDPs. Though these figures might be smaller at the moment, the challenge of IDPs still remains significant. The existence of the “Transit Camps” indicates a failure to secure the safety of the returnees, which constitutes a violation of the Guiding Principles on the protection of IDPs. These GoK Guidelines require that before any resettlement process commences, the IDPs should be consulted and should indicate that they feel it is safe to return to their homes.

IDPs have been persistently threatened by “host” communities and told not to return to their lands. IDPs have also been used as pawns in national politics, especially in relation to the trials of those alleged to have perpetrated the post election violence, and in relation to the eviction of settlers from the Mau Forest.¹⁵ In both instances GoK has been threatened by certain communities that it will only be safe for IDPs to return if GoK drops its plans to bring to justice the alleged perpetrators and forgets about evicting settlers from the Mau Forest.

The question of IDPs is very intimately related to the politicisation of the land question in Kenya, which has been manipulated in the past with an eye on electoral outcomes (Human Watch 1993 & 2008; ICJ 2000; KHRC 1997; KHRC 1998; KHRC 1996; Akiwumi 1999; & NCKK 1992). The current IDPs are the outcome of the recent December 2007 post-election crisis. However, even before this crisis there were other conflicts over land, such as the one still being waged in Mt. Elgon by the Sabaot Land Defence Force (SLDF). Many of these are still on-going and unresolved. The *Mungiki* are said to have had origins in youths who were displaced from the Rift Valley during the 1992 and 1997 land clashes. Resolving the land question therefore lies at the core of the conflicts in the areas from which large numbers of IDPs came. The solution to returning IDPs to their homes should address the root causes of the conflict and their subsequent displacement, otherwise displacement will recur again.

¹⁵ See South Consulting, *Report on the Implementation of Agenda Item 2*, January 2009 p.4 s at www.Kenyadiialogue.org.

Women as IDPs and returnees

Women in IDP camps have lost their livelihoods, and those who were subsistence farmers have lost access to their farms. Living conditions in the camps are deplorable; and the camps are a breeding ground for many diseases. The resulting health risks are a challenge to the Government health services and to the humanitarian agencies that have been trying to assist the IDPs. Indeed, in some camps there is no assistance at all, because officially, there are no IDPs in Kenya.

Instead of providing security from the sexual violence suffered during the conflict, the temporary shelter in the IDP camps has exposed women to more sexual violence. There have been reported cases of rape, and sex-for-protection incidences involving security agents and other persons meant to protect IDPs.

During our visit to the IDP camp at the Eldoret Showground, it was very clear that women are participating in the running of the IDP camps. Indeed, UNHCR has guidelines on how to promote women’s participation in the camp processes. In fact the committees in IDP camps are dominated by women, partly because the majority of persons left in the camps are women.

The high incidence of SGBV during the post-election violence exposed some women to HIV/AIDS. In addition, displacement meant that, despite the best efforts by humanitarian agencies and GoK, those women who were on antiretroviral therapy could not continue on such medication. Those who get access to antiretroviral therapy (ARVs) could only do so intermittently, which impacts negatively on the efficacy of such medication. This has severe consequences for those living with HIV/AIDS. In addition, the nutritional element of antiretroviral therapy meant that those who were living with HIV/AIDS continued to suffer, because the food rations in the IDP camps are unreliable and not adequate to support the dietary requirements of persons on ARVs. The lack of food also meant that women living with HIV/AIDS had to breastfeed their children because they could not afford food for them. Breastfeeding exposes the children to the danger of contracting HIV.

3.2 Gender, conflict and the environment

Environmental degradation has affected entire communities, leading to the destruction of livelihoods, resource-based conflicts, and a high frequency of diseases such as cholera which occur due to a lack of water or the availability of only polluted water. The impact of environmental degradation on women as family caregivers has been severe. It has been even more severe because the traditional division of labour implies that women’s lives are more dependent than men’s on natural resources such as water and forests (Kaudia and Obonyo 2007:6).

Women’s participation in decision-making in environmental matters is beginning

to receive attention. The commitment to promoting women's participation should go further than involvement in Committees; in addressing agrarian reform women's participation should include addressing the laws that relate to women's ownership of land. In some of the focus group discussions, for example in Kisii, participants expressed the opinion that existing laws lead to the exploitation of women economically because they limit women's access to natural resources such as land. Land ownership determines who benefits from farm produce, which is normally the men although the women work the land. Thus, women are being exploited economically. Agrarian reform should also be seen as part and parcel of environmental conservation if it aims at better land use.

Women's engagement in environmental management has only been happening at the level of the mobilisation of women to participate in activities that they were not involved in planning; and in most of these activities women's work is unpaid work. Mostly the participation of women in environmental management is through CSOs, although GoK has recently taken some positive steps towards including women in government planning of environment related activities.

3.3 Role of men

Men are critical players in improving women's status in society. Men can influence other men through peer education, and can act as advocates for gender equality and inclusiveness. However, men should not become the voices of women, as the long standing problem of rendering women voiceless is one of the problems that gender mainstreaming tries to mitigate.

During our field research it was very clear that men hold the key to certain issues in the community, such as Female Genital Mutilation (FGM) and girls education. If men are against FGM, we were told, the women who perform clitoral circumcision will stop circumcising. It was also very clear that men, through the control they exercise over women's lives as spouses and parents, also largely determine at the extent to which women will engage with community development issues, including peacebuilding. With respect to girls' education, men control family financial resources in almost 70% of Kenyan households (IEA 2008: 41). Men therefore determine whether or not family resources will be used to educate girls.

Most men we interviewed equated gender issues with women's issues and felt that they are not permitted to engage in these issues and therefore let the women lead. Many men have a limited understanding of gender issues, not just because they think it they are solely women's issues, but also because very little effort has been made to help men understand the concept of gender. Men also feel alienated by some strategies employed by gender activists, most of which the men we interviewed labelled "confrontational". They felt condemned as a group by these

tactics, and therefore felt that gender activists (women activists) were insensitive to the fact that some men do support gender equality, and that not all men benefit from gender hierarchies in society.

Some women, in the minority, considered involving men on gender issues to be conceptually troubling because they consider men as part of the oppressive system whose very survival depends on subjugating women. They doubt men would be willing to cede to women space and privileges bestowed upon men by virtue of their gender.

Gender programmes should identify male champions of gender equality and support them in their work. Men should be encouraged to start initiatives that confront gender based violence, taking as their model, for example, the White Ribbon Campaign in Canada.

3.4 Partnerships and networks

At the national level, gender networks are strong and well resourced; this is evidenced by the participation of several organisations in the work of the Gender Cluster, and in the gender festival referred to above. The same cannot be said of networks at the community level, where considerable gender work needs to be done. It was generally observed and reported in Focus Group Discussions (FGDs) that community involvement in the empowerment of women is very low. Participation of women (as token representatives) was witnessed in the initiatives of those community committees which support the inclusion of women in peace and security structures. However, women have no power to influence the committee's decisions and outcomes.

Many of the interventions at the community level are not home-grown. It was noted that even the formation of committees was facilitated by outside, concerned agencies. The communities we visited during our field study did not independently organise meetings (neither periodic or as needed) and they kept no records on committee organs and activities. This indicates a need for organisational support to strengthen grass root communities, since the community is an important player in women empowerment functions and activities.

4 RESPONSE OF DIFFERENT ACTORS TO THE NEEDS AND PRIORITIES RELATED TO IMPLEMENTING UN SECURITY RESOLUTION 1325

4.1 Government policies and strategies

In addition to UNSC Resolution 1325, Kenya has signed other international instruments that oblige GoK to take all the measures necessary to eliminate discrimination against women, enhance women's participation in decision-making and peace building processes, and empower women socially and economically. These instruments include the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Constitutive Act of the African Union, the African Charter on Human and People's Rights, and the Protocol to the African Charter on the Rights of Women.

The Operational Protocol to the African Charter on Human and People's Rights, entitled On the Rights of Women, is particularly important because it contains uniquely African provisions on the rights of women, provisions that are very relevant to the protection of women in a continent that is conflict ridden and has very high levels of poverty. Article 10 of this Protocol stipulates that women have both the right to a peaceful existence and the right to participate in the maintenance and promotion of peace. These two rights reflect the realisation that a good number of African women have lived in conflict situations. States and their political parties are obligated to ensure that women participate in all conflict related processes. The states and parties are also asked to ensure increased participation of women in regional, national and international decision-making in regard to peace processes, in order to ensure the physical, psychological, social and legal protection of refugees and returnees, especially refugee and returnee women. Programmes that relate to Resolution 1325 should also emphasise fulfilling these obligations, stated in international agreements that Kenya is signatory to.

Kenya has shown interest in preparation of a country-specific National Action Plan (NAP) for UNSC Resolution 1325 implementation, and is *currently in the process of starting up preparation of their NAP*, mainly assisted by Finland. Preparation is in the initial stages, and negotiations with the Ministry for the Foreign Affairs of Finland are presently on-going.

The Government of Kenya (GoK) has a long history of the promotion of gender issues. GoK has set up gender mechanisms (ministry and commission) and formulated gender policies, strategies and action plans. In addition, some sectoral ministries have their own gender policies. GoK has also developed a Service Charter

committing to better service delivery to women. Our findings indicate that the key challenge is in how these engendered policies and strategies are actually brought to the local women, to enable their voices to be heard. The Government has been very good at generating national level gender policies and strategies, but not so good in implementing those policies. The greatest challenges, however, appear in regard to enacting and enforcing gender related laws. There has not been a comprehensive study that analyses the success levels of implementing such laws, or the effectiveness of the government gender machinery. It is notable, though, that even *despite a long history of commitment to gender issues, despite all the gender machinery, policies and strategies in place, GoK and other authorities are still challenged in finding ways to reach particularly the rural women, most of them poor, and the poorest women in urban areas, it is still a challenge to support these poor women to become active actors in development interventions.* Our key informant interviews indicate that *what is needed is implementation reaching local and rural areas, not another policy, strategy or plan of action at the national level.*

Our findings also indicate that *African regional instruments for promotion of gender equality and peace building* carry more weight in the country context than, for example, Resolution 1325. In this case it is of utmost importance to link the Kenya NAP for implementation of Resolution 1325 with such regional initiatives, (RECs; African Union; African Women’s Protocol) and to incorporate regional peace building policies and practises in the framework of the Kenya NAP. At the same time, as a UN Resolution, implementation of Resolution 1325 is binding on all the governments of UN members. Accordingly, NAPs should not be seen as an exercise separate from other Government interventions, either strategic or practical. NAPs for implementation of Resolution 1325 should be *linked to the on-going policies, programmes and strategies of the Government agencies, departments and line ministries, and proactively involve them in the implementation.* The NAP should also be linked with *other national policies and plans, and be mainstreamed into the policies, strategies and plans of actions of all ministries.*

Another important issue in NAP preparation is where it should be ‘located’ within the government. For example in Kenya *responsibility for leading the implementation should not be left only to the Ministry of Gender or the National Commission on Gender.* While these government organs have had an active role in the post-conflict development, particularly within the Gender Cluster, they do not however have the capacity nor the ability to effectively reach the rural population. The best mechanism for accountability and M&E would be to have a Commission (or something similar) which had representatives from both the civil society and GoK appointed to a Steering Committee (SC) responsible for implementation of the Kenya NAP for Resolution 1325.

A National Steering Committee on Peace Building which includes representatives from both GoK and civil society already exists within the Office of the President. If a SC comprising representatives from relevant interventions already ongoing in the areas of Resolution 1325 (peace building initiatives; small arms interventions) also included coordination, preparation and implementation of the Kenya NAP for Resolution 1325, such an SC would facilitate mainstreaming Resolution 1325 issues into the design and implementation of the other interventions. *For Resolution 1325 to become a meaningful tool in the implementation of national policies and strategies, it needs to have a strong political backing.* Responsibility for different aspects should be distributed to key government Ministries/Departments (Defence; Internal Affairs; Office of the President; Gender) with clearly defined accountability mechanisms.

In Africa, several NAPs for implementation of Resolution 1325 have already been prepared, and there are good records of experiences of the first years of implementation of these NAPs in different countries. *Experts from those countries which already have NAPs in Africa should also participate in the Kenyan preparation process.* Preparation should be a joint effort between GoK and the civil society. It should be *a participatory process* which also includes *representatives from the district and community levels (women and men)*, as the main challenge for the NAP is implementation. The NAP should clearly indicate the *activities, responsibilities, budget and the M&E system* (qualitative and quantitative indicators).

As both our review of the available documentation and our field study findings from Kenya indicate, the *judiciary, legislative and executive arms* of GoK need to participate in the implementation, particularly local implementation, of the NAP for Resolution 1325. Crucially, NAPs should involve local governance structures, as they are closest to the people. *Local authorities, including police*, play a critical role in the conflict, reconciliation and rehabilitation processes. As local authorities are closest to the people, they can positively or negatively influence how the situation evolves.

In addition to conflict resolution and peace building, implementation of the NAPs needs to include capacity development on gender analysis, gender mainstreaming, gender budgeting, and so on,. Implementation should also strengthen the capacity of the national gender machineries to fulfil their mandate. Capacity development is required at all levels, and capacity assessment should be part of the Kenya NAP preparation process. Importantly, *financial resources to address the capacity gaps should be included in the implementation budget for Resolution 1325 as set forth in the NAP.*

After the post-election violence in December 2007 – February 2008 in Kenya, UNSC Resolution 1325 related activities were intense, widespread, and in some

cases very well coordinated. The Inter-Agency Gender Based Violence sub-cluster, co-chaired by the United Nations Population Fund (UNFPA) and the National Commission on Gender and Development (the Gender Cluster), played a significant role in assisting the Commission of Inquiry into Post-Election Violence (The Waki Commission). This cooperation made it possible for the Commission to be the first to detail and demand accountability for sexual and gender based violence (SGBV) in Kenyan history (Waki 2008: 239-271). A National Plan of Action for addressing SGBV has been prepared, and Norway and Denmark are supporting its implementation.

Currently, the Gender Cluster is working on strategies to influence the workings of the proposed Truth, Justice and Reconciliation Commission, with the aim of ensuring that the voices of women are heard. The Gender Cluster has also sought to influence the shape the proposed Special Tribunal for Kenya will take and to ensure that this Tribunal has the mandate, the power and the capacity to address cases of sexual and gender-based violence (SGBV). In relation to SGBV, GoK's legal and policy framework includes The Sexual Offences Act 2006; The Children's Act 2001 that bans female genital mutilation FGM; and, the National Plan of Action for the Elimination of Female Genital Mutilation by the Ministry of Health (1999–2019). The Kenyan Parliament has however not yet passed the Domestic Violence (Family Protection) Bill, proposed in 2002.

Within the work of the Gender Cluster on SGBV, excellent results were gained through efforts toward the coordination of actors at the lowest level of governance: districts chiefs together with local women leaders. Capacity development and this kind of coordination of actors (CSOs; Government) at the lowest governance level has significantly contributed to the current increase in the reporting of GBV cases. One of the reasons the coordination mechanism resulted in such a positive outcome was probably that it was made up of representatives of institutions, led by different ministries, mainly health, and not individuals. As the support provided for setting up the coordination mechanisms was classified as emergency support, it ended after six months. Similar local level coordination mechanisms would evidently have an impact on the lives of people, and similar interventions should therefore be supported on a longer-term basis, for example within the GGPIII, but led by GoK and not outside institutions.

The continuous documentation and publication of information on issues that relate to the status of women in Kenya can be considered as a best practice. Best practices also include coordination, especially as demonstrated by the Gender Cluster and some Civil Society Organisations (CSOs) coordinating under the Gender Cluster. This cooperation has made a major contribution to the work of the Waki Commission, and continues to support the work of the Truth, Justice and Reconcili-

ation Commission.

The National Gender Commission (NGC is also looking into how to build on interventions on Gender-Responsive-Budgeting (GRB), initiated and studied by UNIFEM and CIDA. Consultancy on GRB was fielded but it was carried out without GoK's involvement. For the first time, NGC has been able to influence the Budget Outlook Paper (BOP), which is a significant achievement. BOP now includes a separate Chapter on gender, together with youth and the most vulnerable sectors of the population.

Regarding economic security, GoK has set up the Women's Enterprise Fund, which was recently evaluated by UNIFEM (final report not yet available). Despite its difficulties in reaching the rural poor, as also evidenced in our research, this Fund has considerable potential which should be looked into. The positive influence it has had can be attributed to the fact that the Women's Office has been managing the Fund. However, they have not had sufficient resources or capacity to fulfil the potential the Fund has for assisting poor women to achieve economic security. At the moment, the Fund is providing grants and loans (through micro-finance institutions) for women, based on their economic status. GoK is eager to upgrade the WEF into a proper bank with established offices at the district level (issuing loans with low interest rates). There is a need for technical assistance to investigate modalities for transforming the WEF into a bank, and piloting it as a bank in, for example, one constituency.

GoK formulated the National Gender and Development Policy in 2000. This Policy was meant to streamline the GoK framework that would guide work toward gender equality. The Policy adopts gender mainstreaming as Kenya's strategy toward this end. GoK has put in place a National Plan of Action on the Implementation of the National Gender Policy (Gender NAP). To supplement this policy framework, in 2006 the Cabinet approved the Sessional Paper on Gender and Development (Sessional Paper No. 2, 2006). In relation to education, gender mainstreaming is guided by the Gender and Education Policy (2007). GoK has also developed a Service Charter committing the Government to provide better service delivery to women. Also in place is a Training Manual on Gender Mainstreaming, to coordinate and harmonise gender mainstreaming initiatives by various government and non-governmental actors.

In relation to the participation of women in decision-making, there is a Presidential Directive requiring 30% women representation at decision-making levels in employment, recruitment, promotion, and training (12th December 2006). In addition, the Political Parties Act (2007) provides that there should be one-third women representation in all organs of all political parties. This Act also urges political parties to give women a 50% chance of being elected by ensuring that half of the

candidates they propose for election are women. This provision is not obligatory, nor is there a way of enforcing it. The Kenyan Parliament has, however, failed to pass the Equal Opportunity Bill (2001) into law. The Constituency Development Fund Act does not demand female representation, although our field study clearly showed that women are involved in politics. The involvement of women in CDF should be structured and required by law so that it is no longer discretionary. CDF Committees make important development decisions at the constituency level that should involve women throughout the entire decision-making process.

The One-Third Rule for women’s participation which was developed following the Constitutional Conferences of 2003 has led communities and other actors to consistently demand that least a third of all persons involved in each activity or intervention should be women. The most important result has been that ordinary people have picked up and repeated this demand, and there is now a push from below for gender equality and the one-third inclusion of women. This is not to say that there are no problems associated with an uncritical adoption of the Rule, especially with regard to the quality of representation and articulation of gender issues, when it is used to legitimise tokenism. However, it is a good beginning.

The economic empowerment of women is important to enhance their participation in decision-making, peace-building and conflict resolution, as stipulated in Resolution 1325. GoK set up the Women’s Enterprise Fund in December 2006 and allocated KShs. 1 Billion in the 2007/2008 Budget as seed capital for the Fund. The aim of the Fund is to increase the availability of capital to entrepreneurial women. Focus Group Discussions (FGD) revealed that many women in rural Kenya do not understand the criteria for accessing the available capital funds, nor do they actually feel they the funds are meant for them. Many of them think they would not be able to get funds if they applied. In addition to the Women’s Enterprise Fund, economic empowerment of women was further improved by the Draft National Land Policy (2007), which provides for co-ownership of family land by for example husband and wife. This is a big step towards removing the social-legal barriers that limit women’s ownership of property, and is also a step forward in the protection of women’s property rights. There is also before Parliament a Matrimonial Property Bill (2007) which would guarantee women’s right to co-own family land with their husband: however, Parliament has not passed this Bill into law.

Machinery for implementation of national policy on gender

At Cabinet level, the Ministry of Gender and Children’s Services is responsible for the implementation of national policy on gender. The National Commission on Gender and Development Act (2003) established the National Commission on Gender and Development (NCGD), whose mandate is mainly to facilitate gender

mainstreaming and advise the government on gender issues. The Sessional Paper on Gender and Development of 2006 provided for Gender Divisions within all ministries. The Gender Divisions were given the mandate of mainstreaming gender, improving capacity within ministries for gender mainstreaming, developing indicators for gender mainstreaming, and lastly, developing tools for appraising ministries on their performance with regard to gender mainstreaming. It is not clear how much work GoK has done in establishing gender divisions within ministries. In 2007 Gender Officers in Sector Ministries, Parastatals and Institutions of Higher Learning were appointed as part of the implementation machinery for national policy on gender, although it is not obvious how their input is being facilitated to become part of the core of ministerial operations. They do serve as gender focal points.

The Ministry of Gender is the focal point for work to end FGM. To this end an Inter-ministerial committee on FGM was instituted, with members drawn from the Ministries of Health, Planning and National Development, Home Affairs, Justice & Constitutional Affairs, and Education and from the Departments of Social Services and Culture, as well as from NGOs and CBOs.

Kenya lacks relevant, appropriate and reliable data in many areas related to gender equality, such as: gender and governance, private sector structures, domestic violence, women's labour, HIV/AIDS and women's health. The NCGD has made a considerable effort and investment in obtaining such data in a gender disaggregated form; however, data collection on gender is not sufficient, and it is not included as part of the official statistical data collection. If such data were available, the statistics could allow for a clearer understanding of progress made in various sectors.

Understanding the lessons learnt from decades of work on gender issues in Kenya is important in order to ensure that programmes meant for the implementation of Resolution 1325 do not fail in achieving their goals. The lessons learned here are that, firstly, gender work needs to be given time for it to achieve the social transformation necessary to meaningfully alter gender relations in communities. Many of the programmes in the past have been implemented only for *very short periods in which communities are briefly engaged and then left alone when the programme ends before any meaningful transformation of social structures has taken place*. In addition, gender programmes, especially those of GoK, are always *under-funded and understaffed*. Sufficient financial and human resources, and the necessary capacity to implement gender programmes are the keys to success.

Often there is minimal, if any, gender expertise in development programmes; this results in gender “getting lost” or being misinterpreted to mean the physical presence of women in any activity. This lack of gender expertise indicates a need for increased investment in capacity building in different strategies for promoting gender equality. Many GoK and CSO programmes use “gender mainstreaming” as

their framework of incorporating gender perspectives into their work, but very few understand what is meant by ‘mainstreaming’ and how to implement it in practice. Since mainstreaming does not happen by itself, the results of “mainstreaming” in practice are at best simply more “stand-alone” activities that address women’s issues.

4.2 The donor community and Resolution 1325

A Gender Donor Round Table was established as early as in 1998: it has fostered donor harmonisation, alignment and coordination from a gender perspective. The Harmonization, Alignment, and Coordination Donor Group (HAC) was established in early 2004, to comply with a promise made at the Kenya Consultative Group (CG) meeting of November 2003. The HAC Group comprised fifteen donors: Canada (CIDA), Denmark, DFID (UK), EC, Finland, France, Germany, Italy, Japan, Netherlands, Norway, Sweden, UNDP, USAID, and the World Bank (WB). One of the major activities planned by the HAC was the preparation of a Kenya Joint Assistance Strategy (KJAS) for 2007–2012. A strategic gender review, facilitated by CIDA in 2008¹⁶, made the very significant recommendation that, within KJAS, *donors and partner countries should recognise gender equality as a separate development sector and develop a harmonised approach to funding this sector through innovative funding mechanisms, including basket funding*. This also means that gender equality is recognised as a *component of poverty reduction and national development*. This new aid architecture targets and monitors gender equality by ensuring *adequate financing* for programmes and putting in place an *accountability system* to track contributions to gender equality. This means significant changes for many donor practises, as the main strategy during the recent years has been gender mainstreaming only.

For reasons unknown to our study team, CIDA pulled out of supporting the harmonised funding mechanism, the Gender Equality Fund set up by UNIFEM. At the moment, UNIFEM is, however, planning to prepare a UN sponsored Joint Programme on Gender Equality¹⁷ and is hoping to find donors to fund the Programme. The Programme Document is being finalised as of this writing. UNIFEM also hopes that the Joint Programme will bring together the currently fragmented CSOs which are working on gender issues and being supported from different sources. According to UNIFEM, the Joint Programme would be closely linked with GoK Ministries such as Justice, Planning, Finance, Foreign Affairs, Interior and Home Affairs. It would begin by mapping the development plans of Kenya in the light of

¹⁶ *Division of Labour in Practise: Responding to Paris Declaration Principles and a Model for Financing Gender Equality in Kenya*. CIDA and UNIFEM, 2008

¹⁷ Interview with Meryem Aslan, Regional Programme Director, UNIFEM, on 2.12.2009

CEDAW, BPFA and African Protocols, to identify possible gaps related to gender, after which a comprehensive programme could be designed to fill the gaps. The Joint Programme would also include a component on economic empowerment which would particularly address social protection and the informal sector (insurance, pension, credit), including job/employment creation (whole value chain). The donors could then ‘earmark’ their contributions according to their interests.

At the same time, UNIFEM has recently commissioned a study on gender mainstreaming mechanisms to be conducted in Kenya, Ethiopia, Sudan, Tanzania and Uganda. This study will be carried out by Social Development Direct, which is a consultancy company specialised e.g. in gender, conflict and governance issues. The study is, once again, looking at the challenges faced by gender machineries and investigating how to address those challenges. The results will be included in the UN Joint Programme in Kenya. Meanwhile, UNIFEM also had discussions with various donors (including Finland) on including implementation of UNSC Resolution 1325 in Phase III of the Gender and Governance Programme (2008-2011) administered by UNIFEM. Finland committed funds for GGP III separately from Resolution 1325 discussions (MEUR1.5).

The goal of GGP III is that “Kenyan Women and Men Access Services and Opportunities and Exercise their Rights Equally”. The expected outcome is that State institutions consistently implement gender-responsive policies and laws as follows:

- 1) national and local institutions have gender-responsive policy and legal frameworks (including a)
 - a) Constitutional Review Process;
 - b) civic and penal law codes;
 - c) inheritance and property rights;
 - d) Law Reform Commission;
 - e) Gender-Responsive Budgeting;
 - f) support to National Bureau of Statistics;
 - g) national gender policies in different sectors; and
 - h) promotion of CEDAW);

- 2) women participate in governance and decision-making processes at national and local levels and actively lobby for women’s issues (women’s issues include a)
 - a) Public Sector Reform;
 - b) TJRC; c) Political Parties Bill;
 - c) Kenya Women Parliamentary Association;
 - d) decentralised governance levels;
 - e) youth mentorship programmes; and
 - f) work with traditional community leaders/elders); and

- 3) Kenyan civil society has a unified voice in articulating women’s needs, consistently demanding and influencing the delivery of equitable services (issues involved here include
- a) the women’s movement, network and agenda;
 - b) media;
 - c) 2012 elections and election violence prevention;
 - d) peace education, and
 - e) legal aid).

GGP III is very much in line with the recommendations made by our team, below in this Report. However, our research team has some further considerations and reservations, based on the evaluation of the GGP II (see following paragraph below) and our key interviews with GoK representatives. When discussing Resolution 1325, and particularly its linkages to other, more binding, UN instruments such as CEDAW and Kenya’s own national development plans, it becomes evident that all Resolution 1325 activities, interventions, and exercises need to be first and foremost *Government-led processes*, that is, they are Kenyan, not led from outside the country.

The evaluation of GGP II revealed key weaknesses which are related to the focus of the Programme and its linkages with GoK. GGP II had a strong focus on political participation, with numbers as an end in itself in regard to electoral politics. This can be attributed to the strong focus of UNIFEM in addressing the participation of women in political and electoral processes. The evaluation showed that GGP II had not been able to transform governance at the local level.

GGP II operated systematically through CSOs with limited, if any, links with GoK. Programme design and framework of Phase III addressed these issues, but GGP III still remains managed by UNIFEM in the role of Programme and Financial Management Agency, as appointed by the Donor Steering Committee. The spokespeople we interviewed who represented GoK stated, as is also the view of our research team, that GGP III is a ‘UNIFEM project’ (i.e. not a Kenyan project). Linkages of GGP III to GoK institutions mandated to promote gender equality are very weak, and do not include any aspects of *decision-making*. A concern expressed by the GoK representatives interviewed is that, for example, studies planned within GGP III have *not included any meaningful participation of GoK*. This being the case, GoK does not feel it (or in fact actually) has any ownership of project activities. For example, issues related to Gender Responsive Budgeting will only proceed through dialogue among GoK ministries and departments. This can be assisted by other partners, e.g. the UN, but the leadership for e.g. Gender Responsive Budgeting needs to be within GoK. Thereby, it is questionable how any changes proposed as the results of studies carried out during GGP III will be adopted by the Government, the studies may simply remain on a shelf. If GGP III does not work with GoK

(or is alternatively institutionalised within GoK), it seems impossible that GoK will be strengthened to undertake e.g. the tasks mandated by Resolution 1325. Careful assessment of the linking Finland’s support to implementation of the Resolution 1325 through GGP III is required, to ensure that GoK is not being by-passed, but is rather in the “driver’s seat”. This also applies further to the location of GGP III offices, which should be within GoK premises to increase GoK ownership and enable capacity development from within, through hands-on practical training.

Our research team strongly supports the idea of increased harmonisation, alignment, and coordination (HAC). In Kenya, our research team supports Finland’s support to GGPIII, but does not support linking Finland’s support for implementation of Resolution 1325 with GGP III unless the process is truly a process led by GoK. We also recommend that the forthcoming MTR evaluation of GGP III closely looks at the GoK position on the Programme.

Our findings indicate that the impact of the donors’ own NAPs for implementing Resolution 1325 will remain quite limited, unless specific measures are taken. For example, the Embassy of Norway in Kenya only began reporting in 2009 on Resolution 1325 implementation. At the time of this study, there was hardly any general knowledge of Resolution 1325 among Embassy personnel, and the local personnel in the Embassies were not aware of either the Kenyan or the Norwegian NAPs. This despite the fact that they are often the ones responsible for gender issues. Assistance is provided mainly through CSOs (human resources) and various baskets (e.g. GGPII/III and the National Response Initiative Fund). Funding for implementation of NAPs is usually only for immediate needs on a short-term basis. As mentioned earlier, Norway and Denmark are supporting the work of implementation of the National Plan of Action on SGBV (with the National Commission of Gender and Development through UNFPA).

4.3 Civil society and the implementation of UNSC Resolution 1325

Numerous Resolution 1325 related activities were carried out by civil society organisations (CSOs) both during and after the election post-election violence of December 2007 – February 2008. These activities included providing medical services for victims, urging state protection of women in IDP camps, and documenting and profiling the plight of women both during and after the post-election violence.

CSO activity related to Resolution 1325 can be divided into two parts.¹⁸ The first

¹⁸ This analysis does not mean that the institutions and organizations concerned are aware that they are implementing some aspects of Resolution 1325. Indeed, most of the civil society actors interviewed were not even aware of the existence of Resolution 1325. Rather, this categorisation is based on a review of what CSOs have been doing as compared to the requirements of Resolution 1325.

is the work that CSOs carried out before the onset of the conflict in late December 2007; and the second is the work they have been doing since December 2007. Before December 2007, CSOs in Kenya were engaged in empowering women to participate in the democratic process through initiatives such as the Gender and Governance Programme (GGP), as well as in providing legal aid for victims of sexual and gender based violence, carrying out civic education and advocacy on sexual and gender-based violence, and advocating for women's property rights.

After the post-election violence, Resolution 1325 activity has been intense, widespread and in some cases very well coordinated. The Inter-Agency Gender Based Violence sub-cluster, co-chaired by the United Nations Population Fund (UNFPA) and the National Commission on Gender and Development (the Gender Cluster) played a significant role in assisting the Commission of Inquiry into Post-Election Violence (The Waki Commission) that made it possible for the Commission to be the first to detail and demand accountability for SGBV in Kenyan history (Waki 2008: 239-271).

Currently the Gender Cluster is working on strategies to lobby the proposed Truth, Justice and Reconciliation Commission, to ensure that women are heard. The Gender Cluster has also sought to influence the shape the proposed Special Tribunal for Kenya would take and to ensure that the Tribunal has the mandate, power and the capacity to address cases of sexual and gender-based violence. Lastly, it should be mentioned here that CSOs have performed well in documenting and analysing the impact of SGBV during the conflict and after. Some CSOs have greater documenting and analysing capacity than others.

Various programmes and projects are being implemented by different domestic CSOs based in Kenya which address women's empowerment concerns. These have not had a significant impact if social transformation is being looked for. However, what these activities have done is put gender issues on the national agenda, and made certain that the gender question is not easy to ignore. The scope of these interventions is suitable for solving and addressing various basic needs, and the concerns of different, specifically targeted, groups of women, but is not large enough even when combined, to advance the full and effective implementation of Resolution 1325.

“Communities and Government departments have opened up to women rights and political participation. There are some people who previously would have shut the door in your face if you said ‘women rights’. Now they welcome you and listen, and even if they must decline your requests, they have good reasons or are subtle about it. In some cases it's them demanding women rights training. The community has several times requested training on women rights” **District Officer, in Trans-Nzoia District.**

However, on the negative side our Focus Group Discussion (FGD) results indicate that many interventions meant to empower women appear to end up benefiting only elite women, especially in Nairobi. Empowerment of women should commence at the grass root level where many women, and especially poor and vulnerable women, live.

Civil society groups are seen as being limited in their impact because at times their work is unsustainable. Sometimes they wind up their operations immediately after the emergency is over. There has to be serious investment in post- emergency operations so that the community is supported to deal with the consequences of conflict, some which have very a long term impact on the life of the community. Recovery and transition projects should continue, and be transformed from emergency assistance into development interventions.

For the work of civil society to result in societal transformation as far gender relations are concerned, certain issues need to be addressed. The crucial issues noted by different actors concern: 1) lack of political will from the government, 2) lack or inadequate funding for women empowerment projects, 3) lack of implementation and monitoring of gender activities, 4) poor or ineffective audits, 5) poor reporting and 6) low response to women issues on the part of relevant organisations. Other issues touched on poor coordination and lack of follow-up on activities related to gender equality development in Kenya. It was also noted that there is a significant capacity gap in relation to gender mainstreaming in general, that inhibits the effective implementation of gender programmes, including those that specifically relate to Resolution 1325. A major gap identified in CSO activities is lack of awareness of the existence of Resolution 1325, and the absence of a National Action Plan on the Implementation of Resolution 1325, which CSOs could use to anchor their programmes.

4.4 Finnish development cooperation and implementation of UNSC Resolution 1325 in Kenya

Finnish development cooperation in Kenya aims at reducing poverty. According to the current Finnish State Budget, in 2008–2011 Kenya was expected to receive €63.4 million from Finland in development aid (Embassy of Finland, Nairobi, website accessed 13.6.2008). Due to some delays, the actual volume during this period will be approximately €30 million. Development cooperation is implemented within the Kenyan Joint Assistance Strategy (KJAS) framework. Within the KJAS and HAC, there is a democratic governance umbrella sector group led by the Netherlands. Under this umbrella, Finland functions *as a lead donor in the good governance, justice, law and order* sector. Finland is also one of the leading donors

in the forestry sector in the KJAS, as well as one of the core group countries for the Geneva Declaration, and the coordinator of its implementation in Kenya. In addition, Finland is seen as an active advocate for MDGs within the donor community. This is based on Finland's support to the Kenyan Ministry of Planning for mainstreaming and implementation of MDGs into Kenya's national development planning processes, such as Vision 2030.

The above are highly relevant for implementation of Resolution 1325. In addition to MDGs, other key focus areas for Finland's development cooperation in Kenya related to implementation of Resolution 1325 are: anti-corruption, equality, sustainable resource management and climate change. Support to by Finland to the forestry sector in Kenya will significantly increase in the future. This sector will have a central role (together with possible new interventions) in the struggle against the climate change. The justice sector and good governance programmes will be directed towards implementing the reform processes and to rehabilitation from the post-election conflict crisis as agreed upon in Agenda Item 4. According to the Finnish Embassy plan, more efforts will be geared towards ensuring that good governance, human rights, democracy, and the fight against corruption will be increasingly emphasised in all development cooperation between Finland and Kenya.

Implementation of Resolution 1325 is specifically mentioned in the Finnish Embassy plans as part of conflict prevention, using local actors and taking into consideration the situation of women. This is to be done through “the Gender and Governance Programme, the Local Cooperation Fund (LCF) and as a cross-cutting theme in bi-lateral programmes.” In addition to this, particularly significant is the *planned support (“twinning”) to preparation of the Kenya National Action Plan (NAP) for the Implementation of Resolution 1325.* Preparation of the Kenya NAP has progressed considerably during the time of this study, and a Kenyan delegation visited Finland early in December of 2009 to discuss further how to proceed with preparations. This delegation also participated in an ‘Equality, Poverty Reduction and Sustainable Development’ Workshop (1-2 December 2009). This Workshop, which was jointly organised by the OECD Development Centre and MFA, Finland, had a strong gender focus.

Numerous GoK strategies and plans of actions exist, but implementation faces considerable challenges, particularly at the field level. At the policy and strategy level there are many influential actors who can contribute to and lead the reconciliation and rehabilitation processes, operating from the perspective of and with an emphasis on Resolution 1325 and gender issues. However, the main challenges for Finnish development cooperation in the implementation of Resolution 1325 are found within the lower levels of governance, at community level and below. Preparation of the Kenya NAP will certainly increase emphasis on

the women and conflict issues as defined in Resolution 1325, but the Kenya NAP cannot remain the sole objective for Finnish development cooperation in regard to implementation of the Resolution in Kenya. The main focus needs to be not on preparation, but on actual implementation of the NAP. In order to show commitment, Finland should be able to actually commit significant financial resources to also support the implementation of the Kenya NAP over the long term. It would be of extreme importance that the Finnish commitment would be evidenced by high level political participation during the entire process, in addition to the financial and technical commitment. GoK should also allocate funds in the National Budget for long-term implementation of the Kenya NAP for implementation of Resolution 1325. We recommend that *Finland should not start this initiative if the purpose is only to assist in preparation of the Kenya NAP for implementation of Resolution 1325*. We recommend that Finland commits to a long-term funding for several years, to include both the preparation and the implementation of the Kenya NAP.

There are immediate needs, for example, to ensure that the continuously changing legal framework is gendered and that Resolution 1325 issues are incorporated in the Constitution Review and other reform processes (Agenda Item 4), as well as in the legal framework. An immediately applicable way to proceed would be to link Resolution 1325's provisions more explicitly to relevant international human rights standards and humanitarian law to which Governments are already signatory. Such linkage should be based on the assessment and incorporation of already existing interventions which currently contribute to the implementation of Resolution 1325. Finland's support to GGP III and Local Cooperation Fund (LCF) support are contributing this effect.

This is just to indicate that even though a truly participatory process is required for preparing a National Action Plan (NAP), which can (and should) be a lengthy process, there are immediate needs that nonetheless require immediate response. These needs are particularly related to the economic security of women. It was not possible during this study to sufficiently assess current and potential interventions for improving women's economic security, particularly that of women in rural areas. However, this in itself implies that there are not very many broad-based interventions, which would be quite visible. The interventions which do exist are being carried out through the Women's Enterprise Fund (GoK); Micro-financing Institutions; the Fanikisha Project (supported by UNDP, ILO, UNIDO); Kenya Private Sector Alliance; Kenya Flower Council; and the Kenya Association of Manufacturers. We recommend that a more thorough assessment be carried out of existing modalities for improving the economic security of women and/or that this component be incorporated in existing bi-lateral programmes.

Gender and Governance Programme Phase III (GGP III) has been discussed above

in the previous Section. Finland has committed €1.5 million to its implementation. This is a direct contribution to implementation of the Resolution 1325 and, accordingly, the Finnish NAP for implementation of this Resolution. The objectives of GGP III are highly endorsed and supported by our research team. Our concerns in this regard have been raised in the previous Section, including our view of the problems of linking the planned Resolution 1325 “twinning” support with GGP III. Our interviews of key Government representatives, especially in Kenya, but to some extent also in Nepal, indicated that Resolution 1325 is already seen largely as an external exercise, not a domestic issue. If in Kenya support to Resolution 1325 is linked to GGP III there is a danger that, again, GoK will be by-passed and excluded from the exercise. It is evident that in such case, ownership, sustainability, and the political will of GoK to implement Resolution 1325, will all be challenged, and in all likelihood implementation will be mainly carried out by CSOs as has been the case with other projects seen as being external. In any case, all the interviewed stakeholders in Kenya were of the view that the *domesticating (i.e. ensuring that interventions are GoK led) and contextualising Resolution 1325 is the only way for it to have any impact.*

Most interventions supported by the *Local Cooperation Fund (LCF)* focus on human rights, but some service delivery organisations are still involved. Annual allocation of funds from the LCF amounts to c. €1 million. *The focus of the LCF is very relevant to Resolution 1325. Interventions supported by LCF focus on:* 1) Good Governance, democracy and human rights; 2) MDGs; 3) Environment and Forestry. During the conflict and post-conflict period from December 2007 to February 2008, numerous applications for funding were received by the Finnish Embassy and supported quickly, for example, the Teso District interventions on peace building and human rights in Mount Elgon (hot spot). LCF as an instrument showed its comparative advantage in this respect. It could not, given its financial limitations, provide any broad-based support, but applications not supported were directed to different ‘basket funds’ for funding.

According to the document outlining the Strategy for the Local Cooperation Fund (2009–2011)¹⁹, central to the LCF’s approach is firstly, mainstreaming human rights concerns into all its policies and programs; and secondly, financing specific projects to promote and protect human rights. Support for good governance includes such projects as local administration and civil society training (KAMADEP); civic education (National Council for Women; NCEP); anti-corruption (Transparency International; AfriCog); and a separate allocation for women’s empowerment (not defined). Support to human rights includes paralegal training (ALDEF; CHRCE; Kisumu Advisory Group); paralegal training for communities (CHRCE; FIDA); as well as support to the Kenya Human Rights Commission and support for the release

¹⁹Embassy of Finland in Nairobi, 05.06.2009

of political prisoners. As per the LCF Strategy, inclusion of all ethnic groups and mainstreaming of gender equality is central to all projects funded by the LCF. LCF interventions within MDGs will focus on supporting localised initiatives, the so called ‘quick impacts’ and activities at the grassroots level. In this way, the Finnish Embassy supports the empowerment of communities as well as increases their income generation.

Finnish development cooperation in Kenya is, in some ways, exemplary. Best practises for Finnish support can be seen in: a specific gender equality project, the Gender and Governance Programme (GGP, now in Phase III, multi-bilateral basis); support of preparation of the Kenyan NAP for the implementation of Resolution 1325; and the well-planned focus of projects supported by the LCF. However, implementation of Resolution 1325 related activities, or gender equality in general, has been less successful in the bi-lateral programming, where gender is expected to be a cross-cutting issue. This does not mean that Finland does not work towards implementing aspects of Resolution 1325, on the contrary, but this is not done through mainstreaming, nor has it been done systematically or consciously under the umbrella of Resolution 1325.

During the period of our study, positive steps toward inclusion of Resolution 1325 and gender issues in Finnish development cooperation in Kenya have been taken, particularly related to planning of Finland’s new intervention in Western Kenya. However, it must still be said that women’s rights and/or Resolution 1325 are not systematically included in Finnish bi-lateral development cooperation in Kenya. This finding is very similar to the findings of a recent evaluation of ‘Cross-cutting Themes in Finnish Development Cooperation’²⁰, which pointed out the challenges related to the process of mainstreaming of gender in development cooperation. . The evaluation concluded that specific projects/programmes were more effective in promotion of any so-called ‘cross-cutting’ issue (such as gender) than using mainstreaming as a strategy for their inclusion.

Preparation of a *bi-lateral Finnish-Kenyan project supporting integrated rural development in Western Kenya* is on-going. The Project will operate in one of the ‘hot spots’ where the potential for a new conflict is high, as the core causes of the conflict have not been addressed. It is of utmost importance that the Project is seen in the context of past and potential future conflict. At the very least, this intervention should strive not to escalate the potential for conflict. Since this ‘hot spot’ has *all the elements of potential conflict* (returning IDPs; unsolved land use issues; unemployment and youth gangs; and negative impact of conflict on women) the forthcoming Project needs to seriously address the core causes of past conflict in the area, and emphasise the elements of conflict prevention. This Project has the

²⁰ Report 2008:6, Ministry for Foreign Affairs, Finland

potential to become a flagship bilateral project in regard to the implementation of the Resolution 1325, if the issues are raised early enough. The Western Kenya project aims at reaching 500 000–700 000 people, with a long-term financial commitment of €30 million. In terms of the implementation of Resolution 1325, this project provides a tremendous opportunity, if its potential is fully utilised. Our field study has identified the key challenges women in Kenya face regarding economic, social and environmental security. The precondition for women to survive, as well as to participate in the life of the community and nation, is *economic security: this should be significantly addressed together with other key challenges identified in our study*. We have been informed by the MFA that *a separate component for women’s empowerment, with a budget, will be included in the Western Kenya project*. If the Project becomes operational, this component has the potential of becoming ‘a best practise’ as well.

On the part of MFA, the briefing process up to now has been a best practise: *a broad-based briefing for the consultancy team* was organised in which the Africa Unit, cross-cutting issue advisors, the consultancy team and this research team participated. The question is how can this be systematised so that it does not remain as an isolated ‘best practise’ applicable only in this one instance? This is a concrete example of implementation of the previous MFA Gender Strategy and Action Plan 2002–2007. It is evident that in the case of the Western Kenya project planning, the cross-cutting issues have gained more importance than in most existing projects, especially in Kenya, and there is now pressure to show concrete results. The previous Gender Strategy and Action Plan of the Foreign Ministry (2003–2007) can provide concrete examples of how this briefing process could be operationalised both at the organisational and at the programme level.

In another Finnish-Kenyan bilateral project, supporting the *Kenya Forestry Service (€8 million)*, gender issues were not addressed during the Inception Phase. This oversight was brought up by Finland in a Kenya Forestry Service Project Steering Committee meeting, which included GoK as members of the Steering Committee, and was corrected at that time. In the implementation phase of the Western Kenya Project, specific activities and budgets will be allocated for promoting gender equality (and other cross-cutting issues). This has the potential of becoming a best practise, and the emerging experiences should be closely followed up for further application.

GoK has made efforts to mainstream gender at the Ministry and policy levels, but these efforts have not influenced the content of strategic plans, policies and legislation of, for example, the Ministry of Environment and Natural Resources. Gender issues have remained only at the level of statement of intent. Intent is however already a positive step which should be supported further so that it actually leads to action. Challenges for GoK in the forestry sector include: a limited understanding of

gender mainstreaming; gender insensitive policies; politicising of the gender concept; a lack of gender analysis; limited capacity; and no budget for gender-specific activities (Kaudia and Obonyou, 2007). Recommendations for improving gender mainstreaming include: policy and legislation review; gender strategy and action plan preparation in forestry; strengthening the institutional structures; and capacity development ((Kaudia and Obonyou, 2007). This gives an outline of what elements could be included in the Finnish-Kenyan bilateral programme. Support should be geared towards enabling the national actors to begin the processes. Community forestry aspects should also be included, as well as issues related to women's role in forestry conservation, women's land ownership issues, and natural resource management (land grabbing).

There are local actors (KEPWAE; Kenya Forest Society) who promote linking gender and forestry, and could be supported for example by LCF funding.

Some information is disaggregated by gender in the project documentation of some bilateral projects, and the Finnish Embassy has been proactive in promoting the recording of information in a GDD form, at least regarding the participation of women. As Finland is a lead player in the forestry sector, there is ample opportunity to ensure gender equality in the process of planning, and inclusion of Resolution 1325 aspects in the implementation of bilateral projects in forestry. A careful analysis of the following challenges needs to be made in planning development cooperation in the forestry sector in Kenya: the demographics of the people living in the forest as the result of the conflict, including IDPs and number of women affected; the capacity of the Kenya Forest Service (KFS) to address gender issues, and ways to strengthen this capacity; community forestry aspects and the roles of men and women in e.g. forestry conservation; firewood and grazing and their impact on forestry; conflict prevention through addressing e.g. land ownership and land grabbing issues; and women's ownership of land. Any and all of these issues are potential causes of conflict, or disagreements that could escalate into conflict unless resolved. A legal framework is also necessary to address and manage these challenges.

An interesting example of Finnish support in the forestry sector is The Peace Forestry Project, which is being implemented by a consortium of NGOs and the Kenya Forest Service (KFS). This project is a smaller initiative of a larger programme that had been designed to source funds from several donors to carry out more activities and on a longer term towards addressing impacts on forests in Western Kenya caused by the post-election violence (PEV) that erupted in Kenya after the disputed results of the December 2007 General Elections. An Interim Progress Report (August 2008 – January 2009) and evaluation of implementation of the NGO facilitated support to the Kenya Forestry Sector in Addressing Impacts of Post Election Violence on Forests in Western Kenya Project (commonly referred to as the Peace Forestry Project)

summarises progress in implementation of the three main activities of this Project: i) reconnaissance of hotspots of the PEV which took place in forests in Western Kenya; ii) implementation of Peace Forums in forest areas affected by PEV in forests in Western Kenya; and iii) training of forestry stakeholders on peace building and conflict management in forest areas affected by PEV. *Despite its high relevance to Resolution 1325 and women’s role in the peace and natural resource management processes, the Interim Report does not mention any gender-related aspects.*

Governance, Justice, Law and Order Sector Reform (Government Programme – GJLOS): Finland has participated actively in this Programme, but recent evaluations show that it is not progressing well, and there is lack of coordination among donors and GoK. No decision has been made on continuation of the Finnish support. GJLOS does not have specific gender aspects in-built. As Finland is the lead donor, the decision on continuation of support should include taking an active stand to influence the GJLOS to support incorporation of gender issues into the Programme, possibly including specific projects for gender issues. It is interesting that the support to the Governance Project ‘proper’ (GJLOS) supports GoK (duty bearer) and aims at changes from within, while the Governance and Gender Project (GGP II/ GGP III) aims at changing the governance structures from outside, through CSOs (claim holders). The question remains, as to whether mainstreaming of gender issues is located by the side of the Government or with the supporting donors. *The Geneva Declaration on Armed Violence and Development (2006) and Finland’s lead role in its implementation provide an opportunity for raising Resolution 1325 issues at national forums.* Launching was supposed to take place in June 2009 but was postponed. At the level of the Government ministries, incorporating gender issues, for example, reduction of small arms (UNDP managed) should be combined with Resolution 1325.

An event (luncheon) which was organised by the Finnish Ambassador to Kenya within the framework of implementing the EU Human Rights Defenders (HRD) Guidelines is a ‘best practise’. As a result of the luncheon, a joint EU – GoK statement supporting the HRDs was made. This is a sign of very visible support to HRDs, and perhaps this model could also be used for Resolution 1325. This event was also given a great deal of media coverage. In another example, the Norwegian Embassy organised a highly visible event in relation to the “Walking the Talk” book launch, as a way to support female champions of alleviating the crisis of violent conflict.

Management framework

The Finnish Embassy has excellent human resources and expertise (both Kenyan and Finnish) in the area of human rights. Human resources is the key factor of successful implementation of interventions related to the implementation of

Resolution 1325. However, at the time of our field work, only those persons who are experts in human rights were sufficiently informed on Resolution 1325. Other personnel interviewed were not aware of the Resolution, and were not using the Finnish NAP for Implementation of Resolution 1325 as a tool: this lack of awareness of Resolution 1325 has had an impact on, for example, mainstreaming gender and conflict issues in on-going bilateral programmes. This situation is expected to change with the forthcoming Finnish support to preparation of the Kenya NAP for Resolution 1325. The preparation process is also *an opportunity to have hands-on, practical training on Resolution 1325 for Finnish Embassy personnel*, particularly for all the advisors and the persons responsible for development cooperation.

The Finnish Embassy in Kenya has no specific reporting responsibility in regard to Resolution 1325, even though the Finnish NAP for Resolution 1325 exists, unless Resolution 1325 is considered to be included in the general human rights reporting. This lack of reporting of any data makes monitoring the implementation of the Finnish NAP difficult. In contrast, for example, the personnel in the Embassy of Norway have a specific reporting responsibility on implementation of Resolution 1325 as of this year. Even in their case, nothing was reported prior to the PEV of December 2007 – January 2008.

The country negotiations between Kenya and Finland planned for 2009 provided an opportunity to raise issues related to Resolution 1325, by recognising that conflict prevention depends on the achievement of substantive gender equality, together with a commitment to non- and ‘walking the talk’ by committing financial resources as a sign of Finnish commitment and support.

ANNEX 2:

IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 1325 “WOMEN, PEACE AND SECURITY” IN THE CONTEXT OF FINNISH DEVELOPMENT POLICY: CASE STUDY OF NEPAL

1 COUNTRY CONTEXT

1.1 Brief history and present situation of the conflict

The history of Nepal's political conflict dates back to the first half of the 20th century, when democratic political parties led by the Nepali Congress launched an armed struggle against the autocratic Rana oligarchy²¹ who had ruled Nepal for 104 years from 1847 to 1951. This armed conflict ended with the overthrow of the Rana Regime in 1951, accomplished with the support of liberated India. The second wave of violent conflict in Nepal was launched in the early 1970s, when a group of communist cadres were influenced by Charu Mazumdar and his *Naxalite* Movement in India. The Nepalese communist rebellion was named the 'Peasant's Movement' and particularly targeted the landlords in eastern Nepal. However, this armed struggle ceased within a few years, as the then Royal Government brutally suppressed it and killed or arrested almost all the leaders and the activists of the rebel group (Dhungana 2007).

A third wave of violent conflict in Nepal started in the mid-1990s. This violent conflict erupted in the name of the 'Maoist People's War'. It had its roots on the centuries old feudal economic and political structure of the country. The feudal political structure was still in existence in the late 20th century, led by the over two centuries old autocratic/absolute monarchy backed by a group of elites from the major ethnic groups in Nepali society. The feudal structure promoted socioeconomic and political marginalisation of a large proportion of the Nepali people for centuries. This caused serious dissatisfaction and disenchantment among the marginalised groups for years. However, the deprived and economically weaker groups did not have a voice or space to express their protest until the autocratic *Panchayat* System²² was demolished by the 'People's Movement' in 1990. In five years the insurgents were able to capture almost 80 percent of the country's territory, especially the rural areas. Few would have imagined that an insurgency started in remote hills by only 100 cadres with homemade guns and local knives (*kbukuri*) would evolve within a decade into a guerrilla army of 36,000 and a militia of more than 50,000 (Dhungana 2006b)²³.

The Maoists abandoned the first round of talks with the Government of Nepal (GoN) on 23 November 2001 and subsequently attacked various civilian targets and military installations. GoN then declared a State of Emergency on 26 November

²¹ The Rana regime was established by Jung Bahadur Rana with the help of a bloody coup in 1847. The Rana regime tamed the successive Kings inside the palace, who were made to follow every instruction from the Rana Prime Ministers.

²² The Panchayat System is a so-called 'party-less democracy' imposed by King Mahendra in 1960, when he dismissed the democratically elected Government and took control of the executive power of the country.

²³ Of those guerrilla forces, 19 602 were verified and registered by UNMIN and put into cantonments. The remaining guerrillas and the militias were absorbed by the Young Communist League (YCL), a youth wing of the UCPN-M Party.

2001 and gave full authority to the security forces (the then Royal Nepal Army) to take whatever action necessary to curtail the insurgency. This action also included the brutal torture of civilians who were suspected of being Maoists or their sympathisers and supporters.

The Royal Palace Massacre on 1 June 2001 and the subsequent political development followed by the increased political ambitions of the Palace added another party to the conflict in Nepal. The Maoist insurgency led directly to the downfall of the monarchy which had ruled for over 200 years. On November 2006, GoN and the CPN-Maoist Party signed a Comprehensive Peace Accord (CPA) and formed an all-party Government, which also included the warring CPN-Maoist Party.

When the ‘All Party Government’ drafted and promulgated an Interim Constitution in January 2007, the people of Madhes²⁴ felt that their agendas were ignored by the Government, and started another wave of conflict in the southern plains of Nepal bordering India, a region which had been less affected during the Maoist insurgency. The protest slowly grew and became a very powerful movement called the ‘Madhes Movement’. At the same time, taking advantage of the weak law and order situation in the border region, many criminal armed groups²⁵ appeared, creating further chaos.

The much awaited election of the Constituent Assembly (CA) was successfully accomplished in April 2008: the rebel CPN-Maoist Party emerged in the majority, with 238 members (40%) in the 601 member CA. The chairperson of the CPN-Maoist Party was elected as the first Prime Minister of the Federal Democratic Republic of Nepal. However, the cooperation among the major political parties, which started with the 12-Point Agreement in New Delhi and allowed for the peaceful election, started to crumble during the election of the President and Vice President. *Politically the country is still in a state of flux with no one party being able to form a stable Government.*

The political bickering has already delayed the process of writing a Constitution: and the deadlines for various committees to submit their recommendations for inclusion have already been rescheduled for the fourth time. There are also *many ethnic groups in different parts of the country; these groups are organising violent protests in favour of ethnic federalism, and making other demands.* The country also witnesses *national strikes and protests* every now and then; and industry, the service sector, and provision of utilities and other activities of daily life have all been severely affected. Inflation has already reached an unaffordable level for the ordinary citizens; crime rates have reached an all time high, and the security agencies

²⁴ Madhes is the region located on the southern plain of Nepal, which stretches from east to west along the border with India. The region is primarily inhabited by people who share same language, culture and anthropological characteristics with the Indian population across the border in the Indian districts of Bihar and Uttar Pradesh.

²⁵ Currently there are at least 109 criminal armed groups operating in the region, as declared by the Home Minister of Nepal in July 2009.

have become mere spectators with their morale reaching its lowest possible level.

Under this prevailing situation of *political instability*, increased crime rates and economic down-turn, the lives of women and children in rural areas have become very difficult. Rural women are not getting any support for ensuring their personal security and protecting their livelihood, not to mention support for their political participation and decision-making roles. The Maoist movement has been able to heighten women's consciousness about their rights, but the present situation is not conducive to exercising the rights of either men or women. The women of Nepal are locked in a struggle with the State for fulfilment of their justified demands.

1.2 Impact of conflict on women

The conflict deteriorated into a civil war which has impacted women in a number of ways. When what the Maoists called the "People's War" swept across the western hill districts of Nepal, it left hardly any men at all in the rural households, especially in Rukum and Rolpa. Remote, backward hill districts were transformed into guerrilla zones, where the conflict provoked massive police oppression of poor peasants and minority groups as the police searched for Maoists and suspected sympathisers. Particularly hard hit were the communities which had been marginalised for centuries, such as the Magars from Rolpa and Rukum districts and Dalits from all over the country. To escape being picked up by the police as Maoists, most of the male members of family, especially the youths, had to run away from the villages in fear of their lives. They either fled into the surrounding jungles to join the Maoist forces or melted into the cities of Nepal. Some of them went across the open border into India for their safety as well as to find a livelihood. Left behind were women who kept families and communities alive during the violent conflict.

Traditionally, women have formed the backbone of the semi-feudal subsistence economy. During the conflict, women took the burden of the family on their shoulders, as well as suffering the brunt of the atrocities committed by both the rebels and the security forces. Women witnessed the forced disappearances of their husbands, the murder of their children, the rape of their daughters by armed forces (especially the state security forces), the burning of their houses, and the looting of their property by the rebels. Women were raped and tortured by the security forces as punishment for 'allowing' the rebels to loot their homes and use them as shelter. Women were tortured again by security forces questioning them for information about the rebel fighters. In all cases women were the innocent victims. (Chapagain 2006)

During the recent conflict in Nepal, violence against women reached horrific proportions. Throughout the armed conflict, thousands of women and girls of all

ages were subjected to widespread and systematic violence. Ianjana (2009) quotes statistics collected by INSEC, that the conflict has resulted in the disappearance of 137 women, abduction of 267 women and death of 912 women during the decade long Maoist armed rebellion in Nepal. INSEC (2005), which documents human rights violations in Nepal, further reported that more than 12,000 men were killed during the decade long war. UNIFEM quotes a disaggregated data from INSEC that by 31 October 2005, 748 women had been killed by the state forces and 163 women by the non-state actors (UNIFEM 2006). In addition, many women have been beaten, tortured and threatened by both the warring parties. HURDEC (2007) further adds that 367 women were raped by the parties to this war in 2004 alone, and more than a 1000 women suffered violations related to rape, and abductions. Women were injured during such abuses, and some were even killed afterwards. HURDEC (2007) quotes the Watch List on Women and Children and Armed Conflict Report (2005) as saying that girls were raped and subjected to other forms of sexual violence by both the Maoists and the Government forces.

It is estimated that more than 200,000 people, of whom more than 80% were women and children, were internally displaced during the conflict period (1995-2006) (HURDEC 2007). *Women in Terai still face serious threats from the various armed groups operating in the region.* However, there are *no formal data available* on how many women have been murdered by the armed conflict in the region, except for the one recorded case of the murder of a female journalist, Uma Singh, in early 2009.

A report by UNIFEM (2006) lists the negative impacts of armed conflict on women and girls as: i) increase in physical/domestic/societal, mental and sexual violence against women and girls by the both warring parties; ii) increase in number of single women as a result of the death of their husbands in the war; iii) increase in number of orphans and street children; iv) increase in forced and/or unsafe migration of women within and outside the country; v) girls were deprived of the right to education; vi) serious psychological impact on and an increase in traumatised women and children; and vii) increase in women victims of landmines, especially in rural areas of the country.

Singh et al. (2005) argue that the incidence of HIV/AIDS has increased in the western part of Nepal, which is also experiencing large number of voluntary and forced migration to India, Malaysia and Gulf countries. Save the Children Norway's recent study revealed that 19% of the female sex workers interviewed in Nepal stated that they have been pushed into the sex trade as a direct result of the conflict (Rijal 2005). The health status of the IDPs is deplorable. Female IDPs are vulnerable to being forced into the sex trade, with a consequent high risk of HIV/AIDS infection (Dhungana 2006). There are hundreds of women in dance bars in

Kathmandu who are forced to work as commercial sex workers in order to make enough money to feed their families, often including small children. These women were forced to leave their villages because of the conflict, and were compelled to adopt prostitution as an occupation in the face of a lack of any other alternatives of employment or ways to survive.²⁶

The Maoist insurgency also brought about some positive changes in women's lives. Researchers have pointed out some of the intended as well as unintended, and direct as well as indirect, positive consequences for women of the conflict period. Basnet (2004) and UNIFEM (2006) list some of these advantages as follows:

- i) *Increase in decision-making power* of women, because of the absence of men in the family;
- ii) *Change in traditional role* of women in the changing conflict context and in the post conflict situation;
- iii) *Increase in the participation of women in politics*, especially in the Maoist ranks, both at the organisation level and in the field during combat (see also Arino 2008);
- iv) *Increase in the capacity of holding positions of responsibility* in both the family and in society;
- v) Justification of the fact that women can be a part of the armed forces; traditionally it had always been argued by the state security apparatuses that the jobs in the security forces are suitable for men only;
- vi) Recruitment of a considerably large percentage of women in the Maoist forces, and the active engagement of women in the forefront of the battle has proven that women can also play a vital role in the armed forces. This paved the way for the amendment of the Military Police Rules, 2058 (2001), which incorporated a new provision for the appointment of women as soldiers in the Military Police. Many women believe that it has, thus, opened an avenue of employment for women;
- vii) *Decrease in domestic violence* due to restrictions by the Maoists on gambling and a decrease in alcoholism brought about by the declaration of Dry Zones in rural Nepal; and
- viii) *Realisation of the rights of marginalised populations* and the *emergence of the concept of inclusive democracy*.

Accordingly it can be argued that the impact of war on Nepali women has been both positive and negative. For the first time in Nepali history, perhaps, the conflict catapulted women into leadership roles in rural Nepal. But when the men came back, this leadership was snatched away from the women, and any gains that they

²⁶ Rakshya Nepal, 2007. Research carried out as part of the project 'Rehabilitation and Reintegration Programme for Displaced Women in 2007. CIDA/CCO, Kathmandu.

had made were reversed, any power they had gained reverted back to the men. However, women have continued their activism in different forms. A challenge to Nepali women’s activism is that they are unable to overcome the rural-urban barrier. Although women have gained posts of leadership in the city, the real need for women in leadership positions is in the rural sector.

Many women who lost their husbands have had very difficult lives as widows afterwards. These women now live alone and have no way of supporting themselves. They are also victims of the conflict. The problem of thousands of widowed women all over the country can be illustrated by the story of the following woman from Rukum.

Parvati (name changed) was the wife of a photographer who came from Sankha VDC-8. Parvati’s family did not consent to her marriage and when she married without their full consent, they disowned her. Since her family was also very poor, her in-laws did not receive any dowry from her parents. The usual practice in rural Nepal is that the newlyweds live with the parents of the groom, who expect cash and commodities (such as furniture, bed, TV and radio) as a dowry from the parents of the bride. As a result of not bringing a dowry with her, Parvati was not treated well by her in-laws, which caused problems in the marriage. During the conflict period, life was difficult for everyone in Rukum, and the photo studio was not doing well. Simply living in the area was risky, too. Thus, Parvati and her husband moved to Nyaulapur VDC in Bardia district, in hopes of making a better living. The new photo studio was doing good business there, and many people started to come to have their photographs taken in the studio. One day the army suddenly came to their shop and said that Parvati’s husband was helping the Maoists by taking their photographs, and that the Maoists had asked him to run a photo studio there. His origin from Rukum district was more than enough evidence for the army to suspect him of being a Maoist. They arrested him and took to the army barracks. After few days, Parvati came to know that her husband was brutally killed by the army inside the barracks. Now she has come back to Rukum but has not been accepted back by her in-laws. She is living alone and getting some training from one local NGO on knitting and sewing. She plans to start a small tailor shop in her village to earn her living. Since her husband was killed by the Army, she did not receive any support or compensation from the Government.

2 PARTICIPATION, PROTECTION AND PREVENTION: NEEDS AND PRIORITIES

2.1 Women’s participation in decision-making in conflict situations, peace processes and post-conflict activities

2.1.1 Women’s formal participation in decision-making before and after the conflict

During the conflict situation, women’s participation in decision-making in political party organisations, government and administration, and in peace negotiations was low, except for the substantial presence of women in command roles in the rebel forces. The participation of women in the formal peace process was practically non-existent, except for the presence of Anuradha Koirala (then Minister of State for MWCSW) in the Government Peace Dialogue Team, a post she held less than six months. Other than this, neither the CPN-Maoist nor the Government included women in any peace dialogue team during the entire peace process. However, women’s participation in the People’s Movement in April 2006 was significant, a fact which was not duly recognised by the leaders of the political parties in the formation of the Government and when setting up other peace process structures.

Although nobody could tell the exact number of the women combatants in Rukum and Rolpa, most of the people interviewed reported that many women (willingly or unwillingly) took part in the armed struggle. It has been roughly estimated that women constituted 30-50% of the total combatants, and that women took on other responsibilities within the Maoist structures (UNIFEM 2007; Sharma and Prasai 2004; Manchanda 2004, Thapa 2007). The majority of the women were in the frontline of the battlefield, and many of them attained ‘martyrdom’ during the 10 year long armed conflict. However, the UNMIN verification of the PLAs in the cantonments showed a far lower number of women in the PLA ranks. According to UNMIN, the legitimate women members of the PLAs were only around 20% of the total ranks (3,846 out of total verified PLA strength of 19,602) (Arino, 2008). Despite being a smaller proportion of PLAs than was previously claimed, 20% is still a significant figure for developing women’s leadership within the party in the long run. The larger number of women candidates in the Constituent Assembly (CA) Election of 2008 is also a proof of the forward looking and inclusive behaviour of the party leadership of the CPN-M as compared to other, older political parties.

The Interim Constitution of Nepal 2007, the Comprehensive Peace Accord of 2006, and other legal instruments mentioned gender mainstreaming at all levels

of government and civil society. The Constitutional provision of at least 33% women representation in all levels of government has been implemented through a proportionate electorate system in the CA, but the percentage of women candidates under the First Past the Post System (FPTP) is far less than the minimum 33% mark. Table 3 below shows the total number of candidates and the number of successfully elected women candidates in the CA election, in each of the major political parties.

Table 3: Women Candidates in the CA Election 2008

S N	Name of Party	Candidates			Elected		
		Female	Male	Total	Female	Male	Total
1	CPN-Maoist	43	197	24 240	24	96	120
2	Nepali Congress	26	214	240	2	35	37
3	CPN-UML	27	212	239	1	32	33
4	Madhesi Jajadhikar Forum	3	100	103	2	27	29
5	Terai Madhes Loktantrik Party	4	90	94	1	8	9
6	Jana Morcha Nepal	28	175	203	0	2	2
7	Sadbhawana Party	4	83	87	0	4	4
8	Nepal Workers and Peasants Party	27	71	98	0	2	2
9	Rastriya Prajantra Party	22	210	232	0	0	0
10	CPN – United	10	126	136	0	0	0
11	CPN-ML	11	105	116	0	0	0
12	Nepal Sadvawana Party (Anandidevi)	13	91	104	0	0	0

Source: Election Commission, 2008.

The recently approved Terms of Reference (TOR) for the formation of Local Peace Committees (LPCs) also requires 33% women members in each LPC, and two out of 9 members in the LPC Secretariat. The Ministry of Peace and Reconstruction (MoPR) claims that by the first week of August 2009, all 60 districts in which the LPCs have been set up, have included at least 33% women members, with the exception of one or two districts. This could be taken as a positive step towards increasing women’s participation in the peace process at the local level. However, the MoPR database is not sufficiently complete at the moment of this writing to give the exact percentages, so this cannot be verified.

Interviews conducted with women leaders and female members of political parties in Nepal clearly indicate that the patriarchal psychology is still strongly working against the interests of women in the party structures. Firstly, there are only few women members on district level committees of any given political party, and secondly they are not given due recognition and value when it comes to the decision-making within the party. Women leaders from Rukum and Rolpa, regardless of the political party concerned, said that they feel marginalised within the party structures. The same applies to the central committees of all political parties. The CPN-M has a comparatively larger number of women members in its

party structures on all levels from national to local level.

During the armed conflict in Nepal, the CPN-Maoist had de facto control over many districts in Nepal, including Rukum, Rolpa and Sindhupalchowk. The Maoists had their own local governance and judiciary systems under the Central People’s Revolutionary Council. One female local government representative at the district level in Rolpa and Rukum, who did not want to be identified, said that there were many women put into the village level local governance positions. Many of these women were not educated and were not at all aware of their roles and responsibilities. They claimed that they were trained by the CPN-Maoist Party about their role in order for them to take the position in village governance. Many women even took the position unwillingly.

A Nepali Congress women leader in Rolpa says that *employment and a guaranteed livelihood for women* in the district is the first and foremost requirement to get women to come out of their households and participate in other socio-political activities. Without this guaranteed livelihood, any effort toward bringing women into decision-making mechanisms will be a failure. Most of the women interviewed in Rukum, Rolpa and Sindhupalchowk mentioned that some changes have taken place in the perception of women’s participation in activities outside the family, and that slowly these women leaders are getting recognition from their family members, too, that such work outside the home is valuable. There are women in various committees in the district as well as at the VDC level; however their participation is not meaningful yet. They attribute their lack of power to: the existence of male domination in the proceedings; their own lack of know-how; power brokering; their lack of confidence as women; their lack of ability to speak out, and time constraints due to women’s family responsibilities, which men do not have. These women recalled that they had to leave the meetings early, or remained absent from a number of meetings because of their family responsibilities such as cooking, feeding the children, bringing cattle back from the field, and so on. The male members of the household do not do such chores.

Although there is reluctance to bring women to the centre of politics, changes are afoot. The LPCs and the CAs are a case in point. The women leaders in the CA are extremely vocal. Once there are enough of such women in governance, particularly at the local level, change is bound to happen.

2.1.2 Women’s informal participation at the community level

Traditionally Nepalese society is patriarchal in nature, where women do not enjoy equal status with men and are not granted equal rights in decision-making at any level from the family household to the national level. The majority of women do not even enjoy rights that are intrinsically their own, such as rights regarding

childbearing and personal health. Decisions on such matters are made by their husbands or the most senior male member of the family. Domestic violence against women persists all over the country. Under such circumstances, women are systematically deprived of their fundamental personal rights, not to mention their social, cultural, economic and political rights. Such marginalisation regardless of their caste, class, ethnicity and geographical location has resulted in males denying them the opportunity for education, access to ‘gainful employment’ in the labour market, meaningful participation in the decision-making mechanisms at all levels from the community level to the national level, and political participation at all levels. Women, who make up 51 percent of the total population, have a secondary status in the patriarchal Hindu structure of Nepal.

The caste system prevailing in Nepali society for centuries has resulted in institutionalised gender discrimination. On many occasions, daughters-in-law are made accountable for the loss of their husband, or are accused of causing all family crises. The whole structure of purity and pollution on which the caste system is based leads to further vulnerability of women. Women from the marginalised communities such as the Dalits suffer even more, as they are victims of ‘double marginalisation’ both as women and as members of marginalised communities. Discriminated against by law and without adequate awareness about their rights and having no education, the majority of women in Nepal are socially oppressed. Throughout their lives, women face reduced opportunities. Literacy rates among women are far lower than those for men, and life expectancy was surprisingly lower for women than men until the Census of 2001.

The higher female work burden in rural areas demonstrates that girl children are an active labour force in agriculture. Many laws are explicitly biased against women, especially those regarding property, citizenship and marriage. A case in point is the abortion law. Women are frequently prosecuted for having abortions, which were illegal until very recently. Even after the legalisation of abortion, there are still 48 women in jail serving their sentence for abortion related offences, and seven were arrested for such offences even after the passage of the law (Ianjana 2009).

Table 1. Sex ratio and literacy rates for the whole of Nepal and in the study districts, 2001

	Sex Ratio	Literacy Rate in %		
		Male	Female	Total
Nepal	99.8	65.6	42.8	54.1
Rukum	103	51	29	40.3
Rolpa	94	53.1	23.1	37.5
Sindhupalchowk	99	51.8	29.5	40.6

Source: Central Bureau of Statistics (CBS) 2002. Population Census 2001, National Report.

However, during the past few decades, some efforts have been made to change the patriarchal structure of Nepalese society so as to provide opportunities for women to rise above the prevailing status of social, economic and political marginalisation. Such efforts were begun as part of a political agenda by some of the communist parties in the early 1970s²⁷. Similar efforts were begun by the NGOs and UN agencies, especially UNICEF, UNFPA and others during the 1980s and the following decades. With the restoration of multi-party democracy in 1990, the mushrooming of NGOs working on women’s issues allowed many to take up the cause of improving women’s lot. Further, the importance given by the UN system and the international community to improving the status of women, the establishment of the current Ministry of Women, Children and Social Welfare (1995), and the establishment of UNIFEM Programme Office (2001) further provided opportunities to improve the status of women in Nepal. However, most of such efforts were urban centric; and women in rural communities and remote areas received little benefits from the projects implemented. The concept of women’s empowerment as one of the major development indicators was also introduced into Nepal’s development paradigm during the 1980s, when major bilateral and multilateral agencies such as USAID²⁸, CIDA, GTZ, SDC, SNV, UNDP, UNICEF, and UNFPA, among others, as well as the World Bank, the Asian Development Bank (ADB) and many more international organisations worked with both Government as well as non-Governmental organisations (NGOs) to provide support for the projects intended to empower Nepalese women.

The second half of the 1990s saw a major change in Nepal’s political landscape, with the start of the Maoist armed rebellion called the ‘People’s War’, launched by the (then) Unified Communist Party of Nepal-Maoist (UCPN-M) in 1996. One of the major slogans of the rebellion was the elimination- of discrimination, especially on the basis of caste, class and gender. The rebels started to promote the rights of the marginalised sections of Nepalese society. Since women were some of the primarily targeted stakeholders, the UCPN-M recruited large numbers of women as party cadres (the overwhelming majority of them young people in their teens and 20s) and highly publicised the involvement of women at all levels of the party structures. Although women were not given leadership roles, with the armed conflict came new roles for women. Many women became victims of this armed conflict, but many others rose above their previous position as victims. The political teach-

²⁷ The then CPN (ML), the major communist bloc during its underground period, started to advocate for the rights of women using various means. One of the major means they used was songs spreading the messages that women are equal to men and deserve equal rights and a share in decision-making. One of the cultural groups, *Sankalpa Parivar*, traveled around the country secretly and organised musical programmes to advocate for the rights of women and marginalised peasant groups for almost two decades, from the early 1970s until 1990.

²⁸ USAID was one of the pioneer donors to support the implementation of the Women Empowerment Project in Nepal, under its strategic Objective 3 (SO3) during the early 1990s.

ings the Maoist cadres forced on the community members, both male and female, made them aware of political dynamics and the socioeconomic and political marginalisation of the poor and other vulnerable people in general, and women in particular. Thus, the widows, divorced, and single women across Nepal organised themselves into an effective but under-resourced movement, which was supported by the NGOs and INGOs to some extent.

The interviews in the study areas shed some light on the local needs in relation to the UN Security Council Resolution 1325. The overwhelming majority of women and men interviewed had never heard about the Resolution, not to mention its content and spirit. However, they were extremely enthusiastic and curious once they it was explained to them during the follow-up conversation. The women interviewed who belonged to the political parties strongly felt that they were not being heard properly within their party structures. Most of the people interviewed at the district level felt that women suffered severely, along with men, during the conflict, but that women were not given enough space for political participation and decision-making, once the peace process started. Many women victims of conflict have not received any support to date from the Government or any other agencies or organisations, and are still living in dire poverty and struggling for their survival.

Currently, there are efforts being made by the women members of political parties to form a network to voice their agendas through an all party women’s network. Such an effort, being piloted in Rukum district, could be an optimistic beginning of a new channel for women’s voices. Women leaders claim that they have learnt from the past and are determined to make this network dedicated to becoming a political tool of women in the districts. However, this needs to be done so that the new network will rise above the party politics when it comes to the interests of women as a community. This network has the potential to become a good practice for other regions and locations to learn from.

When talking about the participation of women in rural remote areas in local political processes, as well as in community decision-making, a majority of people opined that economic empowerment of poor women, by providing them with alternative and sustainable livelihood opportunities, is the basic minimum requirement for them to be able to spend their times in social activities. Rural women cannot compromise with the hungry stomachs of their children. Only long term, income generating alternatives could pull them out of their daily routine of earning for their family and allow them to participate in other activities that are not directly related to their first priority, their family. Thus, most of the people said that the donors and the civil society, along with the Government agencies, should implement programmes on awareness raising about Resolution 1325, and should further strive to create a conducive environment for women’s participation, with a special focus

on women who are victims of the armed conflict victim. However, they did not forget to mention that men should be equally included in the process of awareness building and programme design at the local level.

Most of the participants felt strongly that awareness of the essence of the Resolution 1325 needed to reach everyone, especially women, throughout the country. If the majority of the women in Nepal are aware of the Resolution, then their advocacy will be much more powerful with the Government, political parties and the civil society, as they will have the Resolution backing them up. The people interviewed said that if the spirit of Resolution 1325 could be incorporated in the political party structures, that would be of great help in achieving an increase in the participation of women at all levels of decision-making. They also emphasised the need for the provision of capacity development of women who are already in decision-making mechanisms in various civil society or community based organisations at the local level.

2.1.3 The role of women in conflict prevention and post-conflict development

Nepali women have contributed equally with men in bringing about democratic changes in the country throughout the history of Nepal. However, recognition of women's contributions, and women's sharing in decision-making mechanisms and aiding in the peace process, have constantly been denied women by the male dominated political system. Nepali women and youths have suffered the same fate in this matter. Their contribution as agents of change are significant, one but their involvement in post-conflict development, governance and decision-making is nominal.

Although the post conflict developments in Nepal have brought some positive changes in women's political participation, there is still strong psychological resistance to women on the part of the political leadership: this is evident from their reluctance to provide women with opportunities for leadership in their parties and other governance structures. The Interim Constitution of Nepal has provided for the compulsory inclusion of 33% (one-third) of women in all Government structures at all levels. This is a great achievement regarding promoting women's political participation in Nepal. However, the spirit of the Constitution on women representation has not moved beyond the boundaries of the CA which drafted it, and no efforts have been made to give body to the spirit. The most glaring example of this lack is the Council of Ministers formed after the CA election. The current Council of Ministers has 44 members, of which only four are women. The case was no different with the Council of Ministers formed during August 2008, which was led by CPN(M), also this Council did not have one-third women members. The

Interim Constitution Drafting Committee was also formed without a single woman representative in the beginning. However, following loud outcries from women’s organisations and civil society, four women were added (out of a total of 16 members, 25%) in the Committee after a few days. No other Government mechanisms have ever reached closer to embrace the spirit of the Constitution articulated in the CPA 2006.

There are also some positive examples of women’s leadership from the community experiences. Many organisations are implementing community peace building programmes at the grassroots level. These organisations contribute in creating communal harmony and promoting cooperative actions at community level. Many women’s groups such as Mother’s Groups, and Women’s Peace Promotion Centres which operate at the local level are also contributing to settling local level disputes: this can be seen as a best practice (Dhungana 2007). Though women still do not have enough opportunities for contributing in conflict prevention and post-conflict development through formal structures, they have been significantly contributing through various informal structures such as a Mother’s Group (*Aama Samuha*) for many years, even before the start of the Maoist insurgency in Nepal. There have been many incidents in Dang, Rolpa, Rukum and Sindhupalchowk, in which the Mother’s Groups have mediated conflict related to domestic violence, family property disputes, alcohol related disputes, abusive behaviour against women, cattle related conflicts and property disputes among siblings, as well as in conflicts which have erupted between families after a children’s quarrel. Many Mother’s Groups have also been working in Peace Promotion Centres in Dang, Doti and Banke and Achham with the support of international and national NGOs (Dhungana 2008).

During the Constituent Assembly (CA) election, there was an effort to form a women-only political party whose single agenda was to demand a 50% share of all political and Government structures in Nepal. The party did wall poster campaigning in Kathmandu to draw the attention of women and men to their 50% agenda. However, the women-only political party could not leave its mark on the election and did not even get support from the women voters who are affiliated with many political parties. Many women leaders claimed that the women-only party was established without proper consultation with the larger mass of women, and that it lacks clarity and vision on how to take the women’s movement forward. It yet remains to be seen how this women-only party develops its vision and strategy to work for women’s rights and improve the role of women in politics, governance, and the peace process.

2.1.4 Protection of women in conflicts

There were no genuine and practical efforts made to protect women during the conflict situation in Nepal. This could be basically attributed to the extremely weak law and order situation prevailing at the time, or to the lack of a strong Government presence in more than 80% of the country's territory during the conflict. A similar situation can be seen in the Terai-Madhes²⁹ at the moment, where the political conflict as well as the operation of more than 100 criminal groups is making the people insecure and very vulnerable. Since the Maoists present themselves as the advocates of the rights of marginalised people, including women, the Maoist Governance and judiciary structures³⁰ were more favourable to dealing with the challenges faced by women. The (anti-alcohol consumption) dry-zone campaign launched by the Maoist cadres, and associated physical actions taken against alcohol offenders in the Maoist base areas, had a direct impact on decreasing domestic violence and violence against women during the time of the conflict. This anti-alcohol campaign provided great relief for many women, especially in the hill districts of Nepal where alcohol consumption and wife battering has a very strong, direct relationship. However, on the other side, many women also reported that when it came to the party interests, the Maoists were also uncaring about the plight of women in general. The Maoists killed many people, accusing them of spying for the state or being an enemy of their party, and never bothered about the plight of the women and children who were totally dependent on those men.

In ordinary, non-conflict circumstances, the Government protection mechanisms are guided by the anti-trafficking law, the gender equality law, the citizenship act, foreign employment act, abortion law, women's property rights act, local self governance act and the 11th amendment of the Civil Code (*Muluki Ain*) on Women's Rights Issues. However, the strict implementation of these laws is rarely seen; and the vulnerability of women during the conflict period increased substantially, especially regarding the cases of trafficking including unsafe labour migration via India, vulnerability of IDPs and conflict victims, and involvement of conflict affected women in prostitution in cities such as Kathmandu through their employment in dance bars and other similar business establishments.

Women NGO activists claimed that NGOs helping women in districts like Rukum, Rolpa, Sindhupalchowk and others, were able to operate throughout the conflict, although sandwiched between the security forces (the then unified command led by the Government army) and the Maoist People's Revolutionary Government

²⁹ This region is a geographical strip in the southern plains of Nepal, stretching from east to west along the Indian border and overwhelmingly inhabited by Nepali citizens of Indian origin, along with Muslims, Tharus, and other tribal and indigenous peoples.

³⁰ During the decade long People's War, the CPN-Maoist Party established and operated its self-declared People's Government and Judiciary System as a fully-fledged legality in most of the districts in Nepal. Many people reported that the Maoist system was quick in delivering justice to the victims as compared to the Government mechanisms.

and the PLAs. They were able to operate because they had the Maoists' permission to operate. The NGOs were given permission to operate because they work across all groups of women, including *dalits* (the so-called untouchables) and *Janajatis* (indigenous peoples). The NGOs used an inclusive approach in their programmes and included women and men from all social and economic groups.

In most places, people did not like the presence of police in their village because of police involvement in criminal protection, numerous rapes, beatings and torture. In no way were the security people fulfilling their duty to protect ordinary women and men in the community. The attitude of the police and the army toward molestation of women and girls in villages has not changed. The women in the conflict area have not forgotten that before the April 2006 Movement, there were many cases of security people raping and impregnating women and girls from the villages in many districts of mid-west Nepal. Now, these girls have given birth to children whose fathers have not been identified. These girls are living a miserable life and they are waiting for justice, in vain.

There was a great deal of criticism for the lack of a female police presence during the conflict. As a result, one new innovation is the inclusion of women in the police forces. The Nepal Police now has 24 Women and Children Service Centres at the district level, which receive women and girls who have suffered from different types of abuses, particularly domestic violence, and help them file a First Incident Report. The Nepal Police is planning to start 32 more such centres at the district level. These Centres are staffed by police personnel specially trained to deal with sex trafficking, domestic violence and rape. However, the Centres are reported to be weak on human rights, especially SGBV issues, not to mention on the knowledge about and importance of UN Security Council Resolutions 1325 and 1820 for women (Source: GAPS, 2009). Still, the fact that there are such Centres can be seen as a best practice.

3 SPECIFIC RESEARCH THEMES

3.1 Internally displaced persons (IDPs)

One of the major impacts of the ten-year long Maoist insurgency and the subsequent Terai-Madhes conflict has been the forced displacement of people from their homes. The displacement started even before the start of the Maoist insurgency in 1996, in the mid-1990s when the Government began brutal police and security forces operations in districts of the mid-western hills of Nepal. As the extent of displacement increased with the increased intensity of conflict, women, girls and children became vulnerable to personal security and health risks, educational deprivation and social stigmas.

Our respondents in Rukum and Rolpa mentioned that large numbers of women and children were displaced from their villages, going to the district [administrative] headquarters³¹, regional urban centres, and across the open border to India. Even in the district headquarters, these internally displaced persons (IDPs) had to work very hard to make their living, as large numbers of people moved into the headquarters where the economy was already in a depression, and even the local people had to struggle to find work for living. Women respondents reported that particularly women suffered social stigmatization by the local host population: and many women IDPs were not given accommodation in the district headquarters they feared that the displaced women would be unable to pay the rent.

The drastic increase in the movement of women towards urban centres such as Nepalgunj, Pokhara, Dharan, Biratnagar, and particularly Kathmandu, during the conflict made these women IDPs more vulnerable to exploitation from various business sectors. The IDP women were absorbed by questionable but flourishing businesses, many of which are also related to the sex trade: restaurants, dance bars, and massage parlours in major urban centres of the country. Since many of these women and children lack education and a family support system, these businesses provide needed income, but at a high price.

Most of the women IDPs have to work in difficult situations and live in dilapidated housing conditions or makeshift camps and are exposed to unsanitary health conditions and vulnerable security situations. The respondents in Rolpa and Rukum reported IDP women were being abused by the security forces and Maoist cadres, as well as other people from the host community. According to the Ministry of Women, Children and Social Welfare (MWCSW), there are 40,000 female workers aged between 12 and 30 working in restaurants, dance bars and massage parlours, with half of them suffering from sexual exploitation and being vulnerable to traf-

³¹ In Nepal, the 'headquarters' is the capital of the administrative district.

ficking. It has been reported that a large percentage of these women and children are IDPs (NRC 2009).

A survey done by Save the Children US among the displaced women in Nepal reports that 81 percent of the respondents confirmed sexual activity, while 50 percent admitted practicing unsafe sex. This vividly shows that these women are at high risk of HIV/AIDS and other STDs (NRC 2009). It is reported that the trafficking pimps moved their base of trafficking to mid-west Nepal (from central hills) during the insurgency period because of the tendency of women and girls to move out of the districts, which the pimp could exploit easily for their benefit. Those trying to escape the districts would easily fall into the trap of the trafficking pimps (Singh et al 2005).

The major challenges faced by displaced women are finding shelter and employment. When they do find rented rooms, they can hardly afford to pay the rent, and they may be harassed by their landlords. These women have to survive by working as wage labourers on a daily basis, or by selling firewood they collect from the nearby jungles. Collecting firewood from the jungle is risky due to the possibility of sexual and other harassment. The problems of the IDP women are further compounded when they already have children before they are displaced: for example, they cannot afford to pay school fees for their children. Many IDP families also have problems in enrolling their children into the local schools because of a lack of documents. Many IDPs did not have access to drinking water resources. The majority of IDP women suffered a deterioration in their general and reproductive health as a result of excessive hard work and a lack of food which would provide proper nutrition. Malnutrition among their children, and a lack of capacity to afford health services were among their other problems.

Most of the IDP women did not have their male family members with them. Many families were broken permanently because of disharmony in the family even if the men were reunited with the women. There was great psychological trauma in families, due to displacement-related complications such as killing of family members, abduction of male members of the family, and unexplained disappearance of husbands, sons and daughters. IDPs either abandoned or were forcibly evicted from their homes, and even if they returned to their villages, their homes were often no longer there. There are more than 300 women in Rukum and an even larger number in Rolpa who either lost their husband or do not know their husband's whereabouts. Many of these women were displaced to the district headquarters during the conflict. They have now returned to their villages and are struggling to make their living. However, some of the displaced women managed to become settled with their families in the district headquarters and other urban centres; these women have no plans to return to their villages permanently. In summary, some

women IDPs were direct victims of conflict, and a large number of women suffered indirectly during the entire conflict period and are still suffering the consequences of circumstances brought about by the conflict and related incidents.

Mrs. Chandrakala Adhikari was only 22 years old when her husband, a teacher, was killed by Maoist rebels in a remote village of Nepal's northwestern Gorkha district. "His only fault was to refuse to join the Maoists," Mrs. Adhikari told us, wiping her tears and holding her two tiny sons who still have not overcome their fears of the Maoists. After killing her husband the rebels looted their house and seized their lands, forcing the family to flee the village and become displaced persons living in the capital. Now Adhikari is 27 years old and lives in Kathmandu with another widow who was similarly victimized. "I couldn't bear the pain of seeing Chandrakala in the street with her two innocent children, so I decided to give her shelter," said Mrs. Sabitra Regmi, a 36 year-old widow. The two women live together with their nine children in a small one-room flat, in extreme poverty, barely able to feed themselves. They live in constant fear of Maoists tracing them and harassing them for sharing their stories with the media. Both have been made landless and are neglected by their relatives, who tell them not to return and that they should forget about trying to claim their dead husband's property. "Despite the laws to provide equal property rights, women are unable to exercise this right at the village level," said Mrs. Adhikari. Now she makes a living by selling candles, earning less than NRs 75 a day. "My in-laws warned me that they would use the Maoists to kill me if I dared return," she said with frustration (Source IRIN 2007).

Most of the people interviewed had similar stories to tell about the status of women IDPs in all districts. These IDP women had suffered severe trauma, stigmatization, a lack of personal safety and privacy, a lack of shelter and educational opportunities for their children, as well as hunger for themselves and their children. Women IDPs in the numbers that exist in Nepal, living in such situations of impoverishment and vulnerability, is something that no state can ignore. These women can be the victims of many hazards such as HIV that can potentially destroy the developmental capacity of a state. Therefore it is essential to see the IDPs not merely as a humanitarian problem but also as a developmental issue. Only then can one address the problem of the impoverishment of such a large group of women, women who may represent the greatest potential for development of a country.

3.2 Gender, conflict and the environment

Both degradation of the environment, and the consequences of this degradation have a direct impact on women globally. The lower the development indicators of a country are, the more visible the impacts on women of environmental degrada-

tion become. Women are particularly vulnerable to the impacts of environmental degradation. Researchers have found a correlation between environmental degradation, climate change and women. Dulal (2009) argues that environmental impact is not gender neutral. The statistics show that 90% of the 140,000 victims killed by the 1992 cyclone disasters in Bangladesh, were women. Similarly, male survivors outnumbered female survivors by 3 or 4 to 1 in Indonesia and Sri Lanka after the Asian Tsunami of 2004. Women and children are 14 times more likely than men to die during a climatic event (Dulal 2009).

Nepalese women are also vulnerable to the serious impact of the consequences of environmental degradation, which is further complicated by the intensifying conflict situation in the country. The inability of women in Nepal to obtain compensation through conflict indemnification, when combined with the environmental disasters occurring in Nepal, have together proved to be a deterrent to improving gender justice and the empowerment of women. In Nepal, the majority of women are either illiterate or lack functional level of literacy and are living in a dire poverty. They do not have coping mechanisms for the consequences of environmental degradation. Most of the women in rural Nepal do not have access to a source of drinking water in their household and have to fetch water from the public taps located at a certain distance from their house. This is further complicated in the remote hills of Nepal where women have to walk for hours up hill and down to fetch drinking water for their family. However, with the increasing impact of climate change and the decreasing amount of annual rainfall in the country, many of the natural springs and wells are drying up, and water sources are becoming scarce. This has a direct impact on women, who have the traditional responsibility of fetching drinking water for the family. Such an increase in the amount of time spent fetching water leaves little time for women to involve themselves in other activities. The increased number of working hours each day, and the increased physical work burden could have a direct impact on women's health, especially their reproductive health. This is one of reasons for the large number of women in western Nepal suffering from the problem of uterine prolapse³².

Further, forested areas in Nepal are dwindling at a rapid rate. A large number of people in Nepal depend on the forest as a source of firewood for fuel, and a source of fodder for animals who provide organic fertilisers and fuel, as well as food for people. This deforestation has negative consequences on the availability of firewood for fuel and on grazing areas and fodder for domestic animals. It is estimated that forest covered 27 – 29% of the total area of the country; the deforesta-

³² A recent population-based survey jointly conducted by UNFPA, the World Bank and the Nepal Institute of Medicine has found that at least 10% (estimated to be 600,000) of married woman in the reproductive age group in Nepal are suffering from uterine prolapse, with over 106,000 in need of immediate surgical treatment (Himal 2006). But due to the lack of previous studies of this issue, one cannot make a comparative interpretation.

tion rate during 1978–1991 was reported to be 1.3% annum (Resources Himalaya Foundation, 2008). As a result, women have to work harder and longer to collect firewood as well as fodder for animals. With less food available for their animals, rural households are not able to keep large flocks and herds, reducing the amount of organic fertilizers, milk products and meat products for the family.

Natural as well as man-made disasters have a greater impact on women than on men. The recent Koshi flood in eastern Nepal had a severe impact on women, when their houses were washed away by the river and their land parcels became deserts after being covered by the river sand. When these women had to live under the open sky, they lost their privacy and were vulnerable to sexual and other abuses.

Women are the greatest victims of environmental degradation. Climate change is one of the main causes of forced migration; and women are impacted negatively by climate change to a greater extent than are men. As large groups of Nepalese women already live in impoverished conditions, climate change can affect them tremendously and make them refugees. Without addressing environmental degradation, one cannot adequately address the question of women’s rights or Resolution 1325.

3.3 Role of men

All decision-making mechanisms in Nepal are traditionally controlled by men, maintaining the legacy of male domination in decision-making structures. Further, the centuries of social marginalisation of women, keeping them out of all social, political, cultural and economic decision-making mechanisms, have resulted in the strong psychological resistance of men (as well as many women) to even the discussion of any issues related to the personal development or empowerment of women. Thus, it very important that any gender mainstreaming programming, and all programmes aimed at the empowerment of women empowerment. first need to be understood and genuinely internalised by the male members of society if they are to be implemented effectively.

The majority of the interviewees felt that all programmes intended to promote women’s participation in decision-making should not be implemented in isolation. Most of the respondents argued that, unless we engage men in advocacy related to the implementation of Resolution 1325, and gender mainstreaming activities for the empowerment of women, attempts to include women in decision-making will fail. Since, Resolution 1325 deals primarily with the meaningful participation of women in political structures and decision-making mechanisms, the male political leaders needs to realise and internalise the concept of women in power and put it into practice in institutional mechanisms used in Nepal. Thus, if we try to carry out activities related to Resolution 1325 without involving the male members of Nepa-

lese society, especially the political leadership at the centre down to the local level, these men may feel threatened. They might feel that the increased participation of women in political decision-making and the peace process will deprive them of an easy rise in the power structures, and will be reluctant to cooperate in supporting Resolution 1325 agendas. Accordingly, it is important that the genuine concerns of men are taken into consideration when talking about the spirit of Resolution 1325.

3.4 Partnerships and networks

In 2007, the husband of a woman who was a central (national) woman leader of CPN-UML and a Member of Parliament started an initiative to create an inter-party women’s network. An organization was formed to create similar inter-party women’s networks in 25 of the 75 administrative districts in Nepal. However, these women’s networks were given political colour by the –fact that the CPN-Maoists had begun the initiative, and they never joined the male-dominated political network. The women’s network eventual became effective in the absence of the CPN-Maoist representative, but slowly become dysfunctional in the course of time. The women in Rukum realized that it was important to include the CPN-Maoist Party to make a women’s network effective. Thus, they decided to dissolve the earlier network and change the name. The CPN-Maoist Party agreed, and an effort is now ongoing to form an Inter-party Women’s Network in Rukum under the new name.

Women members of many political parties, including the CPN-Maoist, Nepali Congress, CPN-UML, Janamorcha Nepal, have decided to work together towards improving women’s political participation at the district level. These women members of different political parties are determined to work for the causes of women and for greater women’s participation in all governance and peace process structures, from the village development committee (VDC) level up to the district level. They have decided to rise above the political hat they are wearing in their respective political parties; they are determined to make the women’s causes network as apolitical as possible, despite having very strong personal political linkages themselves. They want to carry their experiences within their party structures at the central level, and motivate parties to replicate women specific political networks in other districts. During our field research in Rukum district, women were organising preliminary meetings to form a women’s causes political network, and were having discussion to decide on an appropriate name for the Rukum network. Although it is not a formal part of party politics as yet, the concept of forming such women’s networks at the district level could be an important first step towards promoting women’s political participation in the future. Such networks have the potential of eventually becoming a best practice.

A CEDPA supported coalition “Women Acting for Transformative Change” (WomenAct Nepal), is a coalition of over 36 women’s CSOs and CSO networks working to ensure that women’s voices are heard, and that women work together and support each other in bringing about change. The coalition is bringing attention to the need for a constitution that prohibits discrimination on the grounds of sex, gender, age and marital status; provides for women’s participation, and gives women a voice in decision-making, gender policies and programmes; prioritises women’s dignity and security; and respects their rights to life, health and well-being. WomenAct Nepal has drafted a woman’s charter and is working for its inclusion in political parties’ manifestos and in the new constitution. The Charter for Women’s Rights has been distributed to all CA members; and the coalition is registered with the National Women’s Commission (Source: GAPS 2009).

The creation of partnerships and networks for women’s empowerment is underway in Nepal. As yet it is too early to comment on their success or failure.

4 RESPONSE OF DIFFERENT ACTORS TO THE NEEDS AND PRIORITIES OF RESOLUTION 1325

4.1 Government policies and strategies

Efforts toward building the capacity of women and creating platforms, while simultaneously promoting women to take part in the decision-making mechanisms began as early as 1970 in Nepal, passing through a different paradigm shift from the 1970s to the 1990s. This was at first a political movement in the 1970s; the cause of women’s participation in decision-making was then taken up by the UN and donor agencies, and (I)NGOs, followed by the Government (to some extent). In the mid-1990s, the cause of women’s participation was again highlighted by the political parties, with some taking a firm stand on issues of women’s inclusion in political participation. However, the involvement of the Government in addressing women’s rights and their empowerment has been the result of efforts by the women’s movement and donor enforcement, rather than being an internal realisation and commitment by either the men in power or the Government that they form. Nonetheless, once in place this paradigm of women’s participation is impossible to overturn.

The Government of Nepal paid attention to Resolution 1325 in late 2007 only after continuous lobbying from the UN, donor agencies and civil society, and especially on the part of the women-led organisations in Nepal. Despite being involved in donor consultation, capacity building and preliminary planning after an initial commitment to draw up a National Plan of Action for the implementation of Resolutions 1325 and 1820, which it has been reiterating for the last two years, the Government of Nepal does not seem to be seriously contemplating actually formulating the Action Plan. The Ministry of Peace and Reconstruction (MoPR), which is responsible for devising policies and strategies regarding the implementation of Resolution 1325, has not been able to move forward on formulating the National Plan of Action. With the currently high political instability and subsequent political bickering on power sharing and Government formation, issues related to Resolution 1325 have fallen off the MoPR’s list of priorities for the time being. Only recently has there been news that the GoN is again working on the National Action Plan for Resolution 1325.

Notwithstanding what the Government did or did not do in Nepal, the women’s activism is not new to the country. Women have participated in pro-democracy movements and in leftist politics since the 1970s. Against all the odds, and not deterred by the caste system, Hindu patriarchal structures, an unstable Government, or pervasive violence, women in Nepal have assumed leadership roles. Resolution

1325 is an instrument that they hope to use in their campaigns for empowerment. The women’s movement for equity and women’s rights in Nepal is far greater than any UN resolution. In fact, Resolution 1325 can only be successful if it aids the Nepali women’s movement in their march forward. To succeed in this, Nepali women need the support of a vigilant international community, an inclusive civil society, and an aware Government. Resolution 1325 can be a tool for aiding the forward march of Nepali women that they themselves have initiated.

The UN Security Council coincidentally unanimously adopted Resolution 1325 on Women, Peace and Security on 31 October 2000, when the Maoist rebellion was at its peak. As a Member State of the United Nations, Nepal is obliged to implement the Security Council resolutions, including Resolutions 1325 and 1820, unconditionally³³. The implementation of Resolution 1325 is in its infancy. The level of awareness among the Nepali Government agencies about Resolution 1325 is not satisfactory, yet. Two of the Government ministries, the Ministry of Women, Children and Social Welfare (MWCSW) and the Ministry of Peace and Reconstruction (MoPR) are doing some preliminary work on implementing Resolution 1325. The MWCSW is focusing its work on informing people and Government officers about the Resolution, and raising awareness by translating the text of Resolution 1325 into Nepali and other regional languages such as Tamang, Gurung, Tharu, and Maithili. MWCSW is also translating the UNIFEM Media Tool Kit into the Nepali language and disseminating it among GOs, NGOs and civil society in Nepal. The MWCSW has also translated Resolution 1820 into the Nepali language. All these translation activities are being done in collaboration with UNIFEM in Nepal.

At the policy level, the MoPR is responsible for developing the National Plan of Action on the implementation of Resolutions 1325 and 1820 in Nepal. It is further responsible for the orientation of parliamentarians and decision makers at the national level in regard to gender and humanitarian laws, human rights, and supporting the development of directives, action plans and a budget for the reintegration into the community of women affected by conflict. In line with this, the Ministry has played a vital role in formulating the National IDP Policy of Nepal (2007) along with Procedural Directives for implementing this Policy. Both of these documents pay special attention to the challenges faced by IDPs, especially women, children and other vulnerable groups. The Ministry, in collaboration with the UN Population

³³ Nepal has also undersigned and is committed to a number of juridical and political UN instruments related to gender equality and more inclusive economic development. The Government of Nepal ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1991, and CEDAW’s Optional Protocol in 2006. Nepal has also undersigned the Beijing Platform of Action along with the Beijing Plus Five Political Declaration and Outcome Document 2001, and the Declaration on the Protection of Women and Children in Armed Conflict, 1974 and UN Security Council Resolution 1820. Nepal is committed to achieving the Millennium Development Goals (MDGs). Nepal is also party to the International Covenant on Economic, Social and Cultural Rights (973), the International Convention on the Elimination of all Form of Racial Discrimination (1969), the Child Rights Convention (CRC, 1989), the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002), and the Convention on Regional Arrangement for the Promotion of Child Welfare in South Asia (2002), not to mention the Universal Declaration of Human Rights (UDHA, 1948).

Fund (UNFPA), is also responsible for piloting the resolution of cases on access to justice and rehabilitation funds for women affected by conflict. For this purpose and other peace related works, the donor agencies have supported the Ministry to create the Nepal Peace Trust Fund (NPTF) worth more than USD 5 million.

The Government of Nepal has implementation of the Local Governance and Community Development Programme (LGCDP). This is a large-scale national programme aimed at improving good governance and expanding inclusive community development. Gender issues have not been incorporated or mainstreamed into the main document of the Programme itself, but interestingly a specific gender strategy, “Gender Equality and Social Inclusion Operational Strategy” (April 2009) has been prepared and combined with the aspects of social inclusion of the Programme. This is a document which clearly addresses gender issues regarding the prevention of conflict. It also provides a response to the question of how to address, for example, ethnicity, caste and gender at the local governance level closest to local women. Interestingly, it addresses gender and social inclusion both institutionally and programmatically, in planning, programming, budgeting, monitoring, and in making management arrangements that are gender and social inclusion sensitive. This Strategy, while recognising that different groups have different needs, defines exclusion primarily as having four dimensions: exclusion is i) gender-based; ii) caste, ethnicity, religion-based; iii) poverty-based; and iv) region-based. This Strategy has primarily been developed for district, municipal and village level governance structures, to help officials define who are the excluded in their population and to determine the cause(s) of their exclusion.

The Gender Equality and Social Inclusion Operational Strategy has three components:

Component 1 “Citizens and communities engaged actively with local governments and hold them accountable to enhance citizen’s participation, including of women and people from excluded groups” includes: i) information and building knowledge of citizens and communities; ii) strengthening capacity for ensuring that all citizens, including women and people from excluded groups are able to engage with planning, programming, budgeting, monitoring and oversight of local bodies; and iii) building capacity of networks, federations and representative organisations.

Component 2 “Increased capacity of local governments to manage resources and deliver basic services in an inclusive and equitable manner” includes: i) allocation of fiscal resources to local governments including quota for the grants for women (increase from 15% to 25% for women and the excluded out of which 10% will be provisioned for women-specific programs) and ii) that at least 15% of all PM indicators will be GESI sensitive. Importantly Component 2 includes:

iii) a comprehensive capacity development programme, both institutional and individual capacity. This Strategy thus identifies the required capacities for GESI for both institutional and individual strengthening. The Strategy will cover 1) Conceptual clarity on GESI, 2) GESI analytical and responsive skills, 3) Capacity to use social accountability mechanisms, 4) Selected PRA tools and 5) Behaviour change and skills. A Village Citizens’ Forum will advocate with the VDC to establish links with line agencies to coordinate basic service provision at settlement level where possible or VDC level. A disaggregated database will be maintained.

Component 3 “Strengthened policy and national institutional framework for devolution and local self-governance” includes a review of whether the specific needs of women and the excluded are being addressed in a way *contributing to transforming existing power relations between the advantaged and the excluded communities*. It also places emphasis on staffing policies so that they will be GESI sensitive and will *consider the specific issues of women and the excluded during recruitment, promotion, transfer and capacity building*. In addition, national government bodies will be provided technical support for mainstreaming GESI in their routine work.

The M&E system is also planned to reach down to the village level. All monitoring and reporting formats will have: i) Disaggregation by poverty, sex, caste, ethnicity, and location; ii) Monitoring and reporting in 3 areas/domains: a. changes in assets/services; b. changes in voice and ability to influence; c. changes in informal and formal policies and behaviour (e.g. access of women and excluded groups to services, reduction in discriminatory social practices such as VAW, caste-based discrimination, changes in decision-making power of excluded groups, acceptance of advantaged groups regarding support to the disadvantaged); iii) Budget monitoring from a GESI perspective: how much of the allocated budget is being spent on specific, supportive or neutral activities in relation to women and other excluded groups.

A Local Governance Voice and Accountability Facility is planned to be established: the Facility will support the GESI section of MLD and the GESI Implementation Committee of DDCs to develop GESI sensitive monitoring and reporting systems. The preparation process for this Facility was a participatory process at the community level, followed by consultations at central, regional, district and Village Development Committee (VDC) levels, with the inclusion of different stakeholders of government bodies, donors, programmes, representative organisations, NGOs, and community women and men of different social identities. MLD representatives, GESI advisers of JICA, GTZ, LGCDP (supported by UNDP), UNICEF and especially CIDA, were fully engaged with the consultant team of HURDEC in the field consultations, analysis and preparation of the Strategy. As such, it already is a Strategy

and a *tool that can also be used in different contexts if further contextualised*, not only in Nepal.

The GESI Strategy was based on a comprehensive nationwide study on “Citizen Mobilization in Nepal Building on Nepal’s Tradition of Social Mobilization to Make Local Governance More Inclusive and Accountable”³⁴. It was supported by the World Bank/DFID and SDC.

Gender mainstreaming in Government programmes and structures has been discussed in Nepal for quite some time. After the introduction of the paradigm of women and empowerment in the early 1990s, women’s issues were given a great deal of attention in development agendas. The first step towards the focus on gender issues can be seen as the ratification of CEDAW by the Government of Nepal (GoN) in 1991. GoN has also formulated laws regarding the protection of women from various ways of discrimination and guaranteeing their fundamental rights as citizens and inheritance in ancestral policies.

The programmes and activities implemented by the GoN to date, are basically guided by the National Human Rights Action Plan 2004–2008 (updated in 2008–2010), Millennium Development Goals (MDGs), The Tenth Development Plan of Nepal (2002–2007), the Three Years Interim Plan (2007–2010) Relief Programmes for Conflict Affected Population (2005) and the Comprehensive Peace Accord (CPA, 2006) signed between the Government of Nepal and the CPN-M. Programmes related to the protection of women are also guided by the Human Trafficking Control Act, 2007; Human Trafficking (Control) Regulations, 2008 and the National Plan of Action Against Trafficking in Children and Their Commercial Sexual Exploitation, 1999; Eleventh Amendment of the Civil Code (*Muluki Ain*) on Women’s Rights, 2002, the Gender Equality Bill, 2006, Foreign Employment Act, Citizenship Act, 2007, Domestic Violence Bill, 2003³⁵, and the Local Self Governance Act (LSGA) 1999, among others. The first comprehensive study on women, *The Status of Women in Nepal* (1977–1980), was sponsored by USAID. After this study, Nepal prepared its first *Action Plan on Women* in 1982 (SSNCC, 1982 as cited in ADB, 1999:73).

The Tenth Development Plan and the Three Year Interim Plan (TYIP) have proposed to increase women’s access to employment, occupational technology and resource allocation by providing skill-oriented training. The Plan has a separate chapter on gender mainstreaming and social inclusion (NPC 2007). The aim is to create self employment oriented jobs for displaced and single women. Furthermore, women’s access to employment opportunities created under targeted pro-

³⁴ “Citizen Mobilization in Nepal – Building on Nepal’s Tradition of Social Mobilization to Make Local Governance More Inclusive and Accountable”; LGCDP, April 2009, Chhaya Jha and Sitaram Prasai (HURDEC), Mary Hobley and Lynn Bennett.

³⁵ The Bill was passed by the then Parliament, but did not receive the Royal Assent before that Parliament was dissolved on the recommendations of the then Prime Minister Sher Bahadur Deuba.

grammes and micro-credit should also be extended. The Plan mentions undertaking the necessary steps for socioeconomic development of geographically, socially and economically marginalised women, including those victimised during the insurgency (NPC 2002). However, other conflict related programmes and policies do not mention anything specific regarding promoting the participation of women in the socio-political arena, except for mentioning that women will be provided with skills development training for their empowerment and livelihood.

In addition to the above, the Comprehensive Peace Accord (2006) signed by the Government of Nepal and the then rebel CPN (M) stipulates in Article 7.6 that “Both parties *completely agree on the need to specially protect the rights of women and children and the need to stop all forms of sexual exploitation and other forms of misbehaviour on women and child labour and other violent act against children and not to include children below the age of 18 in any form of military force.* The children who have already been affected shall be rescued immediately and adequate provisions shall be made for their rehabilitation (MoPR 2006).”

However, there are still many loop-holes that can be used to deny women their rights as citizens. According to UNICEF (2007:66) many of Nepal’s laws discriminate against women on issues such as property, marriage and family, domestic violence, legal and court proceedings, trafficking and sexual abuse, employment, education, nationality and citizenship. One review in 2003 identified 137 provisions, two rules in their entirety, and 121 schedules in 85 laws, including the Constitution and the Civil Code, which were discriminatory against women. The Government then appointed a high-level Commission to review all existing discriminatory laws and made some necessary amendments such as the 11th Amendment of the Civil Code, on women’s rights. At present, Nepal has about 150 special measures for women spread across 56 laws. However, a number of these ‘special measures’ often results in less freedom and reduced rights for women (UNICEF 2007:66).

The Ministry of Peace and Reconstruction has engaged itself in participating in meetings, workshops, and seminars organised by various NGOs, INGOs, donors and UN agencies. It also joined hands with UNIFEM in organising various training sessions and workshops for GoN officials (both senior level and junior level) in order to provide basic information on Resolution 1325 to the personnel of different ministries and departments. Trainings are also provided to Government security sectors (Nepali Army, Nepal Police, Armed Police Force and Office of the National Vigilance). Such training programmes have helped the participants to gain knowledge on the issue of gender equality and women involvement in the peace process in all sectors of the Government. Nepali security agencies, being one of the major contributors of the UN Peace Keeping Mission, inclusion of UNSCR 1325 in the peace keeping training curricula has been a compulsory component, as it is man-

datory for the security personnel joining the Peace Keeping Mission to have basic knowledge about the resolution.

Army personnel have been sensitised to Resolution 1325 in a package given to them in a mandatory of human rights course. Over the last few years, with respect to the inclusion of all the castes and genders, the Nepal Army has given priority to increasing the recruitment of women, especially after the amendment of the Military Police Rules, 2001. Despite the fact that the new rules allow women to be recruited in the Nepali Army, there is still psychological resistance to women in the Army among the overwhelmingly male dominated institution. IHRICON (2008) quotes military sources, showing that there are only a few women lieutenants in the infantry division, and one Brigadier General (Medical) in the Technical Department. The Nepal Army does not have any affirmative action towards women during recruitment and promotion.

The MWCSW, with the help of the Women Development Division, has started a project to increase the participation of women in the Civil Service Examination since 2005. Every year the Ministry, utilising expert consultants, has provided a three-week long preparatory course for 100 women candidates for the Section Officer level examination. The preparatory course has already started to bear fruit, as evidenced by the result of 2007 alone, where, contrary to earlier years, 37 women candidates passed the examination. Most of the women candidates who passed took part in the course organised by the Ministry. Similarly, the Ministry, with the help of the District Women Offices (DWOs), organises similar courses for 60 candidates taking the Non-Gazette First Class (senior clerk) Examination in each district. The Public Service Commission is also helping the Ministry in this endeavour. This is one of the pioneer works of the Ministry to bring women into the decision-making positions in the Government bureaucracy over the long run.³⁶

The Nepal Police has also started to adopt a policy of positive discrimination during recruitment, with 20% reserved for women candidates. It has also incorporated into the basic and advanced police training programmes courses on issues related to protection of women and children. The Nepal Police is planning to train more police personnel on Resolution 1325, and to coordinate with concerned agencies in order to develop better networking for victim support (IHRICON 2008). The total number of women in the Nepal Police is 4,800, (roughly 5% of the total force) with two Senior Superintendents of Police (SSP) as the highest ranked women officers. Women are working in the traffic police, the armed police force and the civilian police; the majority of them are in technical (and indoor) departments. The number of women police who have participated in UN Peace Keeping Missions abroad, to date, is roughly 100.

³⁶ Source: Ms Sunita Nepal, Section Officer; Women, Development and Social Coordination Section, MWCSW.

The Government of Nepal has recognised a Gender Responsive Budget (GRB) system as an important tool for examining budgets for their contribution to ‘gender equality’. The Ministry of Finance (MoF) formally introduced a GRB system in the financial year 2007/2008. This was guided by the Government’s Budget Statement of 2005/2006 (clause no 139), which stipulated the formation of the Gender Responsive Budget Committee (GRBC) within the MoF by the decision of GoN on 30 August 2005. The GRBC is headed by the Joint Secretary (Budget and Programme Division), MoF, and has members representing the National Planning Commission, the Ministry of Women Children and Social Welfare, the Ministry of Local Development, and UNIFEM (MoF, 2008).

4.2 Donor community and Resolution 1325 (including CSOs)

The EU’s support to gender equality in Nepal is concentrated on implementation of the Guidelines on VAW/Gs and on combating all forms of discrimination against women. Many EU missions support different kinds of NGO projects (similar to LCF support) related to VAW; projects working on legislative reform to ensure equality of women before the law; projects providing support to lesbian HRDs through funding of a protection manual; and a project on a women’s publishing house. Gender equality is referred to as a cross-cutting issue, and *a better sharing of ‘best practises’ of bi-lateral projects is planned for*. Support is foreseen for the Population and Housing Census in 2011, and special emphasis is placed on reliable data disaggregated by age, gender, caste/ethnicity and religion.

A combined list of activities³⁷ that the EU countries’ Embassies and missions in Nepal have undertaken towards combating VAW has been prepared, which lists contributions including those of the UK, Finland, Germany, Denmark, and the EC. All contributions listed towards this goal have been implemented by CSOs. It is worth noting that *only Finland mentioned that promotion of women and girls is a cross-cutting issue in bi-lateral programming*; however, none of Finland’s interventions are named. All these supported interventions are relevant to Resolution 1325 implementation. However, as said above, they aim at changes from outside the governance structures, not from within. Numerous similar activities are supported. Such activities are important and lessons should be learned from these processes; but as such they were not able to make broad-based changes addressing the core challenges identified in this study. For example, activities reported by the EC include combating trafficking (Maiti Nepal; Women Progress Centre); mobilisation of single women as peace makers at the district level (Women for Human Rights – Single

³⁷ List of activities the EU missions have undertaken towards combating VAW (as of April 2009/Finland July 2009)

Women Group); empowering women migrant workers in Nepal (People Forum for Human Rights); promoting human rights and democratic reform (19 districts) (Women Rehabilitation Centre); and community empowering for protection of the rights of women and girls at district level (Association Planete Enfants).

UNSC Resolution 1325 Peace Support Working Group is a UN and donor coordination group established in July 2006 (it includes also Resolution 1820 at present). Altogether four working groups were established after signing of the Comprehensive Peace Agreement. The other three are i) Disarmament, Demobilisation and Reintegration (DDR); ii) Transitional Justice; and iii) Constitution Reform. The UNSC Resolution 1325 PSWG is chaired by UNFPA (lead UN agency for Resolution 1325 in Nepal) and the Embassy of Norway. It has conducted a variety of activities, mainly focussing on advocacy and awareness. More precisely, these actions have included (high level) advocacy on Resolution 1325 to the GoN; capacity development of partners, GoN and CSOs in regard to Resolution 1325; a mechanism to ensure seats and not just candidature for women candidates in the CA elections; mapping of activities related to UNSC Resolution 1325; mapping of organisations working on women and peace; compiled information on influential and capable women in Nepal; and secured commitment to start-up of the NNAP preparation process (currently on-hold).

The Peace Support Working Group on Resolution 1325 is re-orientating its work and formatting a new work plan³⁸ for 2009–2010. Many EU missions are members of this group, which works on participation and protection as per Resolutions 1325 and 1820. The primary objective is “to coordinate UN and donor agencies to provide consistent and consolidated support to the GoN to ensure implementation of UNSC Resolutions 1325 and 1820”. The key areas of work include: i) advocacy to the GoN in relation to women who have been affected by the conflict, and to provide support to victims of SGBV and to end impunity by holding perpetrators accountable; ii) sharing experiences; iii) provide TA for development and implementation of the NNAP; iv) ensure integration of resolution recommendations in transitional justice, discharge/reintegration and rehabilitation processes, including UN and donor support; v) women’s meaningful participation in peace committees, vi) liaise with women’s networks; vii) monitor the progress; viii) UN Peace Trust Fund and Nepal Peace Trust Fund to include Resolutions 1325 and 1820 recommendations as funding criteria; and ix) provide TA to peace and gender, and a rights-based perspective. Finland participated more actively in the UNSC Resolution 1325 PSWG meetings while it was included in the portfolio of the Conflict Advisor. After that particular adviser post was discontinued, the participation of Finland has been on an ad hoc basis, if any.

³⁸ Terms of Reference (ToR) for UNSC Resolutions 1325 and 1820 Peace Support Working Group, Revised in May 2009

The new work plan includes outcomes, outputs, activities, indicators and responsible agencies. The outcome of the work plan is “GoN is supported in a coordinated manner for women’s participation, representation and protection in Nepal’s peace process as per UNSC Resolutions 1325 and 1820”. Outputs are as follows: i) Increased capacity for stakeholders to ensure participation and representation of women in Nepal’s peace process; ii) Increased capacity for inclusion of gender perspectives in training for peace keeping forces and national security forces; iii) Increased capacity for protection of women and girls in conflict affected areas; iv) Increased capacity for UN and donor agencies to mainstream UNSC Resolutions 1325 and 1820 in plans and budgets as well as in programme implementation and monitoring; and v) Increased efficiency and effectiveness.

It is worth noticing that the work foreseen does not explicitly include elements related to conflict prevention, unless mainstreaming of UNSC Resolutions 1325 and 1820 is considered as a preventive measure. However, in the work plan, mainstreaming refers to the proposals submitted to the Peace Trust Fund and CA Support Fund.

Draft guidelines³⁹ for assessing different funding proposals have been prepared by a task force within PSWG. The purpose of the guidelines is to assist development partners (donor agencies and funding sources) to screen funding proposals and their compliance with the Resolution 1325. Minimum standards developed include dimensions of planning, programming, policies, budgeting and M&E. The minimum standards include:

Planning	Contextual gender analysis; comprehensive data on women and girls; women and girls are consulted in the planning and implementation; women’s empowerment as an objective.
Programming	Appropriate gender balance in staff, reflecting the objectives and activities envisaged in the project; support empowerment of women and girls; opportunities and services generated are accessible to women and girls; gender-specific needs and concerns are known and considered (child soldiers; IDPs; refugees; survivors of SGBV)
Policies	Sensitisation of staff on SGBV and women’s rights and capacity to act on them; gender mainstreaming capacity.
Budgeting	Direct budget to provide opportunities and services for women and girls.
M&E	Gender disaggregated data; process is inclusive of the needs of women and girls and is participatory; log frames include indicators for gender equality in peace process as outlined in Resolution 1325.

At the same time, the EU HoMs are to continue working with the culture of impunity, and the violence against women that is part of that dialogue. Similarly, EU missions are to continue monitoring the situation of women and girls and to strengthen relations to WHRDs as stated in the Mission Guidelines. Empowering women journalists is also an important part of this cooperation. In 2007, an EU HRD working group was established, including female HRD representatives.

³⁹ Guidelines for Resolution 1325 implementation in the proposal selection process, Version: May 27, 2009

Nepal is also a pilot country for the *EC/UN Partnership on Gender Equality for Development for Peace*, which is a joint programme of the European Commission, UNIFEM and the International Training Centre (ILO) (12 pilot countries). The purpose of the programme is to “ensure that gender equality and women’s human rights are fully incorporated into national development processes and in cooperation programmes supported by EC”⁴⁰. The programme aims at responding to “unfulfilled commitments to gender equality, CEDAW, BPFA and the UNSC Resolution 1325....and ensuring that the implementation of the Paris Declaration promotes gender equality.” Its target groups include government and policy makers (increased understanding of gender equality regarding aid effectiveness); gender equality advocates (stronger capacity to influence national planning and budgeting processes) and the donor community (translate policy commitments into adequate and predictable financing in line with the Paris Declaration). Five main strategies include knowledge generation (mapping studies); capacity building (national stakeholders and development partners); information sharing (web-site and best practises); advocacy and partnership building (national, regional and global levels). A focus of the programme is on UNSC Resolution 1325 in post-conflict countries, to ensure that institutions, constitutions, priorities and resource allocations support gender equality and women’s human rights.

In Nepal, the achievements by now (July 2009) include conducting the mapping study; holding national consultations on capacity needs of stakeholders; identifying linkages with Gender-Responsive-Budgeting and Aid Effectiveness; identifying indicators to assess impact of Aid Effectiveness on gender equality; capacity development plans have been developed; and start-up of Resolution 1325 NNAP preparation.

Presentation of the results of the mapping studies, and papers on thematic issues were included in the National Consultations on Gender and Aid Effectiveness which took place in Kathmandu from 6 to 7 May 2008. A broad range of stakeholders took part, with representatives from the GON line ministries, including high level policy makers, Parliamentarians, members of NPC, the National Women’s Commission, Dalit Commission, the Social Welfare Council, civil society organisations, gender advocates and practitioners, women representatives from different political parties, bi-lateral (including Finland) /multi-lateral agencies, UN agencies, UNIFEM Think Tank members, Technical Committee members of Mapping Study, academia and journalists. A very comprehensive Report, including the papers presented, was prepared⁴¹. Planned activities in the future include setting up a Forum for Gender and Aid Effectiveness, start-up of capacity development (donor fund-

⁴⁰ Presentation of the programme on www.gendermatters.eu accessed 2.12.2009

⁴¹ Report of National Consultation on Aid Effectiveness and Gender Equality, UNIFEM July 2008.

ing), developing a strategy for systemic involvement of CSOs, and developing a media and advocacy campaign.

These efforts are significant as they aim at changing the national planning and development processes. Apart from the CSO interventions, the most promising and already existing intervention is the GoN LGCDP and its GESI Strategy, and the planned NNAP.

A comprehensive study on Gender Equality and Empowerment of Women in Nepal⁴² has looked at the gender equality in Nepal from an institutional and programming perspective across the sectors. Its findings show that, although much progress has been made in the participation of women in sector programmes, major issues of equity in access to resources (e.g. water, land, forest, etc.) and women’s meaningful participation in resource conservation and management, land development and infrastructure projects have not been addressed effectively so far. The findings of our study, on the other hand, indicate that this is an essential component of women’s security, particularly for economic security.

The study lists as the key challenges: i) equity in resource transfers and impact of macro- and micro-economic policies; ii) strengthening of government institutions, including gender machinery; and iii) gender sensitisation of government machinery and catering for women’s major needs. Monitoring and evaluation of gender issues is the weakest point, according to the study. For those sectors in which Finland is currently involved (e.g. forestry; water), the study recommends that gender equity in public resource transfers should include e.g. access to resources (land, water, forests), and an increase in the magnitude and quality of women’s involvement in resource conservation, water management, land development, and infrastructure projects. The study also includes a full package of sector specific recommendations which are too broad to be summarised here.

4.3 Civil society, implementation of Resolution 1325, and gender

Once Resolution 1325 was adopted by the UN Security Council, many civil society organisations (CSOs) started working with the spirit of the resolution. Especially CSOs and networks led by women deserve credit for the progress made so far with regards to the implementation of Resolution 1325. These organisations, along with other NGOs, have been working for the cause of women for the last few decades and are building on their previous work to incorporate the spirit of the resolution. The major areas of focus are women’s empowerment, gender mainstreaming, inclusion, capacity building of women, income generation, stopping violence against women

⁴² Gender Equality and Empowerment of Women in Nepal, 2007, UNFPA.

(VAW) and sexual and gender based violence (SGBV), trafficking, domestic violence, among others. Even before the adoption of Resolution 1325, some of the women's CSOs were working on many issues that help build the capacity of women in decision-making at the level of the family, the society and even in political structures.

One of the milestones in the history of the implementation of Resolution 1325 in Nepal was the organisation of the First Women's Peace Conference between 29-31 August 2005. This was a gathering of 150 women civil society representatives from 57 of the 75 districts of Nepal. The conference concluded with a strong declaration demanding that women have a role in peace process and political decision-making. Despite the problems faced amongst themselves, the women's CSOs are contributing towards generating awareness among Government agencies, CSOs, and general citizens about the provisions of Resolution 1325 and its importance for Nepal. However, except for a few, such as *Maiti* Nepal, most of the women's organizations do not have a sustained focus for their work. They change their focus based on the changing dynamics of social, political and other factors in Nepali society. They also often identify their focus area and design their programmes according to the donor's interests, rather than the needs identified by the local community. However, there are many situations when the focus of the donor and the needs of the population actually match.

The review of the literature indicates that the CSOs have been focusing on a number of different areas, including: *anti-trafficking* (Maiti Nepal, ABC Nepal, WOREC, AATWIN, FWLD, Sakti Samuha), *women's empowerment, support of women in decision-making and the peace process* (WHR, FWLD, COCAP, BBC, Shanti Malika, WAPPDCA, WomenAct, WOREC, Women for Peace and Justice, Samjhauta-Nepal) *women's rights issues* (FEDO, INSEC, Women Security Pressure Group, Sancharika Samuha, WHR, VAW Network, Women Human Rights Defender's Network, Women's Rights Movement), *impunity, torture and transitional justice* (Advocacy Forum, CVICT, INSEC) among others.

The efforts of the women's CSOs have been basically centred in Kathmandu, and the message about Resolution 1325 has not really reached the rural remote villages or even very far beyond the boundaries of urban Kathmandu Valley. These remote areas are places where implementation of Resolution is seriously needed. This is not to say that women are not pushing for their rights in the hill districts. During the "People's War" (PW) women looked after the administration of entire villages in Rukum and Rolpa. Women wanted and still want to campaign for their rights, but there were and still are very few CSOs helping these rural women. This is a weakness of Nepali CSOs: They need to extend their activities to reach into the villages.

Women-led NGOs and other rights-based NGOs located in Kathmandu and at district headquarters are leading the grassroots level implementation of Resolution

1325 in Nepal. However, they do not have any specific monitoring mechanisms to measure their impact in increasing the level of awareness of Resolution 1325 among women and men; nor can they measure how well they are motivating women to be active in participating in decision-making mechanisms. Some of the NGOs are claiming that the inclusion of the laws requiring the inclusion of one-third women in the LPCs and the CA of is the result of their efforts, which may be claiming too much. Some of the NGOs which are working in the area of protecting women from domestic violence and trafficking have some data about the support provided by them to the victims; but they do not have any consolidated data on the overall support and protection provided to victims of domestic violence over the years, and nor on the impact they have had on the lives and livelihoods of those beneficiaries. It is an irony that, after so many years of anti-trafficking drives in Nepal, neither the Government nor the NGOs are able to estimate how many women and girls are victims of trafficking from Nepal annually.

4.4 Finnish development cooperation and implementation of UNCS Resolution 1325 in Nepal

Nepal's Foreign Aid Policy (2002) forms an integral part of the overall policy for mobilising external resources for development. The Foreign Aid Policy calls for donors, INGOs, and NGOs to enhance transparency and realignment of their resources with national and local government priorities. In addition, it encourages INGOs and NGOs to contribute to and strengthen the national development process. GoN is now introducing two large scale programmes: the Rural Reconstruction & Rehabilitation Sector Development Programme (RRRSDP) and the Local Governance and Community Development Programme (LGCDP). Both are supported by multiple donors. *Finland is currently not part of contributing donors, but specifically participating in LGCDF via like-minded donors might prove to be a functional way to engage in the crucial dialogue on local governance.* There is an obvious expectation that these programmes will enhance capacity development at the district level, and as such build capacity to absorb external and internal financing to public services and infrastructure. This means they will constitute de facto backbones for enabling ODA disbursements to flow in coming years. In the GoN Minimum Package the key priorities are completion of the peace agreement; writing of the Constitution and speeding up of economic development. The key sectors for development are infrastructure, agriculture, energy, education, health and tourism. The Finnish development cooperation *is not fully in line with these GoN priorities* as it has a strong emphasis on environment and natural resource management.

Strengthening the peace process and democracy, improving the human rights

situation, and natural resource management are specified as the three key aspects of Finnish development cooperation in Nepal (Embassy Result Card 2009). Neither Resolution 1325 or the Finnish NAP for implementation of Resolution 1325 are explicitly mentioned, but there is a strong focus on inclusion, security and protection of human rights. Additionally, other concerns are the increasing insecurity in people’s lives in Nepal, limited improvements in the human rights situation, and natural disasters (Result Agreement 2009). The Finnish Embassy Result Card specifies actions to promote security based on a wider security concept. Particularly important is that all the development cooperation support e.g. to education and NRM are seen *as part of conflict prevention*. Finland is planning on mapping out possibilities to increase support to local governance and rural development. It also plans to work on impunity issues together with EU and OHCHR, and on trafficking of human beings with the NHRC. *It is explicitly stated that all support is directed towards the promotion of security.* Mainstreaming and institutionalisation of the cross-cutting issues (gender equality; rights of women and girls; rights and equal participation of marginalised groups; HIV/AIDS) in all programmes and projects is mentioned as one of the main actions.

In terms of funding modalities, the aim is to move from smaller, individual projects towards joint planning and larger programmes (sector programmes), taking into consideration various funding channels to increase effectiveness. An essential element of sector programming will be capacity development of the governance structures.

The key question for our research is how issues related to Resolution 1325 are being implemented within this planning framework, particularly in regard to issues related to conflict and security: what is already being implemented, what are the best practices and potentially hindering elements.

Local cooperation fund

Implementation of the Local Cooperation Fund⁴³ (LCF) has been highly relevant for UNSCR/FNAP 1325 implementation. It is based on a recent strategy being implemented between 2008–2011.⁴⁴ The strategy comprises two components: 1) Peace building and conflict transformation, including promotion of *human and civil rights*; strengthening of *democratic processes through economic, political, social and cultural inclusion; rehabilitation and reconciliation*; and 2) Innovative ideas linked with the Finnish Development Policy. The first component, in particular, is directly related to the reconciliation and prevention of another conflict situation, from the perspective of a wider concept of security: this is thus part of the implementation

⁴³ Local Cooperation Fund (LCF) provides small grants administered fully by the Finnish Embassy. It is an instrument through which the Embassy can allocate funds to Nepalese NGOs. Annual allocation is approximately €500 000.

⁴⁴ Fund for Local Cooperation Plan: August 2008 – December 2011, Embassy of Finland in Kathmandu, 5.8.2009

of the FNAP for Resolution 1325. This component links the concepts of security, development and human rights. The FNAP specifically mentions gender inequality and social exclusion as the root causes of the widespread poverty, together with lack of employment opportunities and proper education. The LCF strategy emphasises that “all projects supported... should promote creation of a diverse society where every individual living in Nepal has equal rights regardless of gender, ethnicity or caste identity.” This is expected to be achieved through social inclusion and/or empowerment of traditionally marginalised groups.

The LCF Annual Report 2008⁴⁵ indicates that a more programmatic approach will be taken in the LCF implementation during 2009, which in practise means decreasing the number of the partner organisations and concentrating on cooperation with selected partners. In the Report, it was noted that, of the 13 projects on-going at the time, only three were marked as promoting gender equality and empowering women⁴⁶. These three projects were related to the social, economic and political empowerment of women, and capacity building of the target communities to register them as multi-purpose cooperatives in different districts, and a national campaign⁴⁷ on media literacy for women⁴⁸. Other projects promoted were in the area of democracy and human rights, these were presented in a gender-neutral manner, even though some of them also targeted women as a specific group⁴⁹.

⁴⁵ Nepal, PYM -vuosiraportointi (Annual Report) 2008, 31.3.2009, KAT5003-11

⁴⁶ At the moment (30.7.2009 update) there are 11 on-going LCF projects (4 are not included in the original strategy). Out of the seven projects in the strategy, two have a gender-specific focus. The first of these is the Asmita Women's Publishing House project, 'National Campaign on Media Literacy for Women', which aims at making Nepali media more gender sensitive, democratic and accountable. The main target group is women consumers of media and media producers. The beneficiaries are a very broad group including e.g. women right activists; women's organisations; media agencies, etc. The main activities are developing a media literacy package; forming women's media groups; orientation on media literacy; media monitoring; and interaction among the women consumers and media producers. The second gender-specific project is being implemented by the Nepal Disabled Women Association. It aims at empowering women with disabilities in remote communities to access their basic rights. Activities include creation of a network of women with disabilities, increasing women's access to basic services, raising the awareness of the rights of the disabled people among the communities and encouraging (especially disabled) women to participate in decision-making at all levels.

⁴⁷ Part of the separate Democracy Fund projects which were ended as a result of LCF evaluation and a specific Democracy Fund evaluation

⁴⁸ by Asmita Women's Publishing House

⁴⁹ The LCF supports a project 'Protection and Promotion of Human Rights of Terai/Madhesi Dalits and Minority Groups'. Its expected target group is very broad and located in four target districts; the Project specifically identifies women as a separate target group (127 310 women in four districts). The Project aims at promotion and protection of the basic human rights of Terai/Madhesi Dalits and other marginalised groups by raising their awareness, organisational capacity and participation, and by lobbying for more pro-poor policies and programmes at all levels. Formation of social capital to access the rights based services (citizenship and birth certificates) is also one of the outputs. Other projects include improving quality of life for c. 7020 conflict-affected persons in 10 VDCs of Dhanusha district through enhancing the capacity of local institutions to better address the challenges of reintegration and post-conflict development, and their capacity to deliver health, education and protection services. These projects will provide advice and referral services, assistance to schools, and psycho-social services for vulnerable children and youth. Special emphasis is on GBV, FHHs and girl children. The projects are building linkages with the local authorities and people in local communities; these people will be active decision-makers in making improvements towards meeting reconstruction and development needs. Such projects also include support to the Nepal Disabled Human Rights Center to promote equal rights and treatment of PWDs irrespective of racial, ethnic or caste origin. Support for the Human Rights Center also focuses on improving the national level policy framework. Another aspect of LCF assistance is addressing the impunity issue through media campaigns, discussion papers, FGDs and lobbying with the drafting bodies of the CA. Another important initiative is being implemented by A School for Community with the aim of empowering youth through skills development training; formation of entrepreneurial groups at village level; developing market linkages/networks; creation of an environment for learning and sharing; and development of an entrepreneurial group.

Special emphasis in these projects is to be placed on districts with a low Human Development Index (HDI), and on the marginalised and excluded groups.

A major initiative for Finland in Nepal is cooperation with the Alliance for Peace⁵⁰ in strategic alliance with DANIDA Hugou and MS Nepal. The total cost of this joint Programme is €890 000 for a 5-year period, of which the Finnish contribution is €210 000. Assistance is based on the 5-year strategic framework of the Alliance for Peace, including internal democratisation of the students and youth wings of political parties; human rights and transitional justice; peace building and conflict transformation; youth engagement and outreach in constitution building; and organisational strengthening. The Alliance for Peace in collaboration with the Institute for Democracy and Electoral Assistance (International IDEA) and DEMO Finland has been implementing the ‘Youth and Constitution Building Initiative’ as a platform for discussion. The aim is to strengthening the understanding of the Constituent Assembly (CA), process, and developing knowledge resources focusing on young women and the constitution building process. The initiative has established a Youth Expert Group (YEG) with representatives from the CA, lawyers, political parties and their affiliates, as well as civil society.

Linkages with bilateral programming have been also created. The Nepal Red Cross Society is implementing a ‘Diarrhoea Outbreak Response Project’ dealing with water, sanitation and hygiene promotion in 17 districts in the Far and Mid-Western Development Regions. This Project includes raising awareness of ways to prevent diarrhoea, and a media campaign on hygiene, sanitation and water purification. in the Project area partly covers the same areas as the Finnish bilateral water, sanitation and health projects (6 of the same districts). This area is amongst Nepal’s poorest, and women and children are the worst affected by the diarrhoea outbreaks.

LCF support has a strong focus on conflict prevention, utilizing a programme approach that emphasises good analysis. The Finnish Embassy has planned participation in regional meetings, and the creation of a LCF network in the Asia Region which would provide an opportunity to address issues on a broader scale. Meetings have been held, and cooperation with Finnish NGOs, bi-lateral projects and LCF recipients has been established to arrive at a more comprehensive approach. All these meetings also provide an opportunity for detailed discussions of Resolution 1325 related issues.

According to the strategy for LCF, projects will also be funded to study and test new approaches to operating in a situation where ‘government to government’ development cooperation is challenging because of a the fragility of the recipient state. LCF is a mechanism to obtain *insight and early warning* to emerging devel-

⁵⁰ www.afpnepal.org

opment challenges, including possible *social, ethnic, religious tensions*.

As in the case of Kenya, most of the LCF programmes in Nepal can be considered as direct support to the implementation of the Finnish NAP for implementation of Resolution 1325. What is different in Nepal is that there are best practices of implementing gender and conflict issues in the bilateral projects, namely within water sector bilateral programmes.

Bilateral programming and sector support

In 2005, due to the political situation in Nepal, Finland along with many other cooperation partners of Nepal postponed new development projects in the country. After the democratic transition began in April 2006, Finland decided to restart the postponed projects. The current bilateral projects are: i) Rural Village Water Resource Management Project (RVWRMP) in Central and Far West (2006–2010) (water); ii) Rural Water and Sanitation Service Project in Western Nepal (2008–2012) (Inception Phase began in August 2008) (water); iii) Strengthening Environmental Administration and Management in Eastern Development Region (2008–2011) (environment); iv) Solid Waste Management Project in Morang-Sunsari (2009–2011) (environment); v) Mapping of Forestry Resources (forestry); vi) Leasehold forestry support (IFAD&FAO) (2009-); and vii) Education For All (education).

When looking at these bilateral programmes from the perspective of Resolution 1325 and Finland’s NAP 1325, the ‘best practises’ most evidently come from the water sector. Within the RVWRMP, systematic work has been undertaken to collect best practises and learn from experience; and this has been strongly reflected in the RWSSP-WN.

The Rural Village Water Resource Management Project (RVWRMP) in Central and Far West (2006–2010) has approached gender and social inclusion issues in a serious and responsible manner⁵¹. A strong basis has been laid by first conducting the *Gender Equality and Social Inclusion (GESI) study*. *Building on the findings and on the policies of GoN and GoF, a GESI Strategy and Action Plan has been developed*. The GESI Strategy and Action Plan reflects the Project’s commitment to achieve an inclusive, equitable and participatory development approach.

Partly as a result of changing reality arising from the changes in the political situation since April 2006, RVWRMP recognised the need to strengthen its gender equality and social inclusion programming. The previous approach taken under the previous water sector project, RWSSSP, focused primarily on a more common approach of integrating gender dimensions into project work, the hiring of a permanent Gender Specialist and, in 2004, carrying out a gender audit. Several

⁵¹ Mid-Term Review of the Rural Village Water Resource Management Project in Far and Mid-Western Regions, Nepal, Final Report, March 2009, Hannu Vikman Consulting

key recommendations of the gender audit were taken forward in RVWRMP’s HRD policies and project strategies.

In order to better understand the Nepali context and to tackle barriers to inclusive development, RVWRMP carried out a *‘Gender and Social Discrimination’ Study* to explore the socio-cultural, religious, political and economic practices related to gender and social discrimination *at the community level*. The study attempted to identify practices, values and norms used to justify and rationalise discriminatory practices. It also explored opportunities to overcome these barriers and to increase the voice, participation and assertiveness of the excluded groups. As a result, a number of *gender and caste based discriminatory practices* that are due to socio-cultural and religious beliefs and practices were identified. The degree and forms of the discrimination varied across the communities, but what was similar was the justification of these practices. This was based on a triangular equilibrium of *faith, fate and fear* that is built and maintained on *superstition and traditional beliefs*. *As a result women lack access to educational, social and economic opportunities that can enable them to actively engage in their communities and pursue their livelihoods*. The study indicated that while the political changes initiated discussion on inclusion, and led to some changes at the community level, there had not been the much-needed social transformation central for sustained change.

The Gender and Social Discrimination (G&SD) Study led to recognition that a process of social mobilisation, sensitisation, and confidence building was required in Nepal, and that the RVWRMP could plant the seeds for change in two important ways. The first was by providing and ensuring equal opportunities and access to project benefits, and the second was by *acting as role models in the communities*. The G&SD Study was very comprehensive, and can be taken as a best practise for Finnish bilateral projects, as it really addresses the root causes of discrimination and advocates for social change.

Based on the G&SD study, a *Gender and Social Inclusion (GESI) Strategy and Action Plan* was developed for use in development projects. The GESI Strategy and Action Plan has the following components: i) *includes quotas for women and the excluded groups – monitored in project implementation and human resources* (specific focus on the ultra poor. Dalits (the untouchables), and women); ii) *addresses women’s lack of economic resources and empowerment, capacity building and leadership*; collaboration with WDO, iii) *caste* (impurity and purity linked with water and water use – Dalits and women); iv) *identified a number of gender and caste based discriminatory practises*. The degree and forms of discrimination varied, but justification of these practises was similar: “faith, fate and fear” that is built and maintained on superstition and traditional beliefs. For example, the Hindu concept of the impurity and purity of different castes and of women and men is

closely linked with the use of water. The Dalits and women are generally perceived as more polluted (jhuto) than the higher castes and men. There has traditionally been a restriction (discrimination) on women’s use of water and taps and wells during their menstruations, pregnancy and after childbirth, as well as restrictions (discrimination) of Dalits concerning which tap stands and *kuwas* (deep wells) they may use. The concept of “Pani-chalne and pani-ne-chalne people” (Hindu rules on who can give and take and share water from/with whom) is still found among the poorest and the most conservative people in the remotest areas.

Beyond project level interventions, RVWRMP further recognises that it cannot seek social change in project communities without also addressing these discriminatory issues internally. For this reason, the GESI Strategy relates to both: (i) the organisation’s work – i.e. project level activities of planning, construction, operation, maintenance and management of domestic water supply, irrigation, sanitation or environmental protection, etc. and (ii) the organisation’s human resources development – i.e. issues affecting staff at work, recruitment, promotion, training opportunities, sexual discrimination, childcare, maternity or paternity leave, etc. The GESI strategy was developed from staff and partner inputs during two workshops held in May 2007 and RVWRMP’s previous experience and learning.

While RVWRMP’s main project goal is to improve the quality of life through *increased livelihood opportunities and the equitable use of water resources*, it also aims to promote social change by empowering women and disadvantaged groups through an inclusive development process. The purpose of the GESI Strategy and Action Plan is to “ensure that RVWRMP and its stakeholders adopt practices that lead to increased and equitable access to opportunities and resources and meaningful participation in decision making, particularly for women, the poor and socially excluded groups”. It is considered as an on-going process and a ‘live’ tool at both the organisational and field level.

By implementing the GESI Strategy and Action Plan, the Project explicitly took a rights perspective which aims to “create an environment in which all community members, especially women, the poor and socially excluded groups, have equitable opportunities to pursue meeting their basic needs and livelihoods.” This includes improving the status of women and other excluded groups in the family and community and increasing their meaningful participation at the decision-making level. It entails the need for strong analysis of the root causes of discrimination, gender relations, local power structures among and between the different caste and ethnic groups, and decision making at the household and community level. The project believed, and explicitly states in the strategy, that if there is a clear understanding of the reasons for social inequity and the barriers that restrict access, then project designs can be more responsive to bringing about positive social change and lasting

impact. Linkages between project partners, local actors and project communities to form strategic alliances that can be sustained even after the project is completed are strongly emphasised.

At the organisational level, the responsibility of each individual staff member to address gender and caste inequities, and to critically question their own behaviour and action, is explicitly stated.

The experiences of this process should be widely shared among the experts, consultants, and researchers in the Finnish water sectors and also with bilateral projects in all sectors in the context of Nepal. Unfortunately it has not been possible during this study to assess what results have been achieved in practise in applying the GESI Strategy and Plan of Action. Undoubtedly, the process has affected the project design of another water sector project, discussed in the next paragraph below.

The Rural Water and Sanitation Service Project in Western Nepal (2008–2012) project document is another ‘best practise’ of applying gender mainstreaming, gender specific analysis and combining gender with social inclusion in order to contribute to prevention of conflict. Another factor contributing to maximizing the use of Finnish water sector interventions for prevention of conflict is their geographical location.

The comparative advantage of the Finnish water sector interventions is that they are not bound by the ceiling of expenditures per capita. That allows them to be implemented in the areas which are the most vulnerable and among marginalised groups, including women, men, boys and girls. The geographical location of both of the Finnish projects is in the areas which according to the latest Human Development Report 2009 are the most vulnerable in the country⁵². According to the HDR, in these areas the GDI and the GEI are also the lowest in Nepal. These areas have also been hit hardest by the conflict, and in order to prevent possible future conflicts, increasing development and security in these areas is of utmost importance. The geographical focus of Finnish development cooperation directly supports the implementation of the Finnish NPA for Resolution 1325. *The right geographical focus enables addressing poverty related to social inclusion, and social inclusion and gender issues in a significant way.*

In the project document⁵³ design, promotion of gender equality is explicitly specified all through the document. At the level of the overall objective, the indicators for increased wellbeing include HDI, Poverty Index etc., but do not mention GDI or GEI. That would have contributed to an even more gender sensitive design. In

⁵² The RWSSP-WN works in altogether nine district of Nepal. Six of them are located in the hills and three in the southern plains (Terai). Eight of the districts are in the Western Development Region and one in Mid-Western.

⁵³ Rural Water Supply and Sanitation Project in Western Nepal (RWSSP-WN) (August 2008 – July 2012), Revised Project Document, Draft, The Government of Nepal, Ministry of Local Development, Department of Infrastructure Development and Agricultural Roads, The Republic of Finland, Ministry for Foreign Affairs.

defining the project strategy and approach, gender equality aspects are strongly included. It is explicitly mentioned that following the purpose, the Project supports gender responsive WASH implementation, which is driven by gender equality and social inclusion principles in selection of project areas, designs, staffing, institution establishment and capacity building. At the level of the results/outcomes, the Project expects increased women's productive role; decreased ...gender and social discrimination linked with water, sanitation and hygiene; and GESI responsive WASH sector policies, strategies and guidelines at the central and local level will be adopted. In addition, the Project promotes gender sensitive, inclusive, community led and need based, demand driven participatory planning, design, implementation, monitoring and evaluation. It fully supports the Local Level Governance Programme by assisting and providing support to the District Development Committees in the district level WASH implementation, taking the district level Multi Stakeholder Forum as an entry point.

Additionally, gender is also mainstreamed in problems to be addressed by the Project. It is mentioned that GESI in water supply and sanitation implementation has not yet been adequately addressed. All principles and strategies are already approved on paper, but in practice the poor and excluded are still not adequately involved in the planning, design and implementation stages. They are often left outside of the WASH services, as they are living in inaccessible pockets, or they live in areas where construction costs of traditional services will become high; they may not be represented in the project implementation and management committees, not yet able to contribute financially for the project matching fund or O&M fund; or they may be without adequate funds to build their own sanitation structures; and often are not adequately aware of the benefits available for them.

Activities related to governance include enhancing local bodies' capacity to facilitate the GESI responsive WASH service delivery system; enhancing roles, responsibility, transparency and accountability of local bodies and WUSCs; *strengthening local bodies GESI responsive planning, programming and budgeting system; and strengthening local bodies GESI responsive reporting, monitoring and evaluation system.* It is specifically mentioned again that the Project is designed so that it *inter alia strengthens the participation of women in social and economic activity; promotes social equality, democracy and human rights; and improves the status of women and girls, and encourages equal participation by women in society and production.*

The differences between different groups have been analysed, and the implications for changes to the community level organisations, the roles women and men have in their communities, the general status of women, the roles of the traditionally excluded groups, communication among the groups, and the economic situation, are recognised.

The Project will ensure transparency and GESI sensitiveness in all its operations budgets, decision-making process, communication and coordination among line agencies and non-state agencies, and in reaching to the areas where poor and excluded groups live. The Project will delineate roles and responsibilities of all the actors and use a systematic implementation approach to increase accountability at all levels.

Peoples’ voice will be heard through the mechanism of participation; the social mobilisation process and response will be utilised by the local bodies. DDC and VDCs will coordinate the use of local NGOs and CSOs, to optimise their resources. Civil society organisations will seek to raise the voices of the disadvantaged and marginal peoples. The Indigenous Nationalised District Coordination Committee, the District Dalits Coordination Committee, and the District Gender Mainstreaming Committee will be further mobilised to support the voice of the people being heard.

The gender-sensitive design cannot be attributed only to the capacity of the project formulators; it is also based on the existing GoN sector framework, and the GESI strategy of the Local Level Governance and Community Development Programme. In addition, the water sector framework⁵⁴, i.e. the National Policy for Urban Water Supply and Sanitation, includes the latest development work done in urban and rural water resources, national sanitation, rural water supply and sanitation, water quality and urban development. The Water Policy explicitly addresses the poor and excluded so that they “will have access to sustainable basic services at affordable prices and a voice in service-related decision-making that will affect them.” According to the Policy, the rights and needs of poor and marginalised groups, and especially of women, will be protected primarily through their statutory and proportional representation in Water Users and Sanitation Committees and related sub-committees. Affirmative action is proposed to ensure that women representatives and representatives of marginalised groups, fill executive positions in these committees, thereby ensuring that their interests are protected. Women’s participation will be emphasised in all aspects of water supply and sanitation planning, implementation, management, operation and maintenance.

This shows that when Government sector policies are engendered, the possibilities of them being filtered through into the donor programming are higher, particularly in case of bilateral funding where project document preparation is done through tendering by the donor.

In addition to the consistent policies of Nepal, the gender-sensitive design of the programmes may also reflect the decades-long, long-term cooperation in the water sector between Finland and Nepal, where efforts to improve gender mainstreaming

⁵⁴ The National Urban Water Supply and Sanitation Sector Policy, 3rd Draft V.3, August 2008.

and promote gender equality have been made throughout the years, sometimes more and sometimes less successfully. The existence of institutional capacity, starting from the Foreign Ministry (Finland) is fruitfully reflected in the programmes.

Planning for the Solid Waste Management Project in Morang-Sunsari (2009-2011) is on-going. Our research team only had access to the short-term consultancy report⁵⁵ which evaluated the three landfill sites for locations of the solid waste. The report did not include any socio-economic aspects (apart from listing a number of factors as potential environmental issues without analysing them), nor were there any references to conflict, inclusion or gender. A forthcoming environmental impact assessment (EIA) was mentioned in the consultancy report, which will hopefully address the above issues in an in-depth manner.

The project document of the Forest Resource Assessment in Nepal⁵⁶ describes *a highly technical exercise for forest resource mapping*. It is a five year project with a budget of c. €5.5 million. The project document barely touches on any socio-cultural aspects. It simply states that “the complex socio-cultural aspects of the country are to be taken into consideration.” In addition, the project “will assess the forest condition including assessment of human pressure.” According to the project document, this will lead to better strategies to conserve forests and establish better linkages with poverty issues.

Regarding social inclusion and gender the Forest Resource Assessment project document states that “gender is not a critical issue, as the benefits of the development of information systems can be appreciated by both women and men.” It is mentioned that the project will “respect” the national agenda on mainstreaming the marginalised sections of society and will interact with various organisations to address inclusion (Women’s and Dalit Commissions). The proposed TA does not include any expertise in socio-economic issues and/or gender.

The Solid Waste Management consultancy and Forest Resource Assessment project documents are examples of development cooperation interventions which, by being highly technical, avoid recognising that they operate in a socio-cultural environment which includes people. In a project of the size of the Forest Resource Assessment, forests and forestry resources could have been looked at from a more holistic perspective of natural resource management, rather than only mapping the resources. As the ultimate goal should be sustainable natural resource management and conservation in which local communities participate, it seems self-evident that these communities should also be actively involved in the mapping of the resources. Whether this will be done in the current project is at least not indicated in the

⁵⁵ Short-term consultancy to the Supporting Environmental Administration and Management at Local Level, SEAM-N II, Evaluation of the three landfill sites, Final Report August 2009, Finnish Consulting Group.

⁵⁶ Forest Resource Assessment in Nepal, Project Document, 23 April, 2009

project document. Mapping of the forest resources should also include analyses of the use of these resources by the men and particularly women of these local communities, and analyses of the broader socio-economic implications of utilising the forest resources e.g. for commercial purposes.

Projects with a highly technical and narrow focus do not contribute to implementation of Resolution 1325 or the Finnish NAP on 1325; technology as a goal in itself is therefore a hindering factor for the implementation of Resolution 1325 in these projects. As said, the consultancies and individuals working in the water sector projects should carefully study how gender and social inclusion have been addressed.

Finland's support to the 'Education for All' programme has been part of the multi-donor support to the sector. Recently, the GoN has prepared a School Sector Reform Programme (SSRP), with representatives of indigenous people, Dalits, Jalits, PWDs and IDPs included in the preparation. A Joint Appraisal Document of the programme has been recently prepared. Finland has committed funding to the sector programme, which has put in place social safety guards, and which addresses particularly the needs of the marginalised groups, focussing on primary education. The overarching goal is to “bridge the gender and social gaps by 2015 in basic education.” As the programme particularly addresses gender gaps which are more prevalent in marginalised groups, it can be assumed that it will have a positive impact on the lives of girls in rural and poor areas.

ANNEX 3:

IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 1325 “WOMEN, PEACE AND SECURITY” IN THE CONTEXT OF FINNISH DEVELOPMENT POLICY: CASE STUDY OF NAGALAND AND MANIPUR IN NORTHEAST INDIA

1 COUNTRY CONTEXT

1.1 Introduction

The history of violence has shown the various ways in which conflict impacts the security of women and men. A review of the impacts of violence will reveal a deep understanding of how "security" in conflict societies is connected to peace. In this connection we must remember that "the relationship between women, peace and security is not an automatic question – peace must be made to work for women" as suggested in the review of the UN Security Council Resolution 1325 (hereinafter Resolution 1325) by the NGO Working Group on Women, Peace And Security in its Report "From Local to Global: Making Peace Work for Women" (October, 2005).

Through the "three P's" of participation, protection, and prevention, Resolution 1325 endeavours to ensure the engagement of women from bottom to top, through encouraging grass root level feminist activism in prevention, management and resolution of conflict situations. These three stages are important, as most societies oscillate between these three stages particularly in the areas affected by protracted 'conflict', such as is the case in Manipur and Nagaland, two states in Northeast India. The P's of promotion and protection further call for the active participation of both state and non-state actors to ensure gender-just approaches during times of conflict. The three P's taken together can be read as effective tools for transforming victims of gender-based violence into agents of political engagement, through providing them with legal safeguards. The implementation of Resolution 1325 needs to be contextualised within the changing nature of political and democratic engagement by women's groups in Manipur and Nagaland. The three common issues that women's groups in Manipur and Nagaland have been working on are: *i) Repeal of Armed Forces Special Powers Act; ii) Protest against gender based violence (GBV); and iii) Anti- Militarisation.*

Most of the women's groups' in Northeast India have adopted non-traditional security approaches as ways to contain and prevent conflict. Such approaches encourage women to participate in a dialogic process and explore possible ways to engage with the state without precipitating further violence. In the case of Manipur and Nagaland, various women's organisations have played a key role in translating their "traditional" roles as "mothers" into being social and political agents; they have successfully used the social sanction of being a "protector" that "motherhood" has traditionally offered in Indian culture and history. "Motherhood" has been time and again evoked to challenge the masculinist discourse of nationhood.

The two organisations that have played a key role in Manipur and Naga society are Meira Peibies and the Naga Mothers Association (NMA). Both share a unique

history and both have worked in anti-militarisation movements, and for peace, reconciliation, and the mobilisation of women in their respective societies. While the Naga Mothers Association (NMA) has played an important role in the cease-fire negotiation between the Government of India (GoI) and the National Socialist Council of Nagaland (Issac-Muviah), the Meira Peibies are considered to be in a liminal zone between the state and NGOs, although they have launched and are known for leading some of the largest and most publicised protests and rallies. The liminal space these movements occupy in societal structures arises from its non-engagement with other forms of gender violence such as domestic violence and the inheritance rights of women, for example. These movements have been successful in the spaces between public and political discussion, since they conform to the patriarchal division of private and public space without invading either.

In other words, women in Northeast India have resorted to traditional spaces of "motherhood" to transform themselves into political agents of peace among their communities through reconstituting themselves on ethnic lines. They have emerged as the women's voices of their respective communities and have tried to contain the violence from within and from the outside. However, in the 1996 parliamentary elections in India there were only two women candidates out of a total of twenty-eight from Manipur. Only recently have women's groups raised their voices to speak loudly about women's participation in representational politics.

1.2 The purpose, objective and scope of the research

The socio-political background of Manipur and Nagaland makes it an interesting region to study and provides an interesting context in which to analyse issues related to implementation of Resolution 1325. Most studies on Manipur and Nagaland focus on women's groups, particularly the contribution of women in peace-building, without focusing on how the contours of gendered violence shift from "private" to "public" in times of conflict. Yet, it is important to explore when and how women's bodies become "battlegrounds" and how women use their "bodies" or bodily acts to transgress gendered forms of protest.

In this case study, we firstly aim to review the existing social and political spaces available to women in Nagaland and Manipur. How does the armed violence influence them? Is the organisation of this space based on the masses? Are these spaces localised? Secondly the study seeks to understand the social and political spaces of "equal opportunity" and review women's participation in them. How do political tensions influence women's participation in these spaces? Can we delineate and map women's contributions in conflict and post conflict societies, as women continue to battle with their "social" roles as mothers, sisters, and wives, marked by

exclusion from property rights, justice, and even the right to life, as they continue to be symbolic bearers of honour and the traditions of a community which can find justifications for mass rape and murder?

The experience of living and coping with violence in Manipur and Nagaland is different in the different states. In Manipur people are caught in the crossfire among the insurgent groups, state security and armed forces, and insurgent groups; and civilians become the victims of day to day violence. Gender based violence (GBV) has been on the rise in Manipur, with an ever-increasing number of reported cases of rape, rape and murder, rape and suicide, and trafficking of women and children. In Nagaland, on the other hand, the ceasefire agreement between the National Socialist Council of Nagaland (NSCN) and GoI has been in place for almost nine years, leading to a reduction in open conflict although reports of torture and rape continue. Both these situations are unique, as Manipur is clearly still in the midst of conflict, and Nagaland is in a transition politically while its future remains unresolved.

The socio-political background of any society shapes the gender based policies of that society, and the case here is no different. Despite the strong presence of women's groups in Manipur and Nagaland, we need to remind ourselves that both of these states are steeped in patriarchal values which have been translated into the exclusion of women from public roles in civil society, except as “mothers”. It is against this backdrop that attempts to keep Resolution 1325 as the framework for adopting gender based policies needs to be reviewed. In this report, we try to reassess the practices that are in place to strengthen the participation of women in rebuilding conflict societies. We will look at the ways in which women's participation is strengthened through government policy and laws, as well as through active political and social engagement in political and social institutions such as electoral and non-electoral politics, and religious institutions such as the church.

1.3 Brief history and present situation

The history of Northeast India, particularly Manipur and Nagaland is vivid with “treacherous” accounts of accession by the “Indian State” after the declaration of independence of the Indian dominion by the British Crown on 15 August 1947. Most of the armed resistance groups in the current conflict in Northeast India are fighting for autonomy under the leadership of many who believe in the right to self-rule. Some of the armed resistance groups are the Manipur People's Army (the armed wing of the United Nations Liberation Front), the People's Liberation Army (PLA), and the People's Revolutionary Party of Kangleipak (PREPAK). The list is endless. Over time the number of armed militias has continually risen, and the only

way of coping with the conflict that the Indian state has so far found is through the militarisation of Manipur. The massive militarisation that Manipur has witnessed over more than a decade is further legitimised by the existing, draconian, Armed Forces Special Power's Act of 1958 where the army officials of any rank and order could resort to violence to maintain law and order. Present day Manipur is beset with multi-layered problems, with the parallel existence of democratic functionaries and institutions such as the Panchayats, the municipal administration, and the state legislative assembly on the one hand, and the day to day challenges posed by the militarisation of the state and the constant clashes with and among the ever-increasing number of armed resistance groups. The presence of military forces has created friction between ethnic groups, and a clear division has emerged between the valley people (areas dominated by Meiteis) and the hill people (areas dominated by Naga and Kuki Tribes).

The Naga Struggle is embedded in a much deeper history of ethnic identity and territoriality which can be traced back to the Treaty of Yandabo of 1826, which brought the British to the North Eastern Part of India (Manchanda 2005: 4). According to Achumbemo Kikon, for administrative convenience, the British established the Naga Hills District in 1866, and later merged it with Assam in 1874 (Kikon, in Barbora, ed. 2003: 29). With the formation of the Naga Club in 1918, the Naga voices joined together to assert the sentiments of the Naga people. A memorandum submitted to the Simon Commission in 1929 made it quite clear that "Naga areas are to be left out of the proposed reform scheme." In 1946, under the leadership of Angami Zapu Phizo, the so-called "Father of the Naga Nation", the Naga National Council (NNC) was formed. Under the banner of the Naga National Council, the State of Naga declared its independence on 14 August 1947, a day prior to the "Indian" independence. The sentiments and voices of the Naga people went unheard, and the nascent Indian state in order to safeguard the "integrity" of the Indian nation "adopted repressive policies and suppressed the Nagas with its military strength." A plebiscite was conducted in what is now Nagaland on 16 May 1951 in which 99.9% of the voters reasserted the Naga position of wishing an independent Naga homeland devoid of domination and political control of any sort. Following the plebiscite, the Nagas boycotted the two Indian general elections in 1952 and 1957.

In 1963, Nagaland was created on the basis of what is known as the "Sixteen Point Agreement". This Agreement has been the subject of some criticism, by people who like Achumbemo believe that this Agreement was offered only to the "Naga People's Convention" (NPC), a group handpicked by Indian Intelligence to mediate between the Naga resistance groups and the Indian Government. The State of Nagaland was thus created based on a memorandum which never incorporated the views of the Naga people or those of the resistance groups. Following

the independence of India declared by the British in 1947, the Naga people were distributed in four states: Manipur, Assam, Arunachal Pradesh, and the majority in Nagaland. In the 1950s, Government of India placed restrictions on the NNC. The movement for Nagalim spearheaded by the NNC was divided into two factions in 1980, one faction led by General Secretary Th Muviah and NNC Vice President Issak Swu, and the other led by President of Eastern NNC SS Khaplang who broke away to form the Naga Socialist Council of Nagaland (NSCN). In 1988 there were further divisions, and the two groups are now known by the name of the first leaders, as the Issac-Muviah faction and the Khaplang faction.

The Indian state chose to cope with the crisis of sovereignty, and the autonomy movements, through the militarisation of Manipur and Nagaland. A paternalistic, top-down, security approach through militarisation and enforcement in Nagaland and Manipur of the brutal Armed Forces Special Powers Act of 1958 has been the reason behind many a bloodbath and horrible atrocities. The ceasefire agreement between GoI and the National Council of Nagalim (NSCN) has been in place for more than nine years. The contradictory nature of the ceasefire lies in the very existence of the Armed Forces Special Powers Act (AFSPA) being enforced in Nagaland, the continued presence of the Indian Army, and the way in which women continue to become victims of community honour in this transitional phase of political instability. The violence generated by state and non-state actors has been responsible for the loss of human dignity and gross violations of human rights.

1.4 Impact of the conflict on women

In the name of territorial sovereignty and integrity, on the one hand, and maintenance of law and order, on the other, both state and non-state actors have resorted to gendered forms of violence such as rape and physical assault. Women have suffered due to their identities as mothers and wives; they have been used as couriers and human shields during the conflict. The violence inflicted on men and women by state and non-state forces reveals the gendered power structures and gender ideologies.

The women in Manipur live with the parallel challenge of being configured both as victims and as agents of community management. Empirical evidence, particularly newspaper reports, illustrate the various forms of "gendered" violence which, according to Rita Manchanda (2005) is a continuation of the violence experienced in "normal" conditions. In the ongoing conflict situations the numbers of violent incidents are constantly on the rise as both state and non-state armed conflict impacts on civilians, particularly women. A paradox is latent in the way both the state and non-state military forces recognize women as agents of peace. What does 'agents

of peace' imply in conflicts situations? Does it merely mean playing the role of negotiator or mediator to resolve immediate conflicts, or does it entail engaging with the larger socio-political framework that produces conflicts?

The immediate role in resolving conflicts lies on the shoulders of the women of Manipur, as the Honourable Chief Minister's statement in a leading daily newspaper reflects;

"A press release quoted the CM as saying Manipur is today veritably on fire and the major onus of dousing this fire rests on the shoulders of our womenfolk who have always taken a major role in shaping the history of the land. He said there are no sons who will not listen to their mothers, no brothers who cannot be influenced by their sisters."

Source: Imphal Free Press 17 March 2001

The above statement idolises women as symbolic bearers of national and ethnic identity, and hence their roles as mothers and sisters are crucial to fostering the feeling of nationality. It is the same ideology that encourages gender based violence during times of war "to erode the social and moral fabric of entire communities" (Gervais 2007: 159). It is against this backdrop that we need to situate the women's role as peacekeepers in Manipur society. Before revisiting the role of women as peace keepers it is also important to understand how women have contributed to the socio-economic and political processes of bringing about peace.

In this context, it is important to remind ourselves that the experiences of women as "victims" and as agents of peace and social organisation are varied, owing to their affiliation to various ethnic groups. Women have been marginalised within their own ethnic groups; and they are constantly fighting for their socio-economic and political rights. The rising conflict has made its own demands on the women to take on the role of negotiators which has expanded the role of women in the civilian sphere (Chhabra 2005). Women from all the ethnic groups party to the conflict have taken part in the resistance movements; and one of the common points of state oppression shared by all the women's groups in the region is the Armed Forces Special Powers Act (1958) which they are all seeking to have repealed. Similarly, it is important to look at how these women's groups are negotiating with the challenges they face regarding their participation in democratic politics, be it the *panchayat* (the local body of governance), state and general elections, their position in the Village councils and apex court (in case of Naga Tribes), and the injustices they face regarding the disparity in inheritance practices.

Feminist interventions in security discourse have helped us in widening the paradigm of "security" measures to be taken in conflict zones. Conflict zones, as we are all aware, produce and reproduce hierarchies instead of resolving the ten-

sions. Testimonies bear evidence to the multilayered, gendered nature of violence, be it physical, emotional or social. All these three forms of violence are interrelated and inform political and social issues. The state has often appealed to women to be agents of peace, reasserting their role as mothers and sisters. The evocation of “feminine” values is couched in the hierarchisation and reproduction of the male/female divide, based on masculine and feminine values, a tension which never gets resolved and is only addressed when women’s movements resort to patriarchal rhetorics of “motherhood” and fail to take a political standpoint against patriarchy. The testimonies of women presented below reveal some of the contradictions of the women’s movements, and also highlight how women’s political engagement whether in democratic political institutions or in voluntary organisations provides them with a forum in which to bring in their perspective in managing conflict situations. Such political participation by women carries with it the possibility of transgressing the stereotypes which are often the centres of justification of control over sexuality.

What follows are the testimonies of women activists in these two states of Northeast India, Manipur and Nagaland:

“I was born after World War II. The Naga Insurgency began during our childhood. When we were in primary schools, we were frightened from all corners. There were frequent encounters between Naga UGs and ARs. Most of the parents warned their children that when you hear gunshots you have to roll down. If Army comes you must not talk too much. For a long time parents advised us to keep our essential commodities ready as at any moment we had to hide in paddy fields. No free movement was allowed in Ukhrul. Ukhrul was declared a disturbed area under AFSPA. My father was called by the Army because he was found in possession of a country made rifle (licensed). He was a government employee in the Health Department. I was in class two when this incident happened. The court case continued for two – three years and my parents spent all their earnings on this case. Government of India has ignored our area as it is a border district. There is hardly any development at all.

In 2004–2005 I personally met some of the key persons of UG groups and urged them to stop killing. It is important to internationalise our women’s body of Naga women. We need to form a network of Naga and Manipuri women. Women should come out and talk to their respective groups and bring the UG groups on the same platform to enter into dialogue so that we could achieve our larger goals.”

(Janeth Hungyo, Ex- Executive Member of TSL 1974–1982; Focus Group Discussion on 13 June 2009) My husband died in January 2006 in a shooting. He went out of the house saying he would be getting money from the bills of his contract work. My house is at Thongu Part II close to Manipur University. I made no demand for

ex-gratia. I had never worked before my husband's death as he never allowed me to go outside though I was always interested in social work. I made no demand for ex-gratia. What would I have done with ex-gratia? After I became a Gram Panchayat member, all eyes are on me. I am now a public face. People come to me with appeals of funds release for NREGS jobs card, allocations, pay, and so on. BPL cards do not even reach people. Women should be encouraged to take part in the decision-making process. I have set an example, people say. When I go for Sports Meet and share the dais with other members they always point towards me. I feel proud when I hear words of appreciation from school children."

(Name requested not to be disclosed; Gram Panchayat Member, Imphal District in a interview conducted during the Capacity Building Workshop organized by WAD in Imphal on 17 June 2009)

"I lost my husband who was a van driver in March 2000. He was killed by the commandos after he was found carrying a UG member. The official account was when the commandos asked him to stop, he did not stop. Eye witness of the account told me that he was tortured before he was killed. I never received any monetary assistance from the UG or the Government.

I became blind after my elder son's birth. Following this, I stayed back with my husband in my parental home owing to the long history of family feuds. I feel inheritance rights are the only resort for physically challenged women like me. I will fight for property rights. I live for my sons.

Manipur has witnessed an increasing number of widows. The daily killings have increased. Widows need to get together. If we come together, we need to stand against indiscriminate killings, we could demand trials."

(Interview with Gangarani in a Capacity Building Workshop with conflict survivors organized by WAD in Imphal on 17 June 2009)

In these testimonies, the rise of a simple rural woman to the position of a Gram Panchayat member can be cited as a best practice.

2 PARTICIPATION, PROTECTION AND PREVENTION: NEEDS AND PRIORITIES

2.1 Women's participation in decision-making in conflict situations, peace processes and post-conflict activities

The masculine and feminine roles prescribed by a society in the public and private domains are reconstituted as "*men are expected to withdraw from civic life for compulsions of war and self-defence*" (Banerjee 2008: 206). In Northeast India, with the reorganisation of gendered roles in public and private places, women are emerging as important civic actors working through institutions such as the Naga Mother's Association, Naga Women's Union of Manipur, the All Tribal Women's Organisation, and Tangkhul Shanao Long. What follows is a detailed description of how these organisations were established and their current ways of working. This individual description of the different groups is being done here to avoid the tendency in both research and development policy to generalise "women's groups". It is by detailed understanding of their different modus operandi, and the other differences between women's groups, that their work can be seen from an appropriate perspective.

Naga Mother's Association (NMA) was formed on 14 February 1984 at Kohima with the motto "Human Integrity". The main aims and objectives of NMA are: to uphold womanhood, to serve as a channel of communication for Naga women's mutual interests and welfare, to fight against social evils prevailing in the state. NMA is a mass-based organisation with no membership fees. As Khesili Chisi points out, "Any woman who is a mother, is a woman who is entitled to participate in the activities of NMA." NMA over the years has been instrumental not only in resolving but also in preventing conflict. NMA formed a Peace Team in 1994 from amongst its members and launched campaigns to stop killings under its slogan "Shed No More Blood". NMA Peace Team began its activities by holding meetings with the Tribal Women's Organisation, creating awareness of the situation among all mothers in the land through their respective tribal organisations and asking them to come forward and actively play their role in making peace in their respective areas. The Peace Team met all Naga leaders, State Government and political party leaders, and national leaders in civil society, and appealed to them and challenged them to show their wisdom and statesmanship and stop the violent "Bloodshed". NMA organized a public peace rally on 22 November 1995 at Kohima to create awareness on Human Integrity and "Consequences of Killing", This rally was attended by thousands of people. NMA's greatest achievement is that they were the only group

in South Asia to participate in the ceasefire negotiation between GoI and NSCN (IM), and they facilitated a ceasefire in 1997. Apart from the direct political interventions, NMA maintains various facilities: they established the first detoxification centre in Nagaland, Mt. Gilead Home, in 1989. They also run the NMA HIV/AIDS Care Hospice, which was officially opened in the year 2001 with the support of the Nagaland State AIDS Control Society.

Tangkhul Shanao Long, as its very name suggests, is the women’s organisation of the Tangkhul Tribe. TSL was formed on 8 May 1974 as a platform to safeguard the rights, modesty and dignity of women. On 3 March 1974, a number of women of Grihang and Kumram (Ngapurum) were sexually assaulted by the Indian Border Security Forces (B.S.F.). Among the rape victims was Ms. N.S. Rose of Ngapurum (now Kunmram). She committed suicide. As Ms. P. Veronica Zinkhai (1996) states, “This was only one out of the many incidents in which security forces had behaved towards Naga women like beasts. I realised that unless a platform of women is formed, the same torture, harassment, assaults and violence against women would continue in the days and years to come.” Initially TSL was known as the East District Women Organisation. While membership comes from every village, the main concentration is in Ukhrul and Senapati districts. The Head Office is in Ukhrul District Headquarters. TSL have been instrumental in lobbying to prevent human rights violation in the hill districts. Soon after 9 May 1994, when armed commandos fired at random killing three people and began destroying property, TSL took a leading role to organise the biggest ever rally in Manipur on 2 June 1994. This rally was attended by activists from both valley plains and hill districts. “With the initiative of TSL, the Naga Women Union of Manipur first met at Kohima on 4 December 1993 (Naga week 1-5 December 1993) than at Imphal on 7 January 1994, and resolved to form a union. In addition to lobbying against the AFSP Act and the atrocities committed by the security forces, TSL has launched a campaign against illegal liquor sales, human trafficking, and drug peddling. The TSL units in the two villages of Shirui and Lunghar have been instrumental in redefining conflict prevention and peace.

Women as peace negotiators: “Pukreila”

The Siege of Shirui (19 January – 2 February 2009)

Shirui village is located about 13 km from Ukhrul District Headquarters. Shirui is a popular trekking point, famous for the very rare Shirui Lily (*Lilium mackliniae*). According to Ms. Sorin, President of the Shirui Women’s Organisation, Shirui Shano Long, “Naga Socialist Council of Nagaland (Issac-Muviah) cadres stayed in the Government Tourist Lodge within the village for almost two years. We had no idea

that NSCN-IM cadres were not allowed to stay here."⁵⁷ There are three camps in Manipur for NSCN-IM, one each in Tamenglong, Chandel and Senapati Districts. On 19 January 2009 reportedly around 2 am, the people in Shirui village realized that the 17th Assam Rifles of the Indian Army had laid siege to the village, with the *jawans* (soldiers) surrounding the camp and the village. Their main objective, according to Ms. Sorin, was to pull out the NSCN-IM cadres staying in the village. The women and men of the village met in the community hall, and the women decided to act as a shield between the army and the NSCN-IM cadres. On 20 January 2009, the women of Shirui formed a human shield between the army and the village, as the soldiers made repeated announcements that they intended to go in and pull out the cadres if they did not come out voluntarily. The 17th Assam Rifles had surrounded the village with barbed wire and cut off the water supply. As Ms. Sorin recalls, "We women braved the cold winter nights and days and kept a vigil near the main thoroughfare, fearing every moment that there might be a shoot out. Around 2000 women took part in the vigil from 20 January – 2 February 2009. We took turns to keep vigil. We walked up and down from the Government Tourist Lodge to the village almost 5-7 times. For the first two days only women from Shirui participated in the 24-hour vigil; later women from other villages also participated. We made repeated appeals to the Indian Army to withdraw to avoid conflict."

Naga Women Union of Manipur (NWUM): The NWUM has been able work across the boundaries of conflict, and boundaries that exist in post conflict societies. The first meeting of NWUM formed the union on 7 January 1994. NWUM comprises all the women's organisations of the Naga Tribes of Manipur. The Union became operational on 5 October 1994 with the approval and adoption of its Constitution during its First Assembly cum Seminar held on October 4 & 5, 1994 at Ukhrul. Ms. Gina Sanghkhram, President of NWUM, has pointed out that the Union is a membership-based organisation that, unlike other women' organisations in Northeast India has been able to address the injustices women face in their own customary laws relating to inheritance and participation in decision-making. The Union also encourages the participation of women in electoral politics. Ms. Aram Pamei (1997) in the Annual Report of the Union presented in the 4th Annual Assembly October 10-12 1997, emphasised the non-violent means that NWUM used to resolve the Naga-Kuki conflict. The Union undertook peace campaigns by conducting seminars in different localities, with the support of the Fraternal Green Cross, and the Legal Education and Aid Society of India. The 1997 Annual Report also mentions the willingness of NWUM to work with their Kuki sisters to resolve conflict. NWUM has also been engaged in on-the-spot fact finding investigations, together with other NGOs and CSOs involved in human rights issues, particularly

⁵⁷ Interview with Sorin, President, Tangkhul Shanao Long, Shirui Village, Ukhrul District.

The Naga Peoples Movement for Human Rights (NPMHR). NWUM also extended support to the women candidates in the Lok Sabha elections running on a platform to uphold the rights and dignity of women and work for equality. In addition, the Union has stated that “by Naga custom, whether it is in the general administration of the village, or in the administration of justice, there is nothing which denies women’s participation in administrative or judicial decision-making. The Union wishes to claim that this custom of the Nagas should be made to be seen by including women as representatives in their local village councils.” The Union has also demanded equal wages for women and men, and equal inheritance rights of both movable and immovable properties for both female and male children.

NWUM clearly approaches securing the rights of women from a different paradigm: their approach is one which ensures and encourages women’s participation in decision-making right from village council up to Lok Sabha (the House of the People, the Lower House of the Parliament of India). Ms. Grace Shatsung, President of NWUM,⁵⁸ and Ms. Gina Sangkham,⁵⁹ Former President of NWUM have also reported on the efforts by the Northeast Network, particularly through peace workshops, to bring all the groups under one umbrella with one platform. There is great need for a sustained effort to stand up for the rights of women on all levels.

The activities of all the groups mentioned above can be cited as best practices. Another best practice that can be cited is the role played by the Calcutta Research Group (CRG) in enhancing the potential of these women’s groups. A number of CRG researchers have been working in different states in NE India over the last three decades. Hence, they are extremely familiar with other research organisations, NGOs, universities and government ministries in the region. When inter-community, and state verses community, conflicts intensified in the region they were approached by a number of CSOs to facilitate a meeting between the different parties to the various conflicts in the region. CRG instead looked around for different stake holders working for peace in the region and organised a meeting for them. CRG and the people at that meeting realised that without the active participation of the women in the region, peace would remain a distant dream.

By the early 1990s, the most bloody of the conflicts in NE India was the Naga conflict. The Nagas were fighting the Government of India (GoI), the Meiteis, the Kukis, and amongst themselves. Among the CRG members, there was one woman who was particularly close to the most pre-eminent Naga women’s group. She opened a dialogue with these Naga women and convinced them that their participation was of utmost importance. In 1996, the first peace dialogue on NE India was conducted under the aegis of CRG. A large number of stakeholders including

⁵⁸ Ms. Grace Shatsung expressed her views in the Focus Group Discussion at NWUM office on 12 June 2009.

⁵⁹ Interview with the author on 11 June 2009.

women’s rights activists, former generals, members of HR groups, university professors, journalists, lawyers and members of NHRC participated in this dialogue. All the participants resolved that they would call for a ceasefire negotiation between the militants and the state. It was also resolved that the NHRC would actively support women’s participation in the ceasefire negotiations. Within the year, the GoI and the leading underground group NSCN-IM had both called for a ceasefire. For the first time in South Asia, a woman’s group, the Naga Mothers’ Association participated in ceasefire negotiations, albeit without having the right to vote.⁶⁰

2.2 Protection of women in conflicts

Revisiting the legal sector

The Armed Forces Special Powers Act (AFSPA) was enacted by the Parliament of India in 1958 and was initially known as Armed Forces (Assam and Manipur) Special Powers Act, 1958. The Ordinance that preceded this Act was called the Armed Forces (Assam and Manipur) Special Powers Ordinance, 1958, promulgated by the President of India on 22 May 1958. The 1958 Act applied to the entire State of Assam and the Union Territory of Manipur. When the new states of Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland came into being, the Act was also applied to all these states⁶¹.

What is significant to note is that, despite a Report made by a Committee that reviewed this Act in 2004 that recommended repealing it, the Act has not been withdrawn from Manipur or Nagaland and is still in force there. Civil society groups (CSOs) both in Manipur and Nagaland continue to demand its repeal. Despite the gendered nature of the conflict and numerous cases of rape and many killings of women civilians, the Review Committee of the Act had no women representatives. During the Review, there were no special hearing for women’ groups, or for women, where they could share their grievances.

Demands to repeal AFSPA continue

On 15 June 2009, thirty women volunteers of Meisnam Leikai Women Development Association completed their 187th day of a relay hunger strike as a protest to repeal AFSPA. Similarly women in Thoubal District completed 128th day of relay hunger strike to repeal AFSPA. Most of these organisations have followed the lead of Ms. Irom Sharmila’s non-violent protest of a personal hunger strike to demand repeal of AFSPA. All of these demands have gone unheard. Ms Sharmilia began her

⁶⁰ Please see CRG website (mcrgr@mcrgr.ac.in) for all its partnerships in the region, clearly showing the importance of an outside but respected facilitator in an extremely emotionally charged issue such as the conflict in NE India.

⁶¹ See Annex 6 of the Report of the Committee to Review the Armed Forces (Special Powers) Act 1958 for detailed analyses of AFSPA

hunger strike on November 2, 2000, demanding the repeal of the Armed Forces Special Powers Act from Manipur; she felt she had to protest after troops of the Assam Rifles gunned down 10 civilians at Malom near Imphal Airport. She was taken into police custody at Malom three days later on 5 November. Since then she has been kept in custody and kept alive by forced nasal feeding at Jawaharlal Nehru Hospital in Imphal East. On 7 March, 2008 a court freed her; but she was arrested the very next day after she continued her hunger strike at a local club in her locality at Kpongpal Kongkham Leikai in Imphal East. She was put back into judicial custody on 9 March 2008. On 28 February 2009 the authorities of the Sajiwa Jail where she has been lodged for the past year produced her in court. She has been booked under Section 309 IPC for attempts to commit suicide. The offence remains bailable, but she has been in jail refusing to apply for bail, and she is still fighting for her cause. The maximum jail term for the offence is one year. Ms. Sharmila has been in judicial custody for almost nine years, but the judiciary has still not taken cognizance of her demands. The Meira Peibies (literally: women torchbearers) is a civil liberties organisation which over the past few years has played a key role in demonstrating against AFSPA.

Despite the protest movement against AFSPA, state engineered encounter killings are on the rise. On July 2009 one pregnant woman and a former militant were killed in alleged encounter killings. In another incident, twelve photographs produced in Tehelka clearly showed that Mr. Chongkham Sanjit was taken inside a pharmacy by security forces in the Manipur state capital of Imphal, without resisting, and then his body was brought out. Both these encounter killings reveal the way AFSPA has been manipulated to engineer state induced violence against civilians. People have marched in the streets in protest against such state atrocities. Apunba Lup, an umbrella organisation for numerous CSOs, had organised torch rallies defying the state imposed curfew mandated under the AFSPA.

Protest against the AFSPA also plays an important role in the civic life of Nagaland as well. In fact, the lack of political will to resolve the conflict is evident in the contradictory existence of both the AFSPA and a ceasefire which has been in place for almost nine years. Various civil rights organisations such as the Naga Students Federation, the Naga Mothers Association (NMA), and the Naga Peoples Movement for Human Rights (NPMHR) have been demanding repeal of the AFSPA for almost a decade.

2.3 Women’s role and empowerment in conflict prevention and post-conflict development

The real-life experiences of conflict in NE India have shown that women’s groups need to challenge the traditionally gendered roles that have existed in society

before, during and after the conflict, in order to prevent future conflict in politically volatile states such as Manipur and Nagaland. In most cases women suffered economic, social, cultural and political discrimination even before the conflict. According to Myriam Gervais(2007), it is this continuity of experience that calls for developing a holistic framework towards gender justice through taking care of women's needs and providing assistance for assuring women's physical and psychological security, and structural gender equality. Gervais further argues that planners of development programmes need to understand that conflict affects men and women's lives in different ways; and in the case of Manipur and Nagaland, the structural inequities and gender barriers present in these states should be the primary focal points of intervention in order to encourage women's participation in decision-making and help transform women into agents of political change, as well as being builders of peace. In this context it is important to understand the avenues available to women to articulate their rights in Manipur and Nagaland. Some of the organisations which provide these avenues are presented in what follows:

Women Action for Development (WAD), an NGO based in Imphal, has been doing considerable work related to Resolution 1325 through consultations and awareness campaigns, and has been trying to initiate activities using Resolution 1325 as a framework. Ms. Sobita Mangsatabam, the Secretary of WAD, mentioned that Resolution 1325 needs to be re-linked to the existing schemes, and the re-planning of programmes already in place. WAD has been providing legal counsel to victims of armed violence and domestic violence. To take one example of their work: Ms. Mathiusetus of the Rongwei Tribe from Tamenglong, a victim of domestic abuse, had initially appealed to the village council court. However, the case was transferred to the District level where it was decided that she would be compensated with a buffalo and a paddy field for the crime that had been committed. She was not satisfied with the decision, and an NPMHR activist advised her to approach WAD for help. Through WAD she appealed in the regular court and is waiting for a fair and just ruling.

Women Gun Survivors Network dates back to 24 December 2004. The founder of the network, Binalaksmi Nepram, witnessed the killing of 27 year old Buddhi Moirangthem in Wabgai Lamkhai village of Thoubal District. A group of three gunmen shot Buddhi; and his wife Rebika Akham still does not know who the killers were. The Manipur Gun Survivors Network supports women like Rebika and many others through financial assistance and counselling programmes so that they are able to start their own independent ventures.⁶²

According to Binalakshmi Nepram, founder of the Network, "According to a report of the National Family Health Survey conducted in 22 States of India, Manipur

⁶² http://www.cafi-online.org/report/Manipur_Women_Gun_Survivors.pdf; accessed on 10 August 2009.

stands in 3rd place, with a record 43.9%, in the rate of domestic violence against women. This is an alarming finding, as Manipur is also a state which is completely flooded with small arms and light weapons as there is a state of armed conflict going on there. Over two dozen armed groups and several battalions of the Indian paramilitary operates here besides the forces coming under the Armed Forces Special Powers Act.”

3 SPECIFIC RESEARCH THEMES

3.1 Internally displaced persons (IDPs)

Protracted conflict results in massive displacement. In Manipur four major ethnic clashes in the late 90s have been responsible for internal displacement within Manipur, according to Pradip Phanjoubam (2007): Kuki-Naga clashes (1990s); Meitei-Pangal clashes (1993); Kuki-Paite clashes (1997); and NSCN(IM) ceasefire extension troubles (2001). In addition, there has been massive Hmar displacement because of clashes between insurgent groups, and harassment of civilians (2006).

In regard to the Kuki-Naga clashes, the tension between the two ethnic groups broke out into open conflict in 1992 when the United Naga Council issued a 'quit notice' to the Kukis settled in "Naga" areas. Manipur has nine districts: four of them are located in the valley plains where the dominant population is Meiteis; and five are in the hills where Nagas dominate in four districts and Kukis are dominant in one. The Nagas consider the Manipur hills are their traditional homeland, and the Kukis living in the hills are therefore Naga tenants who can be evicted by the Nagas. Persecution of the Kukis by the Nagas began soon after the 'quit notice' was issued in 1992, but it was only in 1993 that open conflict began on a large scale. (Pradip Phajoubam 2007)

According to Ksh. Bimola Devi (2008), on 3 June 1992 two Kukis, namely Oukholet, also called Oupu Haokip, and Haokhopan Haokip were reportedly attacked on their way to S. Mongyang village. Oukholer was killed but Haokhopan escaped. Over the next seven months, from 3 June 1992 to 31 December 1993, the Manipur hills were rife with ethnic clashes that led to the killing of 336 persons and considerable loss of livelihood and property, as well as the massive displacement of people.

Conflict between the Meitei militants and the Hmar militant group, the Hmar People's Convention or HPC, began in 1995. Following the first clashes, the HPC entered into a clandestine accord with the Indian Army. According to Phanjoubam (2007) "...the Army began a crackdown on the Meitei insurgent groups thereafter, and the bitterness between these militants and the HPC grew. On January 16, 2006 a group of 18 militants, six belonging to the United National Liberation Front or UNLF and 12 to the Kangleipak Communist Party (KCP) arrived in the dead of the night at Lungthulien, and after calling out and beating up brutally more than 400 villagers, allegedly raped 21 girls. The matter is now being probed by a Judicial Commission... [the villagers] returned to their homes on October 24, 2006 (IFP report quoting official sources) from the Sakawrdai refugee camp in neighbouring Mizoram. These are from 155 families. Each of the families was given Rs. 5000 to re-establish itself. Of the 685, 459 were adults and 226 minors. They belonged to

Lunghulien, Tuilbung, Parbung, Phulpi, Moulien, Damdei, Taiithu and Rovkot” (Phanjoubam 2007: 34-35). At the height of the displacement in 2006, the Hmar IDPs in the neighbouring state of Mizoram numbered more than 800 living in makeshift refugee camps.

3.2 Gender, conflict and the environment

On 3 November 2008 Manipur hit the news when the state forces brutally tortured more than forty protesters, mostly women, who were voicing their concerns against construction of the Mapithel Dam in the Thoubal Multipurpose Project. According to Jiten Yumnam (2008), “The 3rd November incident was not a stray incident of blatant excesses and human rights violations targeting the innocent people already victimized by aggressive and failed development initiatives in Manipur. Three people, mostly women were killed and 25 people were injured in December 2005, when a combined team of Indian paramilitary forces, the Border Security Forces and the Indian Reserve Battalion opened fired on villagers affected by the Khuga Dam, who were demanding just compensation, in Churachandpur District of Manipur. On 21 April 2007, security forces directed baton charges and fired rubber and live bullets to villagers of Kyamgei village who resist State’s forcible attempt to occupy their prime agricultural land for construction of National Institute of Technology (NIT), injuring many of them.” The construction of Mapithel Dam has reportedly been undertaken without following environmental guidelines: this underlines the state’s failure to approach “development” as a “collective right”. Despite repeated requests, the state has failed to recognise the demands of the protesters, particularly the demand that the implications and consequences of construction be thoroughly studied. The greatest fear is that four villages viz. Chadong, Lamlai Khullen, Lamlai Khunou, and Lamlai Monbung, would be completely submerged by completion of the Mapithel Dam. In addition, those people living in another six villages, Sikiphung, Thawai, Thawai (K), Zalengbung, Sankai, Riha upstream from the dam would be living just 100-150 metres away from the new banks of the river, following the rise in water level caused by the dam. These villagers would face environmental health problems caused by waste, water, air, and soil borne diseases, along with other hazardous epidemic diseases. Jiten (2008) further argues that the submergence of prime agricultural land along the Thoubal River from the dam site to the town of Litan would undermine the food security of these villagers. Such instances suggest that understanding of the consequences of development projects on the lives of women and men living in the project area are often not considered in state development initiatives. Women would be the most vulnerable group in most of these cases.

3.3 Role of men

Gender mainstreaming is challenging the “masculine” and “feminine” constructs produced by hierarchical power relations. One of the criticisms of the rehabilitation schemes in India has been that the head of the household (almost always a man) is entrusted with the rehabilitation package. Women are not given the package because they are not ‘head of family’, even though the National Resettlement and Rehabilitation Bill for Development Induced Displacement in India had a clause that widows and single mothers would be entitled to relief packages. Women need to be recognised as the heads of their families if their men have been killed or gone missing. Furthermore, the assumption and acceptance of women as mothers and wives also needs to be constantly re-examined, as “mothers” groups have transcended the boundaries of ethnicity and state to speak as “mothers”. A closer look needs to be taken at the ways in which equal participation of men and women could be achieved. This requires lobbying from both men and women as equal partners, something that may not even be possible.

Liangsi Niumai John, Secretary of the Dimapur Women Hoho NGO, and Director of the Care-Centre for Environment and Rural Poor,⁶³ is a lawyer by training. She strongly feels that it is time to challenge the roles that are ascribed to us as men and women. Ms Liangsi Niumai John was invited to a meeting of local business and community leaders, who in most areas are usually men. She said it was a meeting concerning women’s security in Dimapur against the backdrop of increasing crimes. She used the opportunity to introduce the mandates of Resolution 1325 among to these men, who expressed an interest in engaging with the document in future. She recalled with pride that when her husband was the General Secretary of the Mao Hoho NGO (2004–2006) she urged him to ensure equal participation of women in village meetings. The practice of equal participation or even the presence of women was initiated, but was not practiced in the following term. She further reasserts that it is very important to sensitise men to women’s issues, because men should understand the rights of women in government schemes. She cites the case study of Beisumpikam village in Peren District, which is one of the most neglected villages in NE India because of its proximity to the NCSN-IM Headquarters in Hebron. She was invited to participate in a general meeting by the village council on the subject of eco-sanitation. Women attended the meeting but none of them spoke. After the meeting concluded she asked the women if they had any questions, and one of them said, “We never speak, we feel shy. Who knows if we speak, men will think it’s all useless.” Ms. Liangsi Niumai John then asked

⁶³ Interview with Liangsi Niumai John, Secretary of the Dimapur Women Hoho and Director of the Care-Centre for Environment and Rural Poor, Dimapur, 13 August 2009.

these women two questions: whether they were aware of the 25% allocation from the VDB fund for women, and did they receive anything under this scheme. One woman who was a relative of one of the village council members said, "I do not want to talk to the village council." This woman urged Ms. Liagnsi Niumai John to talk to the village council. The woman herself refused to do so; and the women in the village later got back to Ms. Niumai John that the village council did receive the fund and the money was spent to settle land dispute cases. Ms. Niumai John then asked the women to negotiate with the village council to give the women's organisation a plot of land. In 2002 this organisation actually got a plot of land, and in 2003 after repeated requests they have received a tin roof and pillars to construct a meeting place for the women's organisation.

This instance shows the reluctance of men to share information about and funds from the government schemes for women can be traced back to a lack of awareness of the need for the equal participation of men and women in development process. The boundaries of conflict for women are multilayered and need to be contextualised within the social relations of communities.

4 RESPONSE OF DIFFERENT ACTORS TO THE 1325 NEEDS AND PRIORITIES

4.1 Government policies and strategies

The GoI has both social and economic policies and strategies in place in Manipur and Nagaland for the empowerment of women.. A review of some of the social and political institutions in Manipur and Nagaland will reveal the nature of gender mainstreaming in development initiatives. According to Gervais (2007), “Gender mainstreaming refers to the systematic examination of all general policies and measures, and taking into account their possible effects on the respective situation of men and women when defining and implementing them. This approach considers the promotion of gender equality as a question of promoting long-lasting changes in family structures, and in institutional practices; and it also concerns men and the whole of society.” Gender mainstreaming in development initiatives in post conflict societies is considered an effective tool for implementation of non-traditional security approaches, and is a sustainable approach in reconstruction. The state level gender mainstreaming efforts in Manipur, particularly the policy of the 33% quota for women in the local governance structures, has brought about effective participation of women in rural governance; however the participation of women from Nagaland and Manipur in Central (state government) politics is comparatively low.

Participation of Women in Electoral Politics: The participation of women in political spaces is still negligible beyond the Panchayats (local government structures) in Manipur. The Indian Constitution guarantees the participation of women in electoral politics through the 73rd and 74th Amendments passed in 1992 and 1993, respectively, whereby a total of 33% of seats have been reserved for women candidates in the Panchayati Raj elections. Quite a large number of women candidates contested in the Panchayat Election 2007, and at present there are 63 women Pradhans in Manipur (Brahmacharimayum 2009). Vijaylakshmi Brara (2001) in her analysis of the Panchayati Raj system in Manipur argues that women leaders of the Panchayati Raj Institutions (PRI) are not trusted by the Meira Paibies (women’s activists) as they are part of the Government machinery, with an official aura around them. These women leaders are seen as having very little interest in the public welfare. Similarly, Brara (2001) is of the view that the women Pradhans and Adhyakshas are going through the stage where they have to adhere to what their husbands or any other male members of the family, or the male leaders of their political parties, say. Therefore there is a chasm in the women’s movement between the leaders of the movement and the women leaders of the PRIs.

Women continue to play an active role in the electoral politics of India. As per

the rule of the Indian Constitution, women are entitled to equal participation in politics. Women have been participating both in the Parliamentary and the Legislative Assembly elections. Kim Gangte was the first woman MP of Manipur, elected in 1998. Hangmila Saiza is the first woman to be elected in a Legislative Assembly. Liangjaneng Gangte, W. Leima and K. Apabi Devi were former Members of the Legislative Assembly (MLAs). Okram Ongbi Landhoni Devi is a present MLA, elected from Kangabok. There has been an increase in participation of women even in Lok Sabha Elections both in Manipur and in Nagaland. (Brahmacharimayum 2009)

The Manipur State Commission for Women (MSCW) was constituted on 15 September 2006 as a statutory body at the state level, in pursuance of the Manipur State Commission for Women Act, 2006, to safeguard the interests of women. Its mandate is very wide, covering almost all aspects of women’s development. The Commission consists of a Chairperson and two Members, all nominated by the State Government for a tenure of three years. The Manipur State Commission for Women has been organising Legal Awareness programmes with financial assistance from the National Commission for Women, New Delhi. The MSCW has implemented a holistic, legal, health and educational awareness Programme in the remotest areas of the State of Manipur. A Family Counselling Programme has been initiated, being launched on International Women’s Day, 2008, in order to inform and discuss with women’s groups about various laws concerning women and other related Acts and policies of the Government.

Department of social welfare, Manipur

The Department of Social Welfare is in charge of women’s welfare in Manipur. According to the online Ministry portal⁶⁴, the Department funds accommodations for 11 working women at the Department’s Working Ladies Hostel at Takyel. A Lump Sum Maintenance Grant to fund one Destitute Women’s Home at Imphal has also been extended. The Department chalked out a year-long programme for the Women’s Empowerment Year 2001 in the first, state level committee meeting for that purpose, held on 7th March, 2001 Accordingly, the observance of Women’s Empowerment Year was implemented throughout 2001; and various State Departments observed the same by organising Seminars/Workshops on a monthly basis. In addition, under the National Social Assistance Programme there are two schemes for women’s welfare:

- a) National Maternity Benefit Scheme: Financial assistance to families falling below the poverty line upon the birth of a child. This has been extended. During the year 2008, 5635 families benefited.
- b) National Family Benefit scheme: Financial grant to families falling below the

⁶⁴ For details please refer to <http://www.cic.nic.in/cicmanipur/html> accessed on 4 August 2009.

poverty line when the “Primary Bread Winner” of the family dies. Under this Scheme 599 families benefited in 2008.

Nagaland

Department of women development, Nagaland

The Annual Administrative Report 2008–2009 of the Department of Women Development in Nagaland outlined fifteen ongoing programmes of the Department. Some of the activities which reflect the spirit of Resolution 1325 are:

1. Nagaland State Commission for Women: This Commission was created by the Nagaland Women Commission Act, 2006 to safeguard women’s rights and to promote their empowerment. As per the provisions of this Act, a Commission consisting of a Chairperson and two members was constituted in 2007–2008.
2. Nagaland State Social Welfare Board: A new scheme entitled the Integrated Scheme for Women Empowerment was launched by this Board to support Self-Help Groups (SHGs).
3. Grant in Aid to NGOs: The Department has worked out a system whereby it has partnered with the apex women organisations (Hohos, local NGOs) in each district. Under this partnership, selected NGOs are assisting the Department in implementation, verification and supervision of the schemes and activities of the Department. The Department closely coordinates with these partner NGOs and assists them in their work on rehabilitation and support of women in difficult circumstances, including women in extreme poverty, destitute and deserted women, women in conflict situations, women affected by natural calamities, physically and mentally challenged women, etc.
4. Financial assistance to destitute women: destitute women are provided with a financial assistance of Rs 200 per month. Presently 2000 women receive this financial assistance.
5. Establishment of Rehabilitation cum Support Centre: A rehab cum support centre attached to the Integrated Development Cum Resource centre is being constructed for catering to the special needs of the commercial sex workers, HIV-Aids affected women, and victims of sexual exploitation and marital violence.
6. Implementation of Acts: With the coming into force of *The Protection of Women from Domestic Violence Act, 2005* the State Government has approved the designation of Extra Assistant Commissioners (EACs) as Protection Officers and the Nagaland State Social Welfare Board as the Service Provider under the Act. The Prodigal’s Home in Dimapur has been designated as the “state shelter home” to provide shelter and counselling to victims of domestic violence.

Nagaland State Women Commission: The Chairperson of the Commission, Mrs. Sano Vamuzo⁶⁵, is also one of the founding members of the Naga Mothers Association. She pointed out that there is a need to generate awareness about women’s role in decision-making bodies by encouraging them to participate in electoral politics. She cited as an instance of state efforts for women’s engagement in political spaces the state initiative to ensure 33% of all posts in local governance bodies are reserved for women. She recalled the Commission’s efforts to bring together various civil society actors on 13 February 2009 for a meeting, and the efforts of the Commission in lobbying the House, which unanimously adopted two Resolutions: i) Reservation for the Women Bill; and ii) reservation of seats for women as per the Nagaland Municipal Council Amendment Act 2006 to be implemented at the earliest in all towns in Nagaland.

Mrs. Vamuzo also felt that the women’s groups need to generate awareness about the Government of Nagaland, Land Revenue Department’s efforts to make participation of women mandatory in village councils and Village Development Boards. In a Memorandum (No LR/1-1/94) the state government has announced that women will have a separate, guaranteed share of seats in the village development board fund. The Memorandum is interesting as it clearly acknowledges that it will not intervene in the matters concerning ownership and transfer of land in traditional holdings when it is guided by the respective customary laws.

The state governments in Manipur and Nagaland have been instrumental in introducing legislative amendments to encourage women’s participation in the decision-making bodies, particularly the local bodies of governance: that is the Panchayat in the case of Manipur; and Village Development Boards and Municipal Councils in the case of Nagaland.

Article 371(A) of the Constitution ensures that “religious or social practices of the Nagas”, “Naga customary law and procedure” and “ownership and transfer of land and its resources” is protected. Thus no Act of Parliament can be made applicable, particularly in relation to land and the customary laws of Nagaland, unless the State Assembly decides in its favour.

It is in this context that the role of the Village Council assumes significance. The Village Council is the overall authority for the administration of justice within the village. Under the Nagaland Village and Area Council Act, 1978, every recognised village in the State shall have a Village Council. Ms. Tokheli Kikon⁶⁶ is the first women Village Council Chairperson in Nagaland. Ms. Tokheli Kikon initially started off as a social worker and village council member of Naharbari Village, Dimapur. She recalls that in 2005 when she took part in the village council election, she was

⁶⁵ Interview with Sano Vamuzo, Chairperson, Nagaland State Commission for Women, 6 August 2009.

⁶⁶ Interview with Tokheli Kikon, Naharbari Village Council Chairman, Dimapur, 13 August 2009.

the only women candidate, running against three male candidates. She recalls with pride that out of 21 votes she received 13 votes, and there were 2 absent votes. After she became the Village Council Chairperson, she ensured that 25% of the Village Development Board fund was utilised solely for the women of the village. She has encouraged capacity building of women. She says her motto is "work and eat". Under the National Rural Employment Guarantee Scheme fund, she has encouraged villagers to focus on the drainage system (gutters and sewers) of the village. She has also restored the lake close to the village and has encouraged villagers to take up pisciculture, which is one of the major sources of livelihood for men and women. Ms. Tokheli Kikon is an example to the Naga women leaders. While she has managed to fight her battle despite the absence of a 33% quota of women on the Council, many women leaders feel that a 33 % quota for women in local bodies, particularly municipal councils, will encourage women to take up political careers.

4.3 Civil society, implementation of UNSC Resolution 1325, and gender

The North East Network, in collaboration with the UNIFEM South Asia Office has been working on increasing awareness about CEDAW in the region. They have prepared a Resource Directory in collaboration with UNIFEM on the support services available to women in cases of violence affecting women in Manipur. In the past few years, the UNIFEM online portal has made available various toolkits and training manuals on CEDAW. Attempts have been made to translate the document into Hindi. As far as Resolution 1325 is concerned, efforts are being made within NGO networks to increase awareness about Resolution 1325. An article published in Imphal Free Press, on 30 October 2007, discusses one of workshops organised by the District Women's Committee of United NGOs Mission Manipur, held on 29 October 2007 in Imphal, where a noted legal expert "Babloo Loitongbam, Executive Director of Human Rights Alert, said that Resolution 1325 was passed and adopted on October 31, 2000 by the UN member states. Babloo pointed out that the Government of India responded that since there is no armed conflict in India there is no scope for implementing the Resolution in the country." Most of the other participants disagreed (Imphal Free Press, 30 October 2007)

One of the main concerns of this study is to understand the ways in which women's movements have negotiated with "gender rights" and with the prevention and resolution of conflict. We seek to understand whether these mass based (popular) movements have been able to channel their agendas to include "gender rights" in situations of protracted armed conflict. While civil rights groups have been working on CEDAW in efforts to understand state and non-state violence, challenges arise

from the fact that most of these efforts fail to understand the linkages between gender rights based peace movements, and the participation of women in peace efforts.

Our case study of the women’s movements in Manipur and Nagaland reveals that, despite the commonalities of issues, they have failed to come in a common platform over the years. While each group has their own agenda of politics, it nonetheless appears that a constant dialogue between the valley and hill peoples in the case of Manipur, and a constant discussion of women’s groups agendas and an exchange of visions between Manipur and Nagaland, will initiate and help maintain political stability between the two states. Studies have shown that such dialogues between groups have been one way to move forward for peace and reconciliation. There is a need to initiate dialogue on three issues: i) revisiting and reassessing women’s roles within the traditional gender-based roles; ii) exchanging views on electoral participation of women; and iii) revisiting customary laws which are gender biased. A repeal of AFSPA might lead to a lessening of tension in the region. UNSC Resolution 1325 can be used as an instrument for reducing violence in the region.

ANNEX 4:

IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 1325 “WOMEN, PEACE AND SECURITY” IN THE CONTEXT OF FINNISH DEVELOPMENT POLICY: TERMS OF REFERENCE

THE IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1325 IN FINNISH DEVELOPMENT POLICY

Introduction

In 2000 the UN Security Council adopted Resolution 1325 on "Women, Peace and Security". In the international arena, Finland has been a visible and keen promoter of women's empowerment. Finland's performance in gender issues is being closely monitored by other nations due to this visible role in the international fora. Finland launched its National Action Plan on the implementation of the UN Security Council Resolution 1325 on 19 September 2008. The Action Plan is a result of careful and profound consultations between different ministries and NGOs. Ministries identified their roles and their possibilities to implement Resolution 1325 as part of their activities. The Ministry for Foreign Affairs plays a leading role in implementing or facilitating many activities. The Action Plan refers to women as active members of societies who need to be part of decision making and in implementing the decisions, and who should not be objects of violence. Women's contribution is essential at all stages of conflict, including prevention, crisis management, peace processes and post-conflict development. Development cooperation is a definite possibility to ensure the implementation of Resolution 1325.

Finland's development policy pursues goals and approaches jointly approved in the United Nations and the EU. Crisis prevention and support for peace processes feature prominently in Finland's efforts to promote socially sustainable development. The promotion of the rights and status of women and girls, and promotion of gender and social equality, is a cross-cutting theme in the development policy. Finland promotes a wider security concept which strengthens the link between security, development and human rights. Strengthening security requires extensive international cooperation and decisive national action across administrative boundaries. Finnish development policy is founded on the respect for and promotion of human rights, including the rights of women and the promotion of gender equality.

The research project provides a possibility to guide Finland's work in promoting the implementation of Resolution 1325 in the Finnish development cooperation, as the Action Plan has just been approved, and the research will provide guidelines for the actual implementation.

Objectives of the research

The main objective of the research is to contribute to the understanding of and provide practical recommendations on

1. How the Ministry for Foreign Affairs can through development cooperation implement the National Action Plan on Resolution 1325, especially its commitment to facilitate women’s participation in decision making in conflict situations, peace processes and post-conflict activities; as well as to protect women in conflicts.
2. How Finland can support conflict prevention and post conflict development by strengthening women’s role and empowering women in countries with fragile situations.
3. How the Ministry for Foreign Affairs can monitor and measure the progress of implementing Resolution 1325 in its development cooperation.

The research team should include at least one expert from the South who is well familiar with and linked to networks on women’s role and position in conflicts.

Issues covered by the research

1. Identification of commitments in the National Action Plan that Finland is already implementing as part of its development cooperation or can implement as part of the on-going or planned activities.
2. An analysis of best practices in implementing the UN Security Council Resolution 1325 (preferably also assessed by women from conflict areas), and the analysis on how these are implementable as part of Finnish development cooperation, specifically with respect to the priorities identified in the development policy programme. Best practices referred to in this task include effective actions by local actors in conflict areas, international and local organisations and other donor countries, among others.
3. Identification of partnerships and contacts Finland needs in implementing its National Action Plan, including the contacts with conflict countries, especially with local women. This should include links to organisations and actors in areas where work can be done to prevent conflicts through gender work.
4. Identification of elements in Finnish development cooperation that have the potential to hinder achieving the objectives set out in the National Action Plan.
5. A proposal for an effective method for the Finnish Ministry for Foreign Affairs to measure and monitor the progress of implementing the Action Plan.

Expected length of the research project

The work should be carried out in 6 months, and it should be completed by latest in September 2009.

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- http://www.international-alert.org/pdf/Integrating_womens_priorities_into_peacebuilding.pdf
- <http://www.gendermatters.eu> accessed e.g. 2.12.2009

ANNEX 6: PEOPLE INTERVIEWED

6.1 Government of Finland: Steering group

1. Ms. Kirsi Pulkkinen, Auditor, Ministry for Foreign Affairs, Department for Development Policy (up to 26.9.2009)
2. Ms. Susanna Rajala, Programme Officer, Ministry for Foreign Affairs, Department for Development Policy (from 26.9.2009)
3. Ms. Päivi Kannisto, Gender Advisor, Ministry for Foreign Affairs, Department for Development Policy/Unit for Sector Policies
4. Ms. Vuokko Heikkinen, Counsellor, Ministry for Foreign Affairs, Unit for Eastern and Western Africa, Department for Africa and Middle East
5. Ms. Hannele Karppinen, Ministry for Foreign Affairs
6. Ms. Heli Kanerva, Counsellor, Ministry for Foreign Affairs, Unit for Security Policy and Crisis Management, Political Department
7. Ms. Heli Lehto, Project Assistant, Ministry for Foreign Affairs, Department for Americas and Oceania, Unit for Asia and Oceania
8. Ms. Katja Hirvonen, Ministry for Foreign Affairs, Department for Americas and Oceania, Unit for Asia and Oceania

Kenya

6.1.1 Government of Kenya

9. Dr. Regina Karega, Chairperson, National Commission on Gender and Development

6.1.2 Embassy of Finland

10. Mr. Antti Erkkilä, Counsellor/Forestry, Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi
11. Dr. Sirkku Hellsten, Counsellor/Governance, Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi
12. Mr. Samuel Mbithi Kimeu, Advisor/Governance, Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi
13. Ms. Marja Simojoki, LCF Coordinator, Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi
14. Ms. Heli Sirve, Ambassador, Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi
15. Ms. Theresa Zitting, Counsellor, Deputy HOM, Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi

16. Mr. Jussi Laurikainen, Assistant/Governance,
Ministry for Foreign Affairs of Finland, Embassy of Finland, Nairobi
17. Mr. Julius Kamau, Advisor/Forestry, Ministry for Foreign Affairs of Finland,
Embassy of Finland, Nairobi

6.1.3 Donor community (including CSOs)

18. Ms. Meryem Aslan, Regional Programme Director, Regional Office for East
and Horn of Africa, UNIFEM
19. Ms. L. Muthoni Wanyeki, Executive Director, Kenya Human Rights
Commission
20. Ms. Mary Njeri Gichuru, Executive Director, Coalition on Violence Against
Women – Kenya
21. Ms. Agnes Leina, Programme Officer, Coalition on Violence Against Women –
Kenya
22. Ms. Ada Mwangola, Social Development Adviser, DFID Kenya and Somalia
23. Ms. Elizabeth Mwihaki Dufe, DFID
24. Mr. Aluoko Otieno, Embassy of Netherlands
25. Ms. Siv Cathrine Moe, First Secretary, Embassy of Norway,
Embassy of Norway
26. Ms. Kellie C. Leeson, International Rescue Committee – Kenya
27. Ms. Lucy Mathenge, Programme Officer/Civil Society and Gender,
Embassy of Sweden
28. Ms. Josephine Mwangi, Embassy of Sweden
29. Ms. Patricia Munayi, Gender Advisor, Canadian Cooperation Office (CCO),
CIDA-CCO
30. Ms. Jessica B. Nkuuhe, Executive Director, Urgent Action Fund
31. Ms. Annabelle Piche, Embassy of Spain
32. Ms. Rose Maina, PACT Kenya

6.1.4 Workshop participants

33. Dr. Isaac Were, University of Nairobi
34. Mr. George Kabougah, APFO
35. Mr. Thuo Laainna, University of Nairobi
36. Dr. Mshi Mwangola, AKU
37. Mr. Samuel M. Kimeu, Embassy of Finland
38. Dr. Jacinta Muteshi, Former Chairperson,
National Commission on Gender and Development
39. Ms. Irene Maina, LRF

40. Mr. Leonard Kyalo, SRIC
41. Ms. Yvonne Owuor, AKU-FAS
42. Ms. Prisca Kamungi, SOUTH
43. Ms. Praxedes Nekesa, CCGD
44. Ms. Esther Wanjau, WPA-K
45. Dr. Richard Bosire, University of Nairobi

6.1.5 Research team

46. Dr. Paula Banerjee, Calcutta Research Group
47. Ms. Pirkko Poutiainen, University of Helsinki
48. Ms. Wanza Kioko, University of Nairobi Law School
49. Mr. Martin Muhindi, CEED

6.1.6 Focus group discussion participants

	Name	Title	Gender	Place
1	Isabellah Bosire	Teacher	F	Kisii
2	Beatrice Onyancha	Teacher	F	Kisii
3	Everlyn Maina	House Wife	F	Kisii
4	Diana Bogire	Business	F	Kisii
5	Margaret Orlale	Self help group	F	Kisii
6	Hillary	Self help group	F	Kisii
7	Mike Ochieng	Youth	F	Kisumu
8	Mourine Obata	Youth	F	Kisumu
9	Rita Aloo	Driver	F	Kisumu
10	Irene Adhiambo	Post Office worker	F	Kisumu
12	Rosemary Ododa	Nurse	F	Kisumu
13	Felistus Achieng	CBO	F	Kisumu
14	Peninah Khavira	Self help group	F	Kakamega
15	Jenifer Khasakhalia	House wife	F	Kakamega
16	Jane Akaranga	Civil Servant	F	Kakamega
17	Naomi Lusanya	CBO	F	Kakamega
18	Beatrice Nekoye	Fruit Seller	F	Bungoma
19	Patricia Wafula	Widow	F	Bungoma
20	Nasambu Nelima	House wife	F	Bungoma
21	Lindah Soita	Youth	F	Kitale
22	Linah Chemtai	Self help group	F	Kitale
23	Nasimiyu Wekesa	Youth	F	Kitale
24	Selina Kiboi	Self Help group	F	Kitale
25	Jane Nanyama	District Officer	F	Kitale
26	Janet Lusibili	Chief	F	Kitale
27	Ann Soi	UN Staff	F	Eldoret
28	Joseph Kiprono	NGO staff	M	Eldoret
29	Job Odhiambo	NGO staff	M	Eldoret

30	Selina Chelimo	House wife	F	Elgon
31	Teckla Chebii	Self help group	F	Elgon
32	Peter Kubosia	Teacher	M	Elgon
33	Susan Etyang	Shopkeeper	F	Elgon
34	Judy Osyanju	Village Elder	F	Elgon
35	Japheth Fwamba	Sub-Chief	M	Pokot
36	Rose Netima	Self help group	F	Pokot
37	Cheptoo Chebii	Vegetable seller	F	Pokot
38	Lilian Lorupe	Goat keeper	F	Pokot

6.2 Nepal

6.2.1 Government of Nepal

1. Bal Bahadur, Ministry of Peace and Reconstruction
2. Surya Bahadur Thapa, Ministry of Peace and Reconstruction
3. Devi Ram Bhandari, Ministry of Peace and Reconstruction
4. Parmandana Ghimire, Ministry of Peace and Reconstruction
5. Gaja Bahadur Rana, MoWCSW
6. Surya P Shetha, MoWCSW
7. Sunita Nepal, MoWCSW
8. Ksehaw Regmi, Ministry of Local Development, Women Development Division

6.2.2 Embassy of Finland

9. Ms. Pirkko-Liisa Kyöstilä, Charge d’Affaires,
Ministry for Foreign Affairs of Finland, Embassy of Finland, Kathmandu
10. Mr. Kari Leppänen, Counsellor/Development,
Ministry for Foreign Affairs of Finland, Embassy of Finland, Kathmandu
11. Dr. Chaudamani Joshi, Programme Coordinator, Embassy of Finland,
Kathmandu
12. Dr. Petri Hautaniemi, Counsellor/Development,
Ministry for Foreign Affairs of Finland, Embassy of Finland, Kathmandu
13. Ms. Kati Bhoose, Programme Coordinator, Ministry for Foreign Affairs of
Finland, Embassy of Finland, Kathmandu
14. Dr. Munni Sharma, Programme Officer/Water and Forestry,
Embassy of Finland, Kathmandu

6.2.3 Donor community (including CSOs)

SN	Name	Organization/Occupation
15	Anjana Shakya	Beyond Beijing Committee
16	Sunita Danuwar	Shakti Smuha
17	Ram Maya Lamichhane	Shakti Samuha
18	Renu Shrestha	Sancharika Samuha
19	Shreejana Lohani	Women for Human Rights-Single Women Group
20	Sabin Gurung	Maiti Nepal
21	Kapil Kafle	Institute for Human Rights Communications
22	Sabin Shrestha	Forum for Women Law and Development
23	Pukar Shah	SAATHI
24	Sharmila Karki	Jagaran Nepal
25	Meena Sharma	Shanti Malika
26	Manisha Ghimire	Shanti Malika
27	Chanda Thapa Magar	WAPPDCA
28	Sujata Thapa	Search for Common Ground, Nepal
29	Suman Ghimire	Samarpan Nepal
30	Nani Maya Thapa	Grameen Mahila Sirjanshil Parivar, Sindhupalchowk
31	Devi Adhikari	“”
32	Sangeeta Bhandari	“”
33	Anuja Nepal	“”
34	Shama Shrestha	CARE Nepal
35	Kate Moger	International Alert, London
36	Tulasi Nepal	International Alert, Nepal
37	Goma Thapa	Rakshya Nepal
38	Sujata Manandhar	UNFPA
39	Kamala Bishta	Royal Norwegian Embassy
40	Bandana Risal	DFID
41	Anita Karki	GTZ
42	Yamun Yadav	UNIFEM

6.2.4 Focus group discussion participants

43	Bina Malla	Teacher, Rolpa
44	Saraswati Gharti Magar	Women Leader, UCPN (M)
45	Tej Kumari Mahara	All Nepal Women's Organization (Revolutionary), Rolpa
46	Hari Gharti Magar	Secretary, CPN (UML), Rolpa
47	Num P Khadka	Member CPN (UML), Rolpa
48	Deva Acharya	Nepali Congress, Rolpa
49	Deepak Roka	Nepal National Magar Association
50	Sonali Sen	NGO Worker
51	Bharat Biswakarma	NGO Worker
52	Pabitra Jaisi	Local Women
53	Devi Gharti Magar	Local Women
54	Tej Bikram Shah	Environment Protection Centre, Nepalgunj
55	Sajid Ali Siddiqui	Muslim Intellect, Nepalgunj
56	Tilak Chand	Environment Protection Centre, Kohalpur

57	Balika Chaudhari	INGO Worker, Bardia
58	Kamala Dhami	Search for Common Ground, Doti
59	Bimala Kadayat	SFCG, Kailali
60	Sahadev Yadav	Dang
61	Rajendra Adhikari	Dang
62	Rishi Ram Dhakal	CDO, Dang
63	Dev Raj Dhakal	CDO, Rukum
64	Hari P 'Kiran' Ojha	LDO, Rukum
65	Numakhar Pokhrel	Hotel Owner
66	Chandani KC	Sisne FM and NGO Worker
67	Nagendra Biswokarma	CWIN, Rukum
68	Puja Kasera	CWIN, Rukum
69	Narayan Shah	President, Nepal Journalists' Association, Rukum
70	Jeevan Khadka	INSEC Representative, Rukum
71	Heera Devkota	Member, Nepal Peasants' Association, Rukum
72	Heera Kumari KC	Student, Rukum multiple Campus
73	Devi Oli	Secretariat Member, CPN (UML)
74	Hari Bishnu Oli	Lecturer, Mushikot Multiple Campus
75	Sharada Dangi	Human Rights Protection and Legal Support Centre (HURPLESC)
76	Hira Puri	DDC, Rukum
77	Tika Bista	Journalist
78	Maya Bohora	Single Women
79	Kamala Budha	Single Women
80	Sangeeta Bohora	Counsellor, (HURPLESC)
81	Nirja Devi Pun	“”
82	Laxmi Raut	Single Women
83	Devi Pun	“”
84	Durga Rawal	“”
85	Dhankumari Bohora	“”
86	Nanda Bista	Nepali Congress
87	Adarsha Karki	Journalist
88	Sita Oli	Single Women/Nepali Congress
89	Dinesh Khadka	Journalist, avenues Television, Rukum
90	Bal Krishna Sharma	Journalist/ District Youth Network, Rukum
91	Lumbini Sharma	UCPN (M)
92	Geeta Pokhrel	Hotel Entrepreneur
93	Keshav Raj Acharya	CDO, Rolpa
94	Ramesh Neupane	LDO, Rolpa
95	Nirmala Karki	WDO, Rolpa
96	Krishna B Gharti Magar	Nepali Congress
98	Pravesh Roka Magar	District In-charge, UCPN (M), Rolpa
99	Gayatri Gharti Magar	Magarat Literate Council, Rolpa
100	Purna Chhetri	Basic Environmental Network, Rolpa
101	Samjhana	District Women In-charge, UCPN (M)

6.2.5 Workshop participants

Uma Joshi	National Human Rights Commission
Ishita Dey	Researcher for the Project
Shobha Gautam	Institute of HR Communications
Sujata Thapa	Search for Common Ground
Meena Sharma	Shanti Malika
Kanta Singh	Independent Consultant
Poonam Pant	Working for peace
Hari Sharma	Personal Advisor to the President of Nepal
Ranabir Samaddar	Calcutta Research Group
Samir Das	Calcutta University
Paula Banerjee	Researcher for the project
Kari Leppänen	Embassy of Finland
Roopshree Joshi	LWF-Nepal
Ayesha Sen Choudhuy	FWLD
Ratna Shrestha	International Alert
Anita Khadka	GT2
Sharad Ghimire	Martin Chautari
Sunita Akaijam	Imphal Free Press
Nagesh Badu	South Asia Forum for HR
Amit Sen	UNHCR
Sujit Saksena	Nepal Institute of Peace
Anita Ghimire	KU-NCCIR
Nanimaya Thapa	GMSP, Sindhupalchawk
Sama Sreshtha	UNIFEM
Rajon Pokhrel	NIP
Som Nirul	SAFHR

6.3 North East India

6.3.1 Manipur

Interviews

- Dr. Vijay Laxmi Brara, 10 June 2009.
- Dr. Gina Shangkhram, Ex President, Naga Women’s Union of Manipur, 11 June 2009.
- Dr. Ch. Jamini Devi, Chairperson, Manipur State commission for Women, 11 June 2009.
- Interview with Smt. Lhingjaneng Gangte, Member, Manipur State commission for Women, 11 June 2009.
- Laaljan Begum, Member, Manipur State commission for Women, 11 June 2009.
- Sorin, President, Tangkhul Shanao Long, Shirui Village, Ukhrul District.
- Keisam Ongbi Taruni, Founder Member, Nupi Samaj, (Meira Peibies), 11 June 2009.
- Pradip Phanjoubam, Editor, *Imphal Free Press*, 15 June 2009.
- Rose Manghsi Haokip, Ex-Lecturer at G.P. Women’s College, Imphal and contested 15th Lok Sabha Elections as an independent Candidate for the 15th Lok Sabha (Outer) Parliamentary Constituency, 16 June 2009.
- Ms. Sobita Mangsatabam, Secretary, Women’s Action for Development, a NGO based in Imphal working on legal awareness and capacity building on women in conflict situations with Women across Manipur, 17 June 2009.

Focus group discussion

Manipur

- i) Focus Group discussion in Hotel Broadway Complex, Senapati District HQ, Manipur, 12 June 2009.
Grace Shatsang, President, Naga Women’s Union of Manipur (NWUM), Paul Leo, President, United Naga Council (the apex body of the Nagas of Manipur State and Chingya Luithui and Joyson Mazamo, representatives of Naga Peoples Movement for Human Rights (South) (NPMHR), Chitra Ahanthem, Freelance columnist with Imphal Free Press and consultant on rights of HIV affected people in Manipur.
- ii) Focus Group Discussion in Ukhrul Town, 13 June 2009.
Members Present: Philazan Shangh, Emmanuel Hospital Association (EHA), Vima Vashum, Ukhrul District Community Resource Management Society, Athing, Ukhrul District Community Resource Management Society, Y R Philachon, Vice President, Tangkhul Shano long or Tangkhul Women’s League, Y.R. Praising, General Secretary, Tangkhul Shano long or Tangkhul Women’s

League, Janeth Hungyo, Ex – Executive Member of Tangkhul Shanao Long (1974–1982), Veronica P. Zingkhai, Former President, Tangkhul Shanao Long, Chitra Ahanthem, Freelance columnist with Imphal Free Press and consultant on rights of HIV affected people in Manipur.

- iii) Focus Group Discussion in Reach M Office, Pallel, Manipur, 16 June 2009.
Members Present: K. Moikham, Coordinator, All Tribal Women's Organisation (ATWO), T. K. Amita, Advisor, All Tribal Women's Organisation (ATWO), Manipur, Dungkham, Finance Secretary, All Tribal Women's Organisation (ATWO), A Chong Khongsai, Secretary, Kuki Women Human Right, Tengnoupal, Manipur.
- iv) Focus group Discussion with Conflict affected women involved with Women's Action for Development a non- governmental organisation based in Imphal on 17 June 2009.

Members requested to maintain anonymity.

Nagaland

Interview

- Sano Vamuzo, Chairperson, Nagaland State Commission for Women, 6 August 2009.
- Narola, Women Secretary, Naga Baptist Church Council (NBCC) Women Department, 7 August 2009.
- Mutsikhyoyo Yhobu, President, Naga Students Federation (NSF), 7 August 2009
- Esther Rhakhio, General Secretary, Chakhseong Students Union, 7 August 2009
- Khesili Chisi, President Naga Mothers Association (NMA), 8 August 2009.
- Neingulo Krome, 9 August 2009.
- Grace Kikon, *Eastern Mirror*, 9 August 2009.
- Ashipri Zho, Advocate, Gauhati High Court, 10 August 2009.
- V. Bazo Kire, Kekhrie Foundation, 10 August 2009.
- Atuolie Mepfi-o, Chairman, Kohima Village Council, 11 August 2009.
- R. Khrienuo Tachü, Assistant Director, Women Development Department, Government of Nagaland, 11 August 2009.
- Mezivolü T. Therieh, Civil Judge (Jr. Div), Kohima, 11 August 2009.
- Visakhonu Hibo, Lecturer, Department of Sociology, Japhü Christian College, Kohima, 11 August 2009.
- Vechülo -u- Kanuo, Phütsero Town Council Member, Chakhsang Women Welfare Society, Phek District. 12 August 2009.
- Zane, Village Development Board Member, Sohomi Village, Phek District, 12 August 2009.

- Tokheli Kikon, Naharbari Village Council Chairman, Dimapur, 13 August 2009.
- Merina Chishi, *The Morung Express*, Dimapur, 13 August 2009.
- Liangsi Niumai John, Secretary, Dimpaur Women Hoho and Director, Care-Centre for Environment and Rural Poor, Dimpaur, 13 August 2009.
- K. Ela, Director, Prodigals Home, Dimpaur, 13 August 2009.

In 2000 the UN Security Council adopted Resolution (UNSCR) 1325 on "Women, Peace and Security". It acknowledges the disproportionate effects of war and conflict on women, as well as the influence women can and must have in prevention and resolution of conflict, and in peace and reconstruction processes. Its main goals are to enhance women's role and decision-making capacities with regard to conflict prevention, conflict resolution and peace building; and to significantly improve factors that directly influence women's security.

Finland launched its National Action Plan on the implementation of UNSCR 1325 in 2008.

The main objective of this research is to contribute to the understanding of, and provide practical recommendations on, how the Ministry for Foreign Affairs of Finland can: i) Implement Finland's National Action Plan on 1325 through development cooperation, especially its commitment to facilitate women's participation in decision-making in conflict situations, peace processes and post-conflict activities, as well as to protect women in conflicts; ii) Support conflict prevention and post conflict development by strengthening women's role, and empowering women in countries with fragile situations; and; iii) Monitor and measure the progress of such implementation. In addition, the study explored three specific, innovative themes relevant for the question of Women, Peace and Security: i) Involvement of Men; ii) Internally Displaced Persons; and iii) Environment.

This study was carried out from April to December 2009 and included case studies in Kenya, Nepal and North-Eastern India, all of which represent countries or areas in diverse and complex conflict and post-conflict situations. Kenya and Nepal are long-term development cooperation partners of Finland. North-Eastern India, which has had an on-going, protracted conflict since 1947, was selected on the basis of the relatively numerous women's groups in the area which have had extensive, successful experience in promoting gender equitable policies.



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