

Women's Role in Nepal's Peace Process

With Special reference to inclusion in Peace Structures

Working Draft

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1. The context

Transformation of Nepal's conflict into durable peace and democracy requires not only sensitively dealing with the existing fragile transition situation and concrete delivery of peace dividends to conflict victims, survivors but also acknowledge the potentials of Women's contribution and bring them on board of peace process decision-making.

In general, peace refers to the state of social, psychological, physical, and spiritual wellbeing on an individual. However, in the context of Nepal, the peace is a state of restoring normal relations between people and between institutions directly and or indirectly affected by the 10 years of armed conflict, leading to well being. Achieving peace requires inclusion of women and appropriate process that deals with past and envisions better future by generating hope and aspiration. It can be achieved by getting process right, means having gender sensitive approach in monitoring mechanism, sincere implementation of understandings and agreements, appropriately dealing with past and ensuring transitional justice and rule of law, guaranteeing transitional security, holding free and fair elections, proper facilitation of disarming, demobilizing and reintegration and restructuring of security sector.

Nepal is in the fragile transition to peace. This country has experienced severe armed conflict between the state and the Communist Party of Nepal (Maoist) hereinafter referred as CPN (M) for a decade. The major causes of the conflict were related to structural inequality, exclusion and discrimination (caste, class, gender, geographical), concentration and abuse of power, poverty and unemployment, failure of state governing system, and ideologies. The armed conflict not only took the lives of more than thirteen thousands people and caused damage of infrastructures worth of billions of rupees but also paved the path for transformation of a feudal, centralized, monarchical unitary state into a modern, inclusive, federal republican state.

The 12-point understanding between the Seven Party Alliance (SPA) and CPN (M) and subsequent people's movement of April 2006 provided fundamental basis for ending armed conflict and restoring peace. Signing of the Comprehensive Peace Agreement (CPA), Agreement on Management of Arms and Armies, the promulgation of the Interim Constitution, formation of the Interim Legislative Parliament and the Interim Government, and invitation to the United Nations Mission in Nepal (UNMIN)¹, completion of the verification process² of the 'peoples liberation army' (PLA) by a Joint Monitoring Coordinating Committee³; reaching agreements by the interim government with Madeshis, Janajatis and other concerned stakeholders, successful completion of the highly awaited and frequently postponed election of the Constituent Assembly (CA), declaration of Nepal as 'Democratic Republic' by the 1st meeting of the CA on 28 May 2008 are the major building blocks for Nepal's peace process (Upreti, 2008). After the decade long armed conflict and two years of messy, ad-hoc and tense negotiations and renegotiations between major political forces of Nepal, this country is now at the cross roads and gradually moving from transition to transformation, hopefully to achieve stability, peace, prosperity and democracy.

¹ The 5622nd Meeting of Security Council had established United Nations Political Mission in Nepal (UNMIN) by unanimously adopting the resolution 1740 (23 January 2007) as per the request of the Government of Nepal and the CPN (M).

² All total 19604 people have been qualified from the UNMIN verification process.

³ For details about the Joint Monitoring Committee, see the decision (SC/8942) of 5622nd Meeting (PM) of the Security Council of UN.

Nepal's peace process is in fact widely praised for its fast and substantial progress. However, it has not only equally criticised for its failure to deliver the promises made but also adopting exclusionary practices (not properly involving women, Dalits, Janajatis and other concerned stakeholders in the process) (Upreti and Ghimire, 2008).

Success of peace process depends upon the right process, right representation of concerned stakeholders and translation of the promises made into action and the external cooperation (Upreti and Karna, 2007). So far, leaders have shown willingness to make peace process successful but failed to internalise the need of widely expected inclusion of women and other stakeholders, recognising the importance of process element and providing peace dividends to Nepalese people (Upreti, 2008a; 2008b; 2008c). Instead, they whole heartedly involved in power struggle and vested political interest. In this paper I am limiting the discussion mainly the various issues of women's participation on peace process.

2. Role of Women in peace process

Experiences around the world have demonstrated that women can play important roles in all elements of peace process such as a) implementation of UNSCR 1325, b) crisis management, c) negotiation and conflict management, d) peace talks and agreements, e) post conflict transitional management (transitional security and transitional justices and f) post conflict reconstruction and rehabilitation.

2.1 Women as peacemaker: international practices and success stories

Women could play crucial role in peace process. The experiences of various war-ridden countries have proved that women's qualitative engagement is crucially essential to make the peace process successful. Several examples and success stories are documented on the contribution of women in peace building and post conflict reconstruction⁴ in various parts of the world (Upreti, 2006; Rehn & Sirleaf 2002; Baechler et al 2008; ICG, 2006, Bloomfield 2003; Agustiana & Pakpohan 2004 and Anderson 1999).

If we look the history of women's initiations to promote peace, women have demonstrated novel examples. One of the prime examples is International Congress of Women (popularly known as ICW) where more than thousands people gathered in Hague in April 1915, from the European countries entangled in First World War with the specific aim of ending the bloody war. They vehemently demanded to end the war and universal disarmament, and more importantly they demanded to create a non-partisan international agency to mediate inter-state conflict (Rehn and Sirleaf, 2002). This means, they must have already envisioned the UN like body in 1915.

A comparative study conducted by International Crisis group (ICG) in Sudan, Democratic Republic of Congo and Uganda concludes that *"women can make peace agreements and post-conflict efforts more viable, effective and practical by engaging in a wide variety of actions, including but not limited to participating in peace talks; rehabilitating children associated with armed groups; convening people across conflict lines to discuss common concerns such as access to clean water; and advocating budget priorities that emphasised social services rather than military expenditures"* (ICG, 2006:1). This statement clearly demonstrates the potentials of women in peace building. However, internalisation of strengths of women in peace process is largely ignored.

Similarly, a comprehensive study of women's role in peace building was conducted by UNIFEM entitled 'Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace

⁴ For example, see The Role of Women in Peacebuilding and Reconstruction: Lessons from Rwanda, East Timor, and Afghanistan held on 6 March 2003 (Council on Foreign Relations) <http://www.state.gov/s/p/rem/2003/18759.htm> for detail.

Building-Progress' (Rehn and Sirleaf, 2002). The publication coming from this study has extensively documented the role of women in building peace and the difficulties women faced from the wars. Several examples and individual stories documented in this study give a comprehensive understanding of women's contribution in restoring peace.

The thematic assessment on women's role in peace building in Central Sulawesi and North Maluku (Agustiana and Pakpahan 2004) demonstrates that women are not only conflict victims or combatants but also peace builders, decision makers and peace leaders. Some of the women organisations such as i) Central Sulawesi Group of struggle for Women's Equality located in Palu and Poso ii) Poso Women's Cooperation Forum iii) Poso Women Empowerment Office iv) Central Sulawesi Women and Children's Care Activists Group v) Dorkas Women's Cooperatives in Kawua, vi) Women's solidarity in Palu vii) Indonesian Women's Coalitions played important role in peace building.

Similarly, the Resolution 1325 unanimously passed by the Security Council of the UN in 31 October 2000, has provided strong framework on dealing with women, peace and security. It gave clear perspective and areas of focus to mainstream a gender perspective into peace process by acknowledging the fact that civilians, particularly women and children are adversely afflicted by armed conflict.

The UNIFEM took lead in facilitating the implementation of the Resolution 1325. In 2002 it had published a very comprehensive report entitled "Women, War and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace building", which analyzes the disproportionate impact of armed conflict and violence on women and children and explores the ways and procedures for involving women in the peace process. This is one of the important documents that provide information on how the changing nature of violence is affecting the dignity of women as the increasing use of rape as a weapon of war.

One of the main messages of this report is that peace agreements work better when women are involved in the peace process. Based on the extensive reviews and documentation, it highlights that a critical mass of women, and not merely token representation, in negotiation and peace talks not only improves the quality of agreements reached but also equally or even more importantly increase chances of implementing peace accords..

The Rwanda experienced terrible genocide in the mid 1990s and created humanitarian crisis with grave human rights violation. The population composition (74 percent women and 26 percent men) of the country was altered by the genocide and it is still not fully recovered (54 percent women and 46 percent men). Women were instrumental in coping with this tragic reality. Hence, it developed a new legal framework and established a 'Gender Desk' within the Ministry of Law' to deal with the issues related to impacts of war on women. With the constant effort of this Desk the Rwandan government had brought inheritance and marriage laws. Further, from the constant efforts of women the Justice and Reconciliation Committee (JRC) had added women members in its structure. There was serious criticism to the JRC that it has female judges to look the women cases and humiliation to female witnesses. Now, Rwanda is one of the few countries having high percentage of women in parliament and other state structures (the election completed after the genocide was able to elect more than 48 percent women in the parliament). Various small and large initiatives of women held bring large portion of women in parliament. One of them was AVEGA (an association of widows of Rwanda genocide). It became active not only to help conflict victims but also to protect women and in political participation.

The Mano River Union Women's Network for Peace was another novel initiative started by women from Guinea, Liberia and Sierra Leone who was successful to influence at political level in the three countries. It was working both at grass-root and national and regional level. It was one of the instrumental forces to end the war in Sierra Leone. Because of its strength, the Mano River Union Women's Network for Peace

became part of the Federation of African Women's Peace Networks (FERFAP), who is collaborating with UNIFEM and other organisations for building peace in Africa.

In Somalia, women were constantly struggling to include in the political structures and they were able to obtain 25 seats of the 245 seats in the Transitional National Assembly. In East Timor a 30 percent quota was assigned for women in the new parliament and 267 women candidates took part in the election.

In Afghanistan the American government was insisting on participation of women in peace process. Women's issues were placed at the top of the agenda. Media were also mobilised to highlight the role of women. Continuous efforts are still ongoing to ensure the mainstreaming of gender in various ministries and projects, and ensuring that the new constitution guarantees equal rights for men and women. The economic and physical security of Afghan women is clearly linked to peace and security in Afghanistan itself, as well as to its economic growth.

Several initiatives of women have contributed to achieve peace in their countries. A good lessons can be learnt from the work of Women in Black (a Serbian women peace group) who organized peace loving women and came to peaceful street protest (they silently stood in front of government offices with play cards to denounce violence and calling for peace) despite the coercive response of the government and they became successful to make government listening to their voices. UNIFEM in collaboration with other international organizations awarded them Millennium Peace Award as recognition of their hard work to establish peace in their country. The AVEGA (an association of Rwandan widows) not only provided psychological support to the conflict victims but also raised constant voice to address the detrimental impacts created by the genocide to society.

Women were important actors of peace in Northern Namibia (Becker, 2003), building peace and resolution of conflict in Morogoro Region of Tanzania (Lihamba, 2003), prevention of conflict and promotion of peace in Central African Republic (Mathey *et al.*, 2003), Somalia (Mohamed, 2003) and Burundi (Ntahobari, and Ndayiziga, 2003).

Africa is also well known for the involvement of women in traditional mediation practice in resolving conflicts. Women had very actively engaged in traditional mediation of the conflict in Cameroon (Ngongo-Mbede, 2003).

Women have played very constructive role in healing and reconciliation in the conflict in Zimbabwe (Ranger, 1992). The work of Schmidt (1997) on women's role in healing the wounds of war in Zimbabwe is notable. UNESCO (2003) has extensively documented women's role in peace-building in Africa particularly focusing to cases on traditional conflict resolutions practices.

A study of by Miriam Agatha Chinwe Nwoye from Department of Philosophy and Religious Studies of Kenyatta University of Nairobi Kenya have extensively documented⁵ role of women in Africa. She argued that in view of the innate qualities of women and their position in society, women can and must be actively involved in conflict prevention and resolution, peace process, as peace envoys and delegations,

2.2 UN Resolution 1325 and its implementation in Nepal

Implementation of UN Security Council Resolution 1325 is extremely weak in Nepal mainly because of the following reasons:

⁵ For detail see <http://www.afrikaworld.net/afrel.chinwenwoye.htm> (retrieved on 2 August 2008).

- lack of awareness about the content of the UN Security Council Resolution 1325 at the political and decision making level
- Lack of realization or internalization and of importance of women in peace process by the politicians
- Patriarchic, feudal, exclusionary socio-cultural system that gives direct benefits to political elites, who are strongly dominating all the decision making structures.
- Competition, non-collaboration, rivalry or party political affiliation among the elite women that limit them to fight common cause.

3. Analysis of the existing Nepal's peace process

Though the CPA reaffirms the commitments to the 12-point and 8-point agreements, and 25-point code of conduct between the seven parties and the Maoists; decisions taken during the meeting of the top leaders of the seven parties and the Maoist on November 8 along with other agreements, understandings, code of conducts and letter sent to the United Nations stating identical viewpoints by the Maoists and the Nepal government; the implementation process is either weak or selective (Upreti, 2004; 2006).

It has also pledged for progressive restructuring of the state by resolving prevailing problems related with class, ethnicity, regional and gender differences, and reiterated firm commitments to civil liberties, Universal Declaration of Human Rights 1948 and other international humanitarian laws and values and principles of the human rights, press freedom, rule of law. The implementation of these commitments is also partial. On the article 1.3, it states that 'both the sides shall issue directives to all the agencies under them to follow and implement this agreement immediately. However, the agencies under them have only partly respected these provisions of the CPA.

In the article 3.7, CPA states provision of land reform 'End feudal land ownership and formulate the policies for scientific land reforms' and in the article 3.10, it states 'Adopt policies to provide land and socio-economic security to backward groups like landless, bonded labourers, tillers, Haruwa-charuwa and other such groups, which are socio-economically backward'. Land has been one of the source prime sources of unequal power relations in Nepalese society and women are the victim of land-based power structures (Ghale, 2008) but no action taken so far in implementing the article 3.7 of the CPA.

Management of PLA and their integration in to security structures and democratization of Nepal Army is becoming one of the few main controversies and problems in peace process as this sensitive but important issue is very much used as bargaining tool by political actors. The article 4.4 of the CPA states, 'The interim cabinet shall form a special committee to carry out monitoring, integration and rehabilitation of the Maoist combatants' and the article 4.7 states 'The cabinet would control, mobilise and manage the Nepali Army as per the new Military Act. The interim cabinet would prepare and implement the detailed action plan of democratisation of the Nepali Army by taking suggestions from the concerned committee of the interim parliament. This includes works like determination of the right number of the Nepali Army, prepare the democratic structure reflecting the national and inclusive character, and train them on democratic principles and human rights values'. However not much has been done so far in this important element of peace process (Upreti and Karna, 2007).

In the human rights section of the CPA (article 7.1.3) states 'Both parties express their commitment and state that necessary investigation will be undertaken against any individual involved in violating the rights mentioned in the agreement and action will be taken against ones that are found guilty. Both parties also

ascertain that they will not protect impunity and along with it, the rights of the people affected by the conflict and torture and the families of the people who have been disappeared will be safeguarded'. This provision is not fully implemented.

The above brief review of implementation of provisions stated in the CPA clearly shows that a lot have to do to make the peace process successful in Nepal. One of the main causes of the weak action could be lack of participation of women in the decision and implementation process.

3.1 Content

The content of negotiation and peace talks and provisions of agreements and understanding must address specific issues of women, children, elderly people, and conflict victims.

Making peace process successful also requires to promote accountability for war crimes committed against women. Ensuring justice and re-establish the rule of law in society is essential for achieving peace in society.

In any peace process, participation of women makes it sustainable and reduces possibility of inadequate outcomes or failure of entire process.

Any peace process should be able to address specific problems of different groups of conflict victims. They can be grouped into a) families of people killed, b) abducted people and their families, c) internally displaced people and their families, d) missing people and their families, e) injured or wounded people, and other generally affected people. Similarly, different age and gender groups of conflict victims such children, adult, old elderly people and women require specific focus. Dealing with the problems related to these conflict victims requires special efforts. Representation of women in making decisions related to these people is utmost essential.

Women's role in reconciliation is crucial. Reconciliation is being a process of searching for justice, healing, and forgiveness, pattern of cooperation and coexistence, women could play important role in these issues by helping conflict victims to address their needs, fears, and aspirations and rebuilding the broken relationships. Women could be equally important to facilitate reintegration of conflict victims. Reintegration is a complex psychological, social, political, and economic process of mainstreaming conflict victims as active members of either their communities or new communities and becoming active producers in civilian life, where women could play fundamental role. Women have to be involved in repatriation-rehabilitation-resettlement package because they know the need of women, children more than their male partners do.

3.2 Structures

As observed in different negotiation of violent conflict in different parts of the world a fully mandated, strong, committed, and gender balanced negotiation team is one of the important operational factors in making negotiation successful. Further, support of major stakeholders (civil society, political parties, women activists, dalit, business community, expert groups, etc.) becomes crucial. Unless a clear mechanism to bring local concerns and voices of people into the peace process, only elite-centric gender-blind composition of negotiation and peace process team cannot ensure sustainable peace process.

Article 8.4 of the Comprehensive Peace Agreement (CPA) contains important structures required for making peace process successful. Some of them are The National Peace and Rehabilitation Commission, the Truth and Reconciliation Commission, the High-level State Restructuring Recommendation Commission and other mechanisms as per the need to implement this agreement, the Interim Constitution and all the decisions,

agreements and understandings reached between the Seven-Party Alliance, the Government of Nepal, and the CPN (M) (8.4). While forming these structures, proportional representation of women enhances chance of making peace process successful. Ensuring key stakeholders' inclusion in these structures (such as Dalit, Madeshi, Janajaties, conflict victims) is a key to make peace process a success.

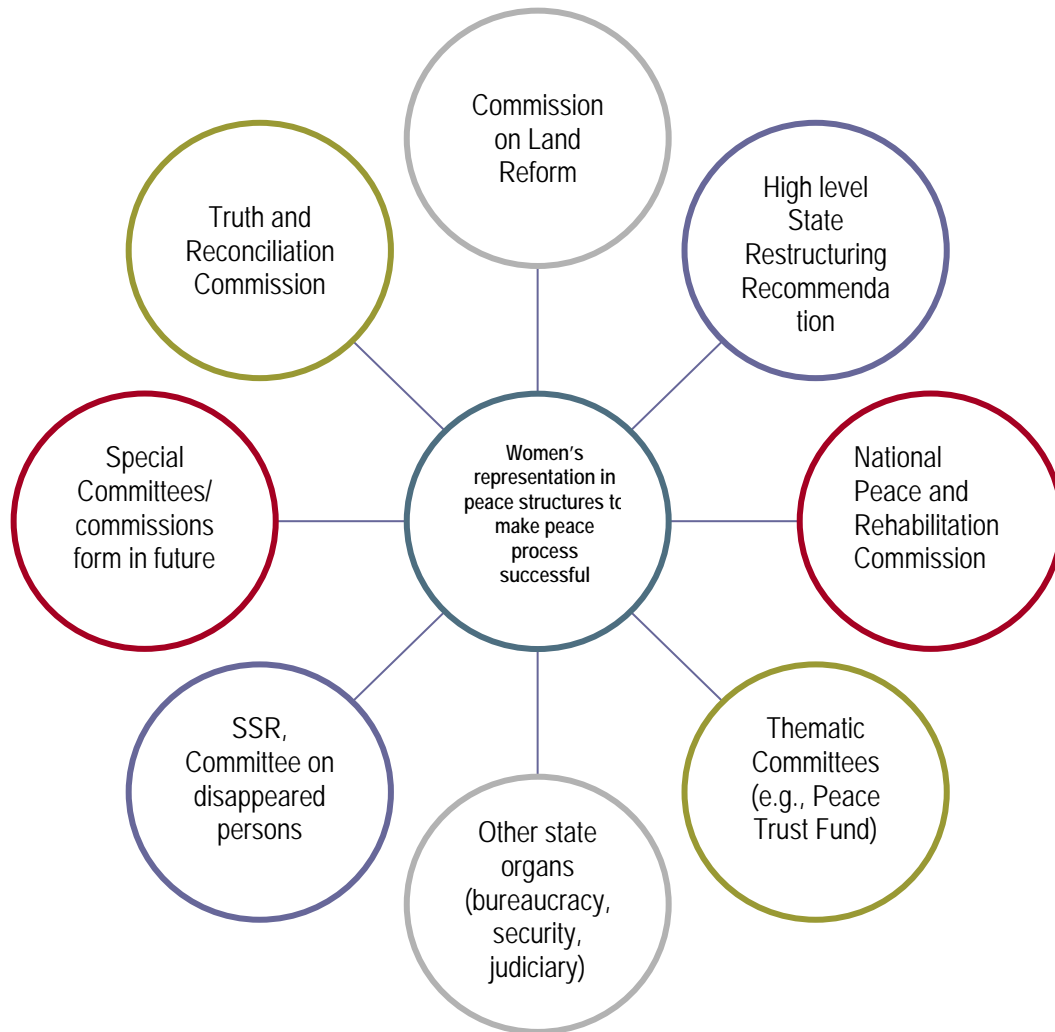


Figure 1: Women's qualitative and informed participation in possible peace structures

If I examine the physical involvement of women in the negotiation and peace talk team and nominated list of facilitators in the past, it is quite discouraging. No single woman was assigned or trusted to be the facilitator. In the first round of peace talks two respected male facilitators were assigned but no additional female members included in the facilitators team. In the second time peace talks there more were added in the previous two but all men. Again in the third time talk five members facilitator (rather observer this time) team was formed by the government but no woman included again. Similarly, there were no women negotiators from both sides in peace talks except in first part of the 2003 peace talks where government had appointed one woman as member (see Table 1) but her role was quite limited.

Table 1: Composition of the negotiation team and facilitators in Nepal's peace process

<p>1. Peace Talk team 2001:</p> <p>1A. The Government Side:</p> <p>Mr. Chiranjivi Wagley Convenor Mr. Mahesh Acharya Member Mr. Chakra P. Bastola Member Mr. Vijay K. Gachhadar Member Mr Narahari Acharya</p> <p>1B. The CPN (Maoist) Side:</p> <p>Mr. Krishna Bahadur Mahara Convener Mr. Top Bahadur Rayamajhi Member Mr. Agni Prasad Sapkota Member</p>	<p>2. Peace Talk team 2003</p> <p>2A. The Government Side:</p> <p>Mr. Badri Prasad Mandal Convenor Mr. Ramesh Nath Pandey Member Mr. Kamal Prasad Choulagai Member Mr. Narayan Singh Pun Member Dr. Upendra Devkota Member Ms. Anuradha Koirala Member</p> <p>=====</p> <p>(Once the government was changed on 4 June 2003, new PM Surya Bahadur Thapa appointed new negotiators)</p> <p>Dr. Prakash Chandra Lohani ,Convener Mr. Kamal Thapa ,Member</p> <p>2B. CPN (M) side:</p> <p>Dr. Baburam Bhattarai Convenor Mr. Ram Bahadur Thapa (Badal) Member Mr. Krishna Bahadur Mahara Member Mr. Dev Gurung Member Mr. Matrika Yadav Member</p> <p>=====</p> <p>Once the government was changed on 4 June 2003 and new PM changed negotiators the Maoist also refined it as:</p> <p>Dr. Baburam Bhattarai Convenor Mr. Krishna Bahadur Mahara Member</p>
<p>Facilitators 2001:</p> <p>Mr. Padmaratna Tuladhar Mr. Damannath Dhungana</p>	<p>Facilitators 2003:</p> <p>Mr. Damannath Dhungana Mr. Padmaratna Tuladhar Mr. Shailendra Kumar Upadhyaya Mr. Karnadhwaj Adhikary</p>
<p>3. The 2006 Negotiators</p>	
<p>3A. The Maoist team (10 May 2006)</p> <p>Mr. Krishna Bahadur Mahara Convenor Mr. Dinanath Sharma Member Mr. Dev Gurung Member</p>	<p>The Government (19 May 2006):</p> <p>Mr. Krishna Prasad Sitaula Convenor Mr. Pradip Gyawali Member Mr. Ramesh Lekhak Member</p>
	<p>Observers:</p> <p>Mr. Padmaratna Tuladhar Mr. Damannath Dhungana Mr Laxman Prasad Aryal Mr Devendra Raj Pandey Mr Marhura Prasad Shrestha</p>

Source: Compiled by author from different sources.

3.3 Process

3.4 Problems, challenges and ways ahead

Nepal's peace process in general and the participation of women in peace process in particular has faced several problems and challenges. The patriarchal social structures and power relations is obvious one to hinder meaningful and qualitative participation of women in Nepal's peace process. In fact, key political decision makers never realized the importance of qualitative engagement of women in decision-making structures of peace process

Another problem lies with the women themselves. Nepalese elite women are too much divided (politically, socially and psychologically). Most of them are heavily guided by the parties' political agenda at the cost of common interests. I am not arguing that political party worker women should not work for the interest of their party. My argument is that they have to be bold enough to come for common cause. For example, two women were presented as the candidate of Vice President Election in CA. However, both of them were used as tool for bargaining. Neither the women CA members from all parties nor the civil society leaders stood firmly behind them. Women CA members themselves did not vote to women candidate. One can argue that it was special situation or there were efforts but not successful. May be! Nevertheless, I am not convinced with these logics. All women of this nation should be stood behind this as women are half of the population of the country and they have the right to be one of the senior most positions of the state. The President election clearly showed the attitude of decision maker men towards women as they were not ready to unanimously accept female president. Even the candidate of Vice President given by two parties were made victim of power struggle.

Why *Shanti Malika* turned to be dysfunctional? An Example:

Like men, women could not work together for the common cause and often they compete each other in the areas where their collaboration could benefit more to address the cause on which they are working. The *Shanti Malika* is a glaring example. Many women and women organizations working in peace and conflict transformation had formed 'SHANTIMALIKA', a network of several women organizations active in both districts and centre. This Network was appeared to be instrumental umbrella organization for peace and a blooming hope for people like me who believe on women's instrumental role in peace process. Women representatives from 65 districts were actively participating in this network. But it became dysfunctional within short time and it was understood that the key women leaders working in this Network face problem of conflict and competition and consequently they gave up.

The main causes of non-cooperation among women can be categorised as:

- Psychological: ego driven, 'I am special than others' (language, social class, international linkages and network, etc.)
- Political: political pressure or political ambitions
- Social: Personality built on feudal social structures (from rich family, from higher social class, higher education-education from abroad, etc.)
- cd. Especial relations with international power: better access to information and resources → drives to work with them for mutual (often personal) benefits.

4. Future role of Nepalese women in making peace process successful

The CPA 2006 and the USCR 1325 has to be whole-heartedly accepted as a strategic framework and operational guideline to promote women's role in making Nepal's peace process successful. In future women have to be involved actively in content, process and structures of peace process, which is discussed in the following section:

4.1 Women in content of the peace process

Dealing with conflict victims such as killings, disappearance, torture, forced donations, threats of attack, arrest and violation of human rights in general and gender-based violence (rape, molestation, unwanted pregnancy, sexual abuses, etc.)

Victims are displaced, ex-combatants or and ex-soldiers, physically and mentally injured, children, women, elderly and disabled, or other people who are directly and or indirectly affected by the armed conflict etc.

Box 1 Victims of conflict during 10 years of armed conflict
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- | |
|--|
| <ul style="list-style-type: none">• People disappeared: 930• Women killed: 1013• Children killed: 417• Total people killed: 13347 |
|--|

Women play crucial role in promoting reconciliation and reintegration. Women can greatly contribute in addressing the sufferings, pains and tragedies of the conflict victims, developing their confidence, bringing communities together. It is crucially important to provide justice and develop harmony by promoting better understanding among the conflict victims: developing confidence, re-establishing mutual trusts and deepening understanding between former enemies. Special inherent qualities of women (called here as womanhood) greatly help in achieving reconciliation and reintegration and contribute to lasting peace in Nepal.

The government had formed a committee to address the issue of disappearance but not much progress has been made so far. Similarly, the government has also made agreements with several identity groups such as Nepal Federation of Indigenous Nationalities (NEFEN), Chure Bhabar Ekata Samaj, Madeshi Janaadhikar Forum, National Badhi Rights Struggle Committee, etc. However, a constant monitoring and follow up about the implementation of these agreement where women have direct stake.

For the practical purpose, the state has to categorize the conflict-affected people and responds accordingly, where women could play important role. The following should be the category:

- Most affected people and communities,
- Affected people, and communities, and
- Less affected people and communities.

Similarly, different groups of people are within most affected and affected category. They need different approach. Hence, the following grouping could help in implementing reconciliation:

- People killed and their families,
- People abducted and their families,
- People missing and their families,
- Injured people,
- Internally displace people,
- People with lost property.

The need of different age and sex group of victims are different and therefore the following grouping is essential:

- Children (male and female)
- Youth (male and female)
- Elderly people (male and female)

Hence, the response strategies of the state have to be developed accordingly, where role of women is crucial.

One of the urgent areas of support needed for conflict victims is psychological counselling at local levels. They are profoundly suffering from trauma, stress, fear, and hopelessness. Reviving their hope for future requires psychological counseling. Improvement of psychological health and social wellbeing of individuals exposed with the ten years of violent conflict takes considerable time and efforts of psychological counseling. Developing sense of belongingness and normalization of daily life of people requires feeling of security and constant efforts for long time. Hence, mobilization of capacity and commitment of women in facilitating community normalization process is utmost essential.

Women can play crucial role in the following major pillars of Nepal's peace process:

- a) Proper execution of the power sharing arrangements,
- b) Constant monitoring of peace process,
- c) Sincere implementation of the understandings and agreements reached in the past,
- d) Ensuring transitional Justice and rule of law,
- e) Guarantying transitional security,
- f) Facilitating disarming, demobilizing and reintegration process,
- g) Promoting security sector restructuring,
- h) Implementation of reconciliation, rehabilitation, recovery, and reconstruction,
- i) Managing and or addressing public expectation and frustration,
- j) Obtaining international support.

4.2 Women in facilitating process of the peace process

So far, process part of Nepal's peace process is extremely weak and even I argue that Nepal's peace process is 'without processes'. Nepal's peace process can be successful only when it takes 'process right'. To make process right means inclusion of main stakeholders of peace process in the decision-making (e.g., women, Dalists, Janajatis, conflict victims, displacement, etc), balancing confidentiality and transparency, getting approval of decisions that have far reaching consequences, proper documentation of the decisions, being accountable to sincerely implement decision, etc. Experiences of other conflict ridden countries show that when women are involved in decision, the quality of decisions and their implementations are better (ICG, 2006).

Women, elderly people, and children face more difficulties by not implementing or partly implementing the CPA where the complications are arising mainly from not respecting process or following inappropriate process. Women and children are at risks. Women working on hard issue of peace agenda such as taking impunity issue, human rights violations etc are in personal risks.

4.3 Women in structures of peace process

Political change of 2006 and progress achieved afterwards at the theoretical and operational level have changed the gender-based power relation in Nepal once the Interim Constitution has made provision of at least having 33 percent women in the state structures. However, a strong psychological resistance exists at decision making level to accept this provision. Despite the resistance, very positive progress has been observed in the CA election (see Table 2 and 3)

Table 2: Party-wise Gender Composition of Members of Constituent Assembly

S.no	Party Name	Candidate		Total	Elected		
		Female	Male		Female	Male	Total
1	Communist Party of Nepal (Maoists)	43	197	240	24	96	120
2	Nepali Congress	26	214	240	2	35	37
3	Communist Party of Nepal (UML)	27	212	239	1	32	33
4	Madhesi People's Rights Forum, Nepal	3	100	103	2	27	29
5	Tarai Madhes Loktantrik Party	4	90	94	1	8	9
6	Sadhvawana Party	4	83	87	0	4	4
7	Janamorcha Nepal	28	175	203	0	2	2
8	Nepal Workers and Peasants Party	27	71	98	0	2	2

9	Independent	42	774	816	0	2	2
10	Rastriya Janamorcha	15	107	122	0	1	1
11	Rastriya Janshakti Party	14	184	198	0	0	0
12	Rastriya Prajatantra Party	22	210	232	0	0	0
13	Samajwadi Prajatantrik. Janata Party, Nepal	7	43	50	0	0	0
14	Nepal Rastriya Bikas Party	0	13	13	0	0	0
15	Socialist Party of Nepal	0	5	5	0	0	0
16	Rastriya Janamukti Party	8	76	84	0	0	0
17	Rastriya Prajatantra Party Nepal	8	196	204	0	0	0
18	Communist Party of Nepal (Unified)	10	126	136	0	0	0
19	Communist Party of Nepal (M.L.)	11	105	116	0	0	0
20	Rastriya Janata Dal	0	8	8	0	0	0
21	Communist Party of Nepal (United)	6	49	55	0	0	0
22	Nepal Samata Party	2	12	14	0	0	0
23	Dalit Janajati Party	1	49	50	0	0	0
24	Nepal Sadhvawana Party (Anandidevi)	13	91	104	0	0	0
25	Communist Party of Nepal (United Marxist)	5	43	48	0	0	0
26	Communist Party of Nepal (Marxist)	1	7	8	0	0	0
27	Hindu Democratic Party	0	4	4	0	0	0
28	Nav Janawadi Morcha	1	14	15	0	0	0
29	Nepal Rastriya Janakalyan Party	0	3	3	0	0	0
30	Rastriya Bikas Party	0	21	21	0	0	0
31	Muskan Sena Nepal Party	2	32	34	0	0	0
32	League Nepal Shanti Ekata Party	0	10	10	0	0	0
33	Nepal Janavawana Party	0	2	2	0	0	0
34	Nepal Shanti Kshetra Parishad	1	2	3	0	0	0
35	Rastrawadi Yuwa Morcha	1	4	5	0	0	0
36	Liberal Samajwadi Party	0	3	3	0	0	0
37	Nepali Janata Dal	10	30	40	0	0	0
38	Nepal Rastriya Lokatantrik Dal	1	1	2	0	0	0
39	Rastrawadi Ekata Party	2	0	2	0	0	0
40	Janamukti Party, Nepal	0	3	3	0	0	0
41	Sa-Shakti Nepal	6	0	6	0	0	0
42	Rastriya Janata Dal Nepal	0	17	17	0	0	0
43	Shanti Party Nepal	4	8	12	0	0	0
44	Nepal Janata Party	2	23	25	0	0	0
45	Lok Kalyankari Janata Party Nepal	2	32	34	0	0	0
46	Mongol National Organization	0	17	17	0	0	0
47	Nepal Samyawadi Dal	0	1	1	0	0	0
48	Federal Democratic National Forum	2	43	45	0	0	0
49	Nepa: Rastriya Party	1	5	6	0	0	0
50	Nepal Lokatantrik Samajbadi Dal	0	11	11	0	0	0
51	Nepal Sukumbasi Party (Loktantrik)	3	8	11	0	0	0
52	Nepal Dalit Shramik Morcha	0	1	1	0	0	0
53	Chure Bhawar Rastriya Ekata Party	1	21	22	0	0	0

Nepal							
54	Tamsaling Nepal Rastriya Dal	3	19	22	0	0	0
55	Nawanepal Prajatantrik Dal	0	2	2	0	0	0
Total		369	3577	3946	30	209	239

Source: Election Commission, (2008); Ghale (2008), Table 7.4

Table 2 shows 369 out of 3577 were women candidates. The percentage of women in the total candidacy was low (10.32 percent) however the percentage of winning was high (18.30 percent) compared to their male counterparts (5.3 percent). This indicates that women are more popular and they could win if given the opportunity but they are not given enough opportunities

Table 3: FTTP party wise candidates Constituent Assembly

S. N	Party	Total Candidate	Women (No)	%	Janjati (No)	%	Madhisi (No)	%	Dalit (No)	%
1	CPN (UML)	240	26	10.8	65	27.1	65	27.08	2	0.8
2	Nepali Congress	240	25	10.4	62	25.8	51	21.2	1	0.4
3	CPN (M)	240	42	17.5	85	35.4	68	28.3	16	3.3
4	RPP	237	25	10.5	77	32.5	67	28.2	3	1.2
5	Janamorcha Nepal	214	29	13.5	47	21.9	54	25.2	26	12.1
6	Rastriya Janamorcha	125	14	11.2	32	25.6	16	12.8	12	9.6
7	CPN (United)	142	10	7.04	68	57.8	14	9.8	4	2.8
8	MPRF	105	3	2.8	20	19	96	91.4	0	0
9	TMLP									
10	Sadhbhawana Party	93	5	5.3	20	21.5	87	93.5	0	0
11	Rastriya Janashakti Party	201	14	6.9	59	29.3	48	23.8	6	2.9
12	RPP (Nepal)	207	9	4.3	55	26.5	50	24.15	2	0.96
13	Nepal Sadhbhawana Party (A)	105	12	11.4	17	16.1	88	83.8	10	9.5
14	CPN (ML)	120	12	10	15	12.5	28	23.3	10	8.3
15	Nepal Majdoor Kisan Party	98	27	27.5	33	33.6	34	34.6	6	6.1
16	Rastriya Janamukti Party	84	8	9.5	71	84.5	10	11.9	6	7.1

Source: Dahal and Kaphle (2008); Ghale (2008), Table 7.5

The Table 3 shows that political parties are not yet liberal towards providing opportunities to women in politics. All big three parties were not willing to fulfil the constitutional provisions of providing 33 percent to women. Among the big three parties, the CPN (M) gave only 42 candidates out of 240 (17.5 percent), the CPN (UML) gave 26 candidates (10.8 percent) and the Nepali Congress gave 25 women candidates (10.4 percent). Nepal Peasant and Workers' Party is comparatively better in providing more opportunities to women (by giving 27 out of 98 candidates (27.5 percent)).

Women have to be included, at least as per the provision of the Interim Constitution, if not possible to represent on proportional basis at present, in the following actual and potential state/peace structures:

- Cabinet and council of ministers
- Commission on Land Reform
- Security Commission and or National Security Council
- Security Sector Restructuring or other related committees ,
- Committee on Disappeared Persons
- Special Committees/commissions form in future
- Local Peace Committee
- Administrative Restructuring Commission
- Thematic Committees (e.g., Peace Trust Fund)
- National Peace and Rehabilitation Commission
- National Planning Commission
- High level State Restructuring Recommendation Commission
- Bureaucracy, Security and Judiciary structures
- Political party structures

It may not be feasible to involve women in the above mentioned potential or actual structures if political decision makers use the existing legal, institutional and operational frameworks. Therefore, it is essential to identify what factors are obstructing to include qualified women in these structures and change them

The ICG comparative study (2006) of conflict ridden African Countries show that women play crucial role if they are given the formal responsibility. In Sudan, a country with more than four decades of war, Dr Anne Itto, State Minister in Government of national Unity and Mary Kiden, Minister for Gender, Social Welfare and Religious Affairs played important role in peace process. In Nepal, for example, if woman leads Ministry of Peace and Reconstruction, the outcomes may be different and hopefully positive.

5. Conclusions

So far state has not properly internalise and acknowledge the women crucial role in peace process and therefore not provided substantial responsibility. One of the main reasons of this response is the masculine mind-set, a true reflection of feudal, patriarchic society. Women themselves have also indirectly or directly contributing to this mind-set.

Women are half of the population of the nation and therefore they are half of the solution of the country. It is also inappropriate to argue that women's role alone brings peace and stability in Nepal. However, meaningful participation of women in peace process can definitely contribute to achieve it.

Nepal needs to learn and internalize from the experiences of other countries where women have greatly contributed to peace building, peace operation, reconstruction, rehabilitation, resettlement, reconciliation, resettlement reintegration, and repatriation (6R).

To make the Nepal's peace process successful qualitative engagement of women in content, structures and process of peace process is essential. Peace process is being part of political process; women engagement in broader political process can only ensure women's representation in peace process. Hence, these two components should go together.

6. Some pragmatic action to enhance the women's participation in peace process

It is relished that making peace process gender sensitive, inclusive and productive, it is essential to accept the CPA 2006 and the UNSCR 1325 as the guiding frameworks and consider the following:

1. A comprehensive mapping of women's engagement in peace process with the detail documentation of areas of their focus or specialisation, available human resources and their competency, etc that provide basis for making availability of women for specific structures
2. Promotion of young female professionals in the areas of peace. So far only few women leaders are available for participating in peace related structures
3. Invest in gender budget analysis of government and international investment in peace process to ensure that the resources rich to needy women and children,
4. Assess the existing situation through evidences (collection and analysis of information with gender specific indicators) that how and to what extend the GoN policies, programmes, and service are directed to women victims of armed conflict and how much women are engaged in such service. That gives sound basis for redirecting the services towards needy victims.
5. Map out the existing situation of positions holds by women in state structures, assess the legal provisions that hinders women's inclusion in state structures. Similar assessment is also needed at the level of political parties, semi-governmental agencies.
6. Constitutional provision of inclusion of women (33 percent) in state structures gives strong basis to include women in peace structures but women needs to further develop thematic speciality or bring the subject matter experts on board instead of appearing of few popular women figures everywhere. Affirmative action in favour of women may be needed for some time in specific structures that are crucially important for make peace process a success.
7. The women should not focus only on participating in the structures but also and equally concentrate on the content of the peace process such as exerting pressure on government to allocate more resource on girls' education, access of girls on health and education, establishing ownership of land to women, gender mainstreaming in post-conflict programmes
8. UNSCR 1325 is still largely unknown to wider population. I suspect even many senior politicians; bureaucrats and women professional may not be well familiar with the provisions of SCR 1325. Hence, massive awareness rising is essential.
9. Collaborate with men (at least begin with gender-sensitive male members of society) to widen the effects of women's work on peace process.

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