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OPINION

A mediator's perspective:
Women and the Nepali
peace process

Günther Baechler

The Centre for Humanitarian Dialogue (HD Centre) is an independent mediation organisation dedicated to helping improve the global response to armed conflict. It attempts to achieve this by mediating between warring parties and providing support to the broader mediation community.
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peacemaking across the Asia-Pacific region to identify and employ strategies for improving women's contribution to and participation in peace processes.

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From 2005 to 2007, I was the Swiss Special Adviser for Peace Building in Nepal. This was a critical time in the resolution of a bitter decade-long 'People's War', which culminated in a comprehensive peace agreement in November 2006 following an arduous year of negotiations. The peace talks in Nepal, like so many elsewhere, were notably absent of women. Yet they provided a wide range of contributions to the overall peace process. This paper reflects on this, as well as on what mediators and other third parties can do to include more women in peace talks.

Introduction

Women's roles in Nepali society and the core issues of the Nepali peace are an expression of the active political role Nepali women started to play – in particular in the wake of the “people's movement” of 1990-92 (*janaa andolan I*) and April 2006 (*janaa andolan II*). Women activists were not satisfied with being politically marginalised. Instead, they requested a seat at the peace table to defend their own rights, to get first hand information about the conditions

to end the war, to shed light on problems, to open up the close circle of men who represented the conflict parties, to articulate their own perspectives, and to define their own future in a new Nepali society – in particular with regard to the constitution making process. All this together makes Nepal a particularly interesting case for studying the participation of women in a peace process in the last five years.

For Nepali women, peace was never understood in the narrow or negative sense of the term, i.e. the absence of armed violence (*never* means in the last twenty years or so which were marked by the democratization process in Nepal). It was only the first step towards a more comprehensive peace which emerged out of experiencing a long history of political oppression through a feudal monarchy; near total impunity; widespread insecurity in the rural areas; domestic and public violence; as well as double and triple marginalisation of women in the exclusionary cast system. These are some of the main reasons why, for Nepali women, the notion of peace was not an abstract formula for a future “Shangri-là”. Peace was much more a practical strategy to implement down-to-earth human security, with its wide range of meanings: a “*combination of economic security (having an assured basic income), food security (physical and economic access to food), health security (access to basic health care), environmental security (access to clean water, clean air, ecological security), personal security (freedom from physical violence and threats), right to human dignity and freedom of a person, community (cultural integrity) and political security (protection of civil rights and freedom and responsibilities)*.”¹ Guaranteeing safe access to fields, markets, and schools is as important as providing education for all children; establishing justice in remote districts is as crucial as ending impunity for perpetrators, be they regular armed forces, police, Maoists, or ordinary criminals.

1 Rajbhandari, Renu (2008), 'Gender-balanced Peace Building', in Günther Baechler, Nilamber Acharya, Peter Dammann, Renu Rajbhandari, Bishnu Raj Upreti, Building New Roads to Peace, Jagadamba Press, Lalitpur, Nepal, January, p. 108.

Women as agents of change

In considering the difference it makes when women are the peace table, I assumed that the direct participation of women in peace negotiations would make a significant difference both in terms of process and content. In Nepal, women were basically excluded from the main negotiations that led to the cascade of documents signed by the two conflict parties, the Communist Party of Nepal-Maoist, (CPN-M) and the Seven Party Alliance (SPA). However, one could argue that directly involving representatives of women groups as well as female members of the conflict parties would have had an even more significant and visible impact. There are several reasons supporting this hypothesis:

- The male representatives of the conflict parties would not have had a reason to exclude women from the negotiating table, unless they perceived those women *agents of change*, – in particular some of the outstanding women they knew relatively well from the long social and political struggle in Nepal. Those (armed) men indeed had reason to fear the fundamental impact of meaningful women’s participation to the peace deal.
- The fear of the parties was not ‘irrational’ since women’s participation would have led to ‘change’ at various levels. Issues of impunity, human rights, justice, dealing with the past, as well as the social and economic well-being of the people would have ranked higher on the agenda of the talks. Women in Nepal were also much less concerned about who was going to be the next Prime Minister or the distribution of ministerial posts among the members of the tiny political elite in Kathmandu. Their real concerns related to forming a stable coalition government in order to manage the transition, as well as a proportional election system which would allow for a fair representation of both women and excluded groups in the Constituent Assembly (CA).
- Women were not only interested in a technical ceasefire among the main belligerents but mainly in a cessation of hostilities among the armed actors from both sides that would protect the rural population sandwiched between the Royal Nepal Army and the People’s Army of the CPN-M.
- Women were particularly interested in the democratisation of the peace process; they wanted to make the voice of civil society and excluded groups heard at the negotiation table. When women learned that the parties – including the Maoists – just aimed to use the mass movement of April 2006 to seize power, they organised protest rallies in both downtown Kathmandu as well as in front of ministerial buildings.
- Generally, the women I was working with were in favour of a more systematic process of consultation and participation in the peace process. For them, the drafting of agreements during chaotic night sessions in the Prime Minister’s residence was not a trustworthy process. Real democracy starts with the first round of peace talks and not only in the post-agreement phase.

Hence, the women related to genuine human security concerns while the male negotiators circled around a superficial peace in order to avoid hard compromises that would have been necessary, in particular with regard to the two armies Nepal still has).

Of course, women were aware of the many constraints they faced: the traditional elite around GP Koirala (Prime Minister, Nepali Congress Party) was afraid of losing power and influence in the ‘new Nepal’, whereas the Maoist leadership did not like any interference which could deviate from its long-term goal of establishing a ‘federal people’s republic’.

Women making it into the ‘peace room’

2 The Peace Secretariat was an “official” institution - part of the Government of Nepal. After the CPA was signed, it was transformed into the Peace Ministry (with Ram Chandra Poudel being the first Minister for Peace). The Task Force was an informal body for consultation among different actors and stakeholders. The Peace Secretariat was instrumental in forming the Task Force - and it was one of the driving forces of the Task Force as well. The Task Force was composed of the Peace Secretariat, two international experts (Hannes Siebert and myself), the delegates of the political parties, the Nepal Transition to Peace Initiative (founded by Hannes Siebert), and a small number of selected NGOs. The Task Force discussed all issues relevant to the peace process; it tried to create a common platform and provide the Peace Secretariat with some political guidance (since the political parties were the main players during the interim period - and not the Government). Also see www.aed-ccsg.org/projects/peacebuilding/nepal.html

In Nepal, women used different means to exercise influence and gain access to decision-making bodies. They missed their goal of being broadly represented in the peace room (which was actually the Prime Minister’s residence most of the time). However, both independent women as well as some female members of the main political parties (SPA and CPN-M) managed to participate in pre-talks, consultative meetings, capacity building activities, as well as meetings with the Peace Secretariat which was transformed into the Peace Ministry after the CPA was signed. In particular, women were represented in the “peace task force” which was composed of representatives of the political parties, the Peace Secretariat, local facilitators, and international advisers, (facilitated by the ‘Nepal Transition to Peace Initiative’).²

Women were active in the following areas:

- The issue of human rights violations, impunity, and human security helped to create a nation-wide women’s movement across sectors, professional groups, parties, and identity groups. The movement gave women greater space to raise their voices in the streets of Kathmandu and district headquarters (provincial towns), as well as in the political sphere of the state institutions.
- During the peace process in 2006 and 2007, many women, who had been party members for quite some time, managed to be elected or nominated to relevant institutions of the political parties such as: peace, constitution, and women’s committees, etc. Hence, the democratisation of political parties as well as more collective forms of party leadership became a major issue during that time.
- Because of their focus on human security, women were perceived as stakeholders who could play a facilitative role across party lines and sectors in the complex Nepali society. Women’s solidarity with both the victims of the civil war and Nepal’s systematic forms of exclusion helped to overcome ideological, social, ethnic, and cast boundaries. This was not easy because

women also had to contend with other political pressures: left vs. right wing ideologies, competition, tactical games, etc.

- Women actively advocated for a proportional electoral system in order to get a fair share of the seats in the CA. Since the constitution-making process (very much put forward by the Maoists) was at the core of the peace process in Nepal, women could strongly argue for being put on the voters lists by the democratic parties (or to create separate women's lists).
- The elections to the CA boosted the role of women in the second (post-agreement) phase of the peace process. Over 30 per cent of the CA consists of female parliamentarians, which is critical given the CA's centrality in the peace process in Nepal (Maoist women form the biggest faction).

Unfortunately the conflict parties misused the CA in exactly the same way as they did the Parliament in Nepal: as a stage for political statements, a space for tactical games, and a room for individual power gains. This was not only disappointing, but was also (and remains) a gross violation of the principles of the peace process and a massive misunderstanding of the transitional period by the main political actors in Nepal. The elected women – many of them in the political arena for the first time in their lives– were of course not able to stop this nonsense by the political parties' powerful male leaders.

The roles of mediators in ensuring greater involvement of women at the negotiating table

Mediators have many ways to engage (more) women in peace and negotiation processes. Such strategies depend on the mandate, the formal role, and the acceptance of the mediator. Strategies also depend on the political and cultural context: is there space for active mediation? What is the status of women in general and within the parties to the conflict? Can the international community play a constructive role? In the case of Nepal, I was accepted as a facilitator and a mediator mandated by GP Koirala and Prachanda (leader of the Maoists) to informally facilitate talks between the SPA and the CPN-M. Some of the strategies I used to empower women included:

- Through a local group of nine Nepali nominees for the global initiative, “*1000 women for the Nobel Prize for Peace 2005*” (my wife being the manager of the international campaign), I had excellent entry points to make contact with women in Nepal.³ Luckily, three of the nine nominees became very prominent figures in the Nepal struggle for peace and democracy: Sahana Pradhan

³ See www.1000peacewomen.org

(CPN-UML) became Foreign Minister in the transitional government of GP Koirala; Stella Tamang was a coordinator of the Peace Women Alliance of Nepal (PEWA); and Binda Pandey was elected later on as a chairperson of the “Fundamental Rights and Directive Principle Committee” of the Constituent Assembly.

4 Women who were supposed to slip into the role of Madhav Nepal, Prachanda, or GP Koirala, had a lot of fun (and me, being an observer and facilitator, as well).

5 See the Women’s Charter reprinted in Günther Baechler, Nilamber Acharya, Peter Dammann, Renu Rajbhandari, Bishnu Raj Upreti (2008), Building New Roads to Peace, Jagadamba Press, Lalitpur, Nepal, January.

6 The Comprehensive Peace Accord does not comprise a chapter on economic reforms to be carried out by the peace partners. Both the NC as well as the CPN-M did not want to disclose their strategic orientations at an early stage of the peace process. They both aimed at using the CA as a platform to put forward their ideas on the future of the Nepalese society.

- From 2005 onwards, my office engaged the nine Nepali nominees plus a group of about twenty women from different sectors and political parties (including CPN-M) in capacity-building seminars. We conducted several negotiation and mediation trainings with the main goal of bringing women to the negotiation table. For example, we organised role plays in which women had to approach their respective party leadership with a request to establish women’s committees and accept proportional electoral systems with reserved seats for women.⁴ Other topics included how to negotiate effectively; bargaining; negotiation styles and approaches; the process of mediation; strengthening the role of women within political parties and processes, and how to get to the negotiation table.
- The group of women also engaged in an exercise that was not planned. They met over the course of several weekends to draft the Charter for Equality 2006, a document that a conference of about 300 Nepali women was consulted on and endorsed.⁵ The Charter was published in English and Nepali and served as both a document to promote discussion and decision making among the women and as a working document for parliamentarians in the various committees formed by the CA. In clear language, the Charter covers issues that were long ignored by the main actors: security sector reform, justice, dealing with the past, social equality and inclusion, economic reform, water issues, human security, etc.⁶
- We managed to train women who later became part of the Peace Task Force mentioned above, which fed into the main negotiations. Most of the drafts put forward to the negotiators of both sides were produced in the Peace Secretariat and discussed in the Task Force.
- We organised conferences, including some with UNDP, where we addressed the role(s) of women at all levels and in all institutions of a possible federal system in Nepal. It was clearly communicated that participation in a federal system is not just a question of being elected but also of making best use of both territorial and cultural autonomy rights in order to deal with the double or triple discrimination faced by Nepali women (which holds particularly true for women from the Dalit community).
- We also helped facilitate meetings between delegations of women and the Maoist leadership. The Maoists were well known for their high percentage of women fighters in the PLA and were open to the requests of the women.

Possible actions by conflict parties to include more women

The long-term goal must be that women are not dependent on the interests of conflict parties but become interest groups for peace by and for themselves. There are several ways of bolstering women's interests:

- Both sides in the peace process need the substantial support of women throughout the country in order to structurally overcome the highly centralised and semi-feudal system left behind by the former Hindu king. Women are a major part of the workforce without whom the development of a stable economy will not be possible. Beyond this, in the near future, women in Nepal will form a major reservoir of highly educated individuals. Higher education in turn is a prerequisite for moving towards an economy less dependent on agriculture (which still binds up to 90 per cent of the workforce).
- In Nepal's highly politicised society, the main way to strengthen the popular basis of the political parties and to acquire new membership is through increasing participation of women at the local and district level.
- Women (and in particular organised women) contribute significantly to human security, social stability, and to a sound social fabric in times of widespread poverty, ethnic tensions, and suffering as a consequence of the civil war and on-going political struggle. Women should be further supported to consolidate this contribution.
- Finally, political parties cannot win elections anymore without the support and active participation of women throughout the country. The new democratic and federal Republic of Nepal depends on the participation and ingenuity of its women in order to be peaceful, prosperous, and make best use of the scarce (environmental) resources of the country.

The value of international norms

If all actors worked together to implement an active policy on women's empowerment, the engendering of many peace processes would become a reality. The example of Nepal shows there are many ways to do this. Of course, the situation elsewhere would be quite different from Nepal – as I learnt during my engagement in the Darfur peace process. Nevertheless, in Sudan, we were able to promote the participation of generally ill-organised women in the peace talks (for example, a delegation to Abuja in 2006 and women as a major part of the civil society delegation to the Darfur talks in December 2009 in Doha, Qatar).

All stakeholders should be briefed on the fact that UN Security Council resolution 1325 (SCR 1325) established international standards relating to women, peace and security. However, too many governments and conflict parties still pay just lip service to engaging women in peace talks.

Unequal gender representation does affect the quality of peace processes, though the fact that few peace processes have substantially engaged women makes this hard to assess precisely. But this should not be an argument against the equal representation of women in peace talks. There are many indicators that women may and will play constructive roles that go beyond what we have seen in the past.⁷ In the near future, the peacemaking community ought to be able to draw distinctions between ‘thin peace agreements’ which only involve armed actors and have a high probability to lapse back to armed violence, and ‘thick peace agreements’ with broad based involvement of all segments of a given society – including women – and a higher degree of success in the long run. This will then provide a base of evidence that can be used to trace the impact of women and civil society actors on such processes.

The 10th anniversary year of SCR 1325 is an excellent opportunity to elevate women’s participation and to make sure they not only take their place at the negotiation table but are also able to put forward their visions of sustainable peace for societies as a whole.

7 Maybe with exception of the peace process in Liberia where the women finally managed to win the presidential elections (Ellen Johnson Sirleaf as the first female president). See the excellent documentary movie: “Pray the Devil Back to Hell”.

About the author

Günther Baechler holds a Ph.D. in Conflict Studies from the University of Bremen. In 1996 he got trained in mediation and negotiation at the Harvard Negotiation Programme and at the John F Kennedy School of Government, Harvard University. In January 2001, he became Head of the newly established Conflict Prevention and Transformation Division at Swiss Agency for Development and Cooperation in Bern. In May 2005 he was appointed as a Special Adviser for Peace Building in Nepal by the Swiss Foreign Ministry. In November 2007, he was nominated by the Swiss Foreign Ministry as Senior Adviser for Peace Building in Darfur, Sudan. From August 2009 onwards, he has been serving as Senior Mediator in the same department. As of September 2010 he will be the Ambassador for Switzerland to Georgia and Armenia.

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