PEACE, WITH WOMEN?
WOMEN'S POLITICAL PARTICIPATION IN POST-CONFLICT CONTEXTS

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Explores the political participation of women in peace-building and politics in four South Asian post-conflict settings: Afghanistan, Bangladesh, Nepal and Sri Lanka.

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This paper explores the political participation of women in peace-building and politics in four South Asian post-conflict settings-- Afghanistan, Bangladesh, Nepal and Sri Lanka.

The paper opens by briefly defining its "terms of reference"—political participation and "post-conflict" settings. Four case studies of South Asian post-conflict states follow. In each of these, two avenues of women's engagement will be surveyed: women's participation in the peace process, including the writing of new constitutions, and women's participation in formal political institutions. It concludes with a discussion of women's participation—in polities ostensibly at peace, in conflict zones and in post-conflict areas—and what enables or inhibits such participation.

Some definitional notes

On political participation

Our political values have come a long way from the time that Aristotle considered the incursion of the many into politics—democracy—an undesirable form of government. In the last hundred years, both democratic and undemocratic polities have come to value participation (and the appearance thereof) as a source of legitimacy. In a now-classic work on political development, Myron Weiner defines political participation as "…any voluntary action, successful or unsuccessful, organized or unorganized, episodic or continuous, employing legitimate or illegitimate methods intended to influence the choice of public policies, the administration of public affairs, or the choice of political leaders at any level of government, local or national."[1] Further, he highlights "action," "voluntary" and "choice" as the key components of this definition, ruling out from the scope of political participation, attitudes, forced participation or situations like elections where there is only one candidate.

Women's participation in public affairs is intrinsically important in every setting; the ability and willingness of women to be a part of policy and political life is a real measure of democratic politics. Conversely, the absence of women—common to most political cultures—is indicative not just of their alienation and disempowerment but of the inequitable nature of social structures and a lack of

[1] Weiner, Myron. , Political Participation: Crisis of the Political Process, in Leonard Binder, James S. Coleman, Joseph LaPalombara, Lucian W. Pye, Sidney Verba and Myron Weiner, Crises and Sequences in Political Development, Princeton University Press, Princeton, 1971, page 164.

political commitment to equality. Following Shirin Rai, we identify participation and representation as two dimensions of access to decision-making, approximating the input and output sides of the political process.[2] There is a third: having an actual seat at the table without being silenced. The point of departure for this essay is the view that women should be involved in decision-making in their communities, local or national, in peace-time, during conflict and in the post-conflict period, and interest in women's political participation is essentially an interest in their political involvement, as it is and should be, as manifest in their agency, voice, presence and efficacy.

Participation should be meaningful. Women whose views were included in a 2010 study had a very broad view of what that meant.[3] Women should be included in the peacebuilding process on "equal or better" terms than men; as they put it, "…there should be 51% women rather than 33%." Literacy, spoken English and the ability to use computers would contribute to women's ability to participate in a meaningful way. Women sought better opportunities to participate, in a way that meant that they could influence decision-making, not just be part of an assembly.

On being "post-conflict"

A quick review of several "post-conflict" situations is all it takes to highlight how problematic the term is. In most countries, peace, conflict and post-conflict co-exist. Conflicts do not have open and shut beginnings and endings, and in any society, multiple conflicts may wage at a particular moment. The term "post-conflict" is applied when one of them—the oldest or the most violent or the most internationally visible—ends, but to the others, no end may be in sight. Afghanistan and Sri Lanka especially illustrate this, and in Sri Lanka, activists and analysts use "post-war" rather than "post-conflict" to signal that the underlying issues remain unresolved.

Furthermore, even as a polity might move to "post-conflict" status with a new constitution and allegiance to new and more gender-equitable values, society

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[2] Rai, Shirin. 2005. "Equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership." Page 3. United Nations Department of Economic and Social Affairs (DESA). Division for the Advancement of Women (DAW)/ Economic Commission for Africa (ECA)/ Inter-Parliamentary Union (IPU). Expert Group Meeting on Equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership. 24 to 27 October. EGM/EPWD/2005/BP.1.

[3] Abdela, Lesley . , Case Study – Nepal: United Nations Security Council Resolution 1325: Women's Meaningful Participation in Peacebuilding and Governance, CARE/ Australian Development Corporation, Vienna/Kathmandu, 2010, page 12, accessed at http://www.ideas-int.org/documents/docs/CARE%20Report%20Nepal.pdf on August 15, 2013.

changes at a slower pace. Nepal illustrates this; things have changed on paper but women are still struggling to be taken seriously in places where their presence is now guaranteed. Pre-conflict and post-conflict realities co-exist. Where women's entry into politics is not a post-conflict novelty, it may be other circumstances that follow from the end of war or violence that affect participation. Conflict and post-conflict situations inherit to some extent the conditions that prevailed before the outbreak of conflict. For instance, if there was an active women's movement before the conflict, at least some parts of it will continue to function through the conflict. In Sri Lanka, women are not new to the public sphere, and the questions about their low representation in Parliament pre-date the conflict and persist. The end of the war has not resulted in a restructuring of the polity, and in any case, with women very visible in civil society and occupying the highest offices, quotas were not even on the agenda.

Finally, the "post-conflict" label applies poorly where conflict—albeit long-standing, intense and deeply destructive—remains local to particular places and communities. Conflict can be localized but with nationwide consequences, yet some conditions need not obtain in the same way everywhere (such as the security situation). Elsewhere, in the same polity, things continue as before, and this is what most reports and statistics on women's participation capture—not information specific to the post-conflict context. Bangladesh is an example, with the conflict in question raising fundamental, systemic questions but affecting people within a specific area. Post-conflict changes in women's participation—such as they are—are local and not at the national level.

In this paper, the narrative and the analysis both move back and forth between conflict and post-conflict—and 'apart from the conflict'—because it is so often hard to separate these circumstances. This applies not just to the discussion of the case studies but also to the closing discussion of what enables or inhibits participation.

Afghanistan

At least two generations of Afghans have grown up in the shadow of war and with high levels of violence. What began with the Soviet army's occupation in 1979 was deemed to have ended in 2001 with an interim government taking charge. In these dozen years, Afghanistan has been the laboratory for top-led social and political change—especially on gender issues, because women's rights were a key rallying point in building support for the US-led intervention to oust the Taliban government.

In the decade or so since the Taliban's dismissal, the situation of women has improved in some ways but there are many in which they would seem to have replaced one set of insecurities with another. The impact of facilitating constitutional provisions is off-set by prevalent security conditions which limit women's mobility and agency.

A 2001 conference report places post-conflict women's political in the historical context.[4] Afghan history recalls many heroic women and for over a century, the modernizing Afghan elite have supported human rights. The years of communist rule following the Soviet occupation reinforced this, placing women in the spotlight. Growing conservatism about women's participation in the public sphere was a part of the growing anti-Soviet sentiment. This culminated in the very misogynistic climate between 1996 and 2001 when the Taliban took control of Afghanistan's government. The point made is that any pro-women policies or provisions in the post-2001 dispensation would be a restoration and not an introduction of Afghan women's rights and participation.

Peace process

After the decades of modernization that valorised women's education and participation in the public sphere, Afghan women had enough leadership potential to have shown agency in the worst years of conflict.

In the formal peace processes after 1979, women's participation does not reflect this reality. This is in part because of the flight of so many Afghan families into exile. No women were present at the talks that preceded the 1988 Geneva Accords.[5]

At the December 2001 meeting in Bonn, there were two women among the Afghan signatories, a reflection perhaps of the role that women's rights had played in rallying support for the American intervention. The two women, Amena Afzali and Sima Wali, came to the conference with a track-record of working on education and

[4] Hunt, Swanee and Amiri, Rina. Transition within Tradition: Restoring Women's Participation in Afghanistan, Conference Report, Harvard University, Cambridge, 2002, accessed at http://www.swaneehunt.com/articles/TransitionWithinTradition.pdf on September 5, 2013. Some of this history is also claimed by the Afghan Ministry of Women Affairs on its website: Introduction to MoWA, accessed at http://mowa.gov.af/en/page/1332 on September 10, 2013.

[5] Hamid, Zarin. UN SCR 1325 Implementation in Afghanistan, Afghan Women's Network, 2011, page 25, accessed at http://www.afghanwomennetwork.af/Latest%20Updates/1325%20English.pdf on August 25, 2013.

women's rights through the years. The positive outcomes for women from the 2001 Bonn Agreement[6] were:

1. The Special Commission charged with convening the Emergency Loya Jirga that would decide on the Interim Administration, was mandated to ensure the "representation… of a significant number of women." (IV.2)
2. The appointment of a woman as one of the five Vice-Chairs of the Interim Administration and to take charge of Women's Affairs, as well as the appointment of a woman to take charge of Public Health (Dr. Suhaila Siddiqi).

In the Emergency Loya Jirga convened in June 2002, there were 160 women. While its mandate was limited to setting up the Interim Administration, the Emergency Loya Jirga became a platform for women to articulate their experiences and aspirations.[7] In the Constitutional Loya Jirga that followed in December 2003, 102 out of 500 members were women. Two of the nine members of the Constitutional Drafting Committee and seven of the 35 members of the Constitutional Review Commission were women.[8] They produced a constitution which provided a quota for women's representation.

In June 2010, Afghan women were part of the National Consultative Peace Jirga.[9] 334 women and 1334 men took part in these consultations which were meant to offer people a platform to share their concerns with a view to creating a strategy to end conflict in Afghanistan. Women used the opportunity to demand that the participation gains made since 2001 be protected from reversal. Sustained lobbying ensured that a forum of activists participated in the follow-up Kabul Conference, which ended up endorsing the reintegration of the Taliban with a nod to preserving women's gains.

Following the Peace Jirga, a High Peace Council (HPC) was formed to oversee the Afghanistan Peace and Reconciliation Program (APRP). Nine women are members of the 70-person HPC, which has a women's committee which held meetings with women from across the provinces, including women members of the provincial peace councils. Nevertheless, the HPC's "Peace Process Roadmap to 2015"

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[6] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, accessed at http://unama.unmissions.org/Portals/UNAMA/Documents/Bonn-agreement.pdf on September 8, 2013.

[7] Kazem, Halima. June 13, 2002. Afghan Women Find Political Voice, Eurasianet.org, accessed at http://www.eurasianet.org/departments/insight/articles/eav061402a.shtml on September 8, 2013.

[8] Focus on Afghanistan, US Department of State Archive, no date, accessed at http://2001-2009.state.gov/g/wi/afghan/ on September 8, 2013.

[9] Hamid, Zarin. 2011. pages 25-27.

contains not one reference to women's rights and protection of women and their gains in the peace to come.[10] As Orzala Ashraf Nemat writes, "One point that is increasingly clear for Afghan women is that the Taliban are not the only group trying to deny women an active role."[11]

In 2011, at the International Afghanistan Conference in Bonn, only five Afghans addressed the assembled foreign ministers and officials from around the world; of these, only one of the two civil society representatives was a woman, and she got only three minutes to speak.[12] In the run-up to the Bonn Conference, the Afghan Women's Network had prepared a position paper with specific demands relating to security, transitional justice, peace and reintegration.[13] Excluded from the main meeting, women activists travelled to several key capitals to press their case, and also to Bonn, in an attempt to reach out to media and delegation on the sidelines of the conference.[14] "Women want peace but not at the cost of losing our freedom again."[15]

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[10] High Peace Council, Peace Process Roadmap to 2015, November 2012, accessed at http://www.foreignpolicy.com/files/121213_Peace_Process_Roadmap_to_2015.pdf on September 9, 2013.

[11] Ashraf Nemat ,Orzala. Afghan Women at the Crossroads: Agents of Peace—Or Its Victims? A Century Foundation Report, 2011, pages 20-21, accessed at http://www.peacewomen.org/assets/file/Resources/NGO/hr_afghanwomenatthecrossroads_march2011.pdf on September 9, 2013. This is reinforced by the account in Oxfam, A place at the table: Safeguarding women's rights in Afghanistan, 153 Oxfam Briefing Paper, October 3, 2011, page 20-21, accessed at http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf on August 26, 2013, which quotes an embassy official saying: "Women's issues are important but they are not our top priority."

[12] Moosa, Zohra."After the Bonn conference, what next for Afghanistan's women?" The Guardian, December 6, 2011, accessed at http://www.theguardian.com/global-development/poverty-matters/2011/dec/06/bonn-what-next-afghan-women on September 10, 2013. The civil society representative Selay Ghaffar's statement is available at http://static.auswaertiges-amt.de/cae/servlet/contentblob/604724/publicationFile/163034/Afghan_Civil_Society_Delegation_Statement2.pdf accessed on September 10, 2013. See also: Human Rights Watch, Afghanistan: Key Conference sidelining Women, October 30, 2011, accessed at http://www.hrw.org/news/2011/10/30/afghanistan-key-conference-sidelining-women on September 10, 2013.

[13] Afghan Women's Network, Afghan Women: Towards Bonn and Beyond: Position Paper, October 6, 2011, accessed at http://www.afghanwomennetwork.af/Latest%20Updates/AWN_Position_Paper_FINAL_FINAL_English.pdf on September 10, 2013. See also, Action Aid, Policy Briefing: Bonn and Beyond: Negotiating the Future of Women's Rights in Afghanistan, November 2011, accessed at http://www.actionaid.org.uk/sites/default/files/doc_lib/bonn_and_beyond.pdf on September 10, 2013.

[14] Wheeler, Travis. Afghan Women see an opportunity at Bonn," Inclusive Security Blog, April 19, 2012, accessed at http://blog.inclusivesecurity.org/afghan-women-see-an-opportunity-at-bonn/ on September 10, 2013.

[15] Akbar, Noorjahan. Young Women for Change, quoted in Oxfam, A place at the table: Safeguarding women's rights in Afghanistan, 153 Oxfam Briefing Paper, October 3, 2011, page 2, accessed at http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf on August 26, 2013.

Indeed, outside of formal peace processes, the agency of women is hard to miss. The peace work of women has always included work on human rights and on development. The efforts on the ground of women activists and women's organizations and the transnational networks they accessed, sometimes through Afghan women in the diaspora, created awareness worldwide of what Afghan women experienced in the decades after 1979.

The honour roll of Afghan women's groups and activists is long, with many of the latter working under threat to their lives. Revolutionary Association of the Women of Afghanistan (RAWA), founded in 1977, worked not just on health, education and livelihoods, but also as part of a suppressed democratic resistance first during the Soviet years, the Taliban and now, religious fundamentalism.[16] The Afghan Women's Educational Centre was set up in 1991 to address the needs of Afghan refugee women in the Islamabad-Rawalpindi area in Pakistan.[17] The AWEC place was both a meeting place for refugee women and also the venue for classes in English, computer usage, tailoring and even basic literacy. Over the years, its work has extended from service provision to advocacy for democracy and women's rights, and AWEC works on both sides of the Afghanistan-Pakistan border. Established in 1995, the membership of the high-profile Afghan Women's Network includes 103 NGOs and 5000 individuals, their website states.[18] The AWN networks and coordinates with key governmental, international and non-governmental players on information, resources and planning; undertakes advocacy work on protection of women and their human rights; and builds the capacity of network members through training and travel. To list three organizations does not begin to capture the stories of endurance, resistance and survival by women that are yet to be fully documented.

> "This is perhaps a unique time in the Afghanistan's history of the past century and beyond: progress for Afghan women is not coming from the government on high, or being bestowed by those who are affiliated directly with the center of political decision-making, but rather is coming from women who have managed to enhance their leadership skills at the grassroots level. They have had to attract the financial support that is available internationally, yet focus on, and work to bring changes in, the mentalities of people at the community level."[19]

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[16] About RAWA, 2013, accessed at http://www.rawa.org/rawa.html on September 10, 2013.
[17] Afghan Women's Educational Center, 2012, accessed at http://www.awec.info/english/index.php/about-us/profile on September 18, 2013.
[18] Afghan Women's Network, Who We Are? 2011, accessed at http://www.afghanwomennetwork.af/WhoWeAre.html on September 10, 2013.
[19] Ashraf Nemat ,Orzala. 2011. page 22.

Political institutions and political processes

> "One of the many hats I wore at the UN was serving as the liaison for parliament, and what was striking to me was the extent of women's participation in parliament. I hadn't expected it the way I saw it. Women who had been elected at a local level, and who were hitherto unknown, were speaking in an equally powerful way and taking almost equal space to men in parliament. When a woman's hand was raised, it counted the same as a man's hand, and that was not the case in the emergency Loya Jirga and the constitutional Loya Jirga. There were women representatives at those jirgas, certainly, but there was not the same level of equality. Now there are rules and procedures so that if a woman or a man, or somebody from Helmand or Panjshir or Baghlan, raises their hand, their names are taken down and each has an opportunity to speak. It isn't simply the women of Kabul who have popular media attention who speak. The most prominent members, the most vocal ones, are women I'd never heard of before, women from Laghman—Pashtun women who are often depicted as the more repressed women. That was and is encouraging."[20]

One of the most important changes in post-2001 Afghanistan has been institutional reform (including constitutional provisions) that have mandated the inclusion of women and women's concerns in government.

The Ministry of Women Affairs (MoWA) was set up at the 2001 Bonn Conference and Sima Samar was the first woman to hold this portfolio. Locating itself in the historical context of women's activism in Afghanistan, the Ministry has also claimed an important role in securing women's rights in post-conflict Afghanistan. The twin objectives of MoWA are to "secure and expand" women's legal rights and "to ensure the rule of law" in women's lives. Charged with being the focal point in government for gender mainstreaming, MoWA has done best when it has intervened in individual cases.[21] In the face of scepticism of the discourse of gender sensitivity and in spite of its high profile, the embattled department is also

[20] Amiri, Rina, Statement to the 39th Parliament, 1st SESSION, Standing Committee on National Defence, Parliament of Canada, January 30, 2007, accessed at http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=2644056&Language=E&Mode=1 on September 8, 2013.

[21] Cortright, David and Wall, Kristen. Afghan Women Speak: Enhancing Security and Human Rights in Afghanistan, Kroc Institute for International Peace Studies, University of Notre Dame, August 2012, pages 12-13, accessed at http://kroc.nd.edu/sites/default/files/Afghan_Women_Speak_Report.pdf on August 26, 2013.

underfunded. The National Action Plan for the Women of Afghanistan is the main policy document of the MoWA.[22]

The 2004 Afghan constitution recognizes the equality in law of all its citizens, women and men.[23] Women have the right to vote and the right to contest elections. It also lays the foundation of a system of quotas to ensure women's representation in politics.[24] 68 seats are reserved in the lower house of Parliament, with the proviso that at least two women should be elected from each of the 34 electoral constituencies in Afghanistan. In the upper house, fifty percent of the appointed members of the house—who make up one-third of the members—must be women; in other words, one-sixth of the members of the upper house must be women. The provision to reserve 25% of the provincial council seats was amended to lower this quota to 20% in July 2013.[25]

Among the many Presidential candidates in 2004, one was a woman, Massouda Jalal. In 2009, there were two female candidates in a pool of 41. In the 2005 elections, 344 women contested elections to parliament and 285 women to provincial councils.[26] 44% of newly registered voters were women. 333 women contested the 2009 provincial elections.[27] A decline in female voter turnout was observed in many areas, with some polling stations having virtually no female voters. In the 2010 parliamentary elections, 422 women contested elections, while the number of male candidates dropped.[28] While a quarter of the women ran in the Kabul area, at least three women ran from every province. Voter turnout on the other hand was low. Quotas have helped Afghanistan move to the top of the charts when it comes to women's representation in Parliament. This is the case even though they function more as a ceiling than a minimum requirement, with the

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[22] National Action Plan for the Women of Afghanistan, 2008-2018, accessed at http://mowa.gov.af/Content/files/TABLE%20OF%20CONTENTS.pdf on September 10, 2013.
[23] Islamic Republic of Afghanistan, The Constitution of Afghanistan, 2004, accessed at http://www.afghanembassy.com.pl/cms/uploads/images/Constitution/The%20Constitution.pdf on September 10, 2013.
[24] Afghanistan, Quota Project: Global Database of Quotas for Women, July 2013 update, accessed at http://www.quotaproject.org/uid/countryview.cfm?CountryCode=AF on September 10, 2013.
[25] Abawi, Atia. Afghan women suffer setback as parliament lowers quota for female lawmakers, World News on NBC.com, July 18, 2013, accessed at http://worldnews.nbcnews.com/_news/2013/07/18/19534549-afghan-women-suffer-setback-as-parliament-lowers-quota-for-female-lawmakers?lite on September 10, 2013.
[26] Cortright, David and Wall, Kristen. August 2012. pages 12-13.
[27] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and UNIFEM, One Step Forward, Two Steps Back? Lessons Learnt on Women's Participation in the 2009 Afghanistan Elections: Workshop Report, 2009, page 7, accessed at http://www.unifem.org/afghanistan/docs/pubs/10/IEC_UNIFEM_Report_Afghan_Elections_2009.pdf on September 10, 2013.
[28] Worden, Scott and Sudhakar, Nina. Learning from Women's Success in the 2010 Afghan Elections, United States Institute of Peace Special Report 309, June 2012, pages 2-3, accessed at http://www.usip.org/sites/default/files/resources/SR309.pdf on September 10, 2013.

highest vote-getter still being relegated to a quota seat rather than an open one with two other women occupying the quota seats.[29] Whether this will change with the shrinking of the quota, remains to be seen.

The most important factor affecting political participation in Afghanistan, especially that of women, is the security situation.[30] The simplest form of political participation is voting. One reason given for declining turnout since 2004 is the deterioration in security conditions.[31] Violence impedes the mobility of women, and it also deters women from coming to work as polling station agents. In turn this means that fewer women come to vote.[32] According to reports, the fact that women do not have to have their photographs on their voting card makes them vulnerable to proxy voting.[33] Moreover, even as security concerns determined the location of polling stations, they moved them to locations where it was hard for women to travel.[34] Other than security and lack of mobility, a low rate of literacy among Afghan women meant many could not use the ballots.[35] Scheduling the elections just before Ramadan when homemakers are very busy was listed as another deterrent to participation.[36]

For candidates, too, security was the major impediment, and even the provision of security hotlines and security protection did not help enough.[37] Few

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[29] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and 2009, page 11.
Also National Democratic Institute, The 2009 Presidential and Provincial Council Elections in Afghanistan, September 2009, page 34, accessed at http://www.ndi.org/files/Elections_in_Afghanistan_2009.pdf on September 10, 2013.

[30] National Democratic Institute, The 2009 Presidential and Provincial Council Elections in Afghanistan, September 2009, page 2, accessed at http://www.ndi.org/files/Elections_in_Afghanistan_2009.pdf on September 10, 2013.

[31] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and UNIFEM, One Step Forward, Two Steps Back? Lessons Learnt on Women's Participation in the 2009 Afghanistan Elections: Workshop Report, 2009, page 7, accessed at http://www.unifem.org/afghanistan/docs/pubs/10/IEC_UNIFEM_Report_Afghan_Elections_2009.pdf on September 10, 2013.

[32] See Jessica Donati and Miriam Arghandiwal (Reuters), Afghan women may be denied vote because of female security force shortage, World News on NBC.com, August 28, 2013, accessed at http://worldnews.nbcnews.com/_news/2013/08/28/20231106-afghan-women-may-be-denied-vote-because-of-female-security-force-shortage?lite on September 10, 2013.

[33] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and UNIFEM.2009, page 6. The 2009 Presidential and Provincial Council Elections in Afghanistan, September 2009, page 2, accessed at http://www.ndi.org/files/Elections_in_Afghanistan_2009.pdf on September 10, 2013.

[34] National Democratic Institute,September 2009, page 32.

[35] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and UNIFEM, 2009, page 9.

[36] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and UNIFEM, 2009, page 10.

[37] National Democratic Institute, September 2009, pages 30 and 33.

people knew about the latter, and getting protection was a complicated process. "Unfortunately, the security provision was confusing, inadequate, late in implementation, difficult to access and altogether poorly implemented."[38] Cultural factors also placed women candidates at a disadvantage; they required the endorsement of family or village elders for their campaign to be credible and sometimes used a male relative as their spokesperson.[39] As in every other part of the world, women in Afghanistan also find it very hard to raise funds for their campaigns.

Apart from participation in Parliament, in some parts of Afghanistan, there is a tradition of women's councils (shuras), which the government is trying to revive as a resource for rural development. But many of the same challenges limit women's participation in these councils, including intimidation.[40]

Women's access to justice poses specific challenges. A 2013 Oxfam report states that women make up less than 1% of the police.[41] The high prevalence of sexual and gender-based violence within the home makes it particularly vital that women police officers are available to record complaints. The presence of women police at checkpoints would also facilitate the mobility of women, to say nothing of stopping men from masquerading as women to carry out attacks. Apart from prejudice even within government circles, low salary and night shifts (which can lead to gossip about the women) also are thought to deter women from joining the police.[42]

It is estimated that 300 women lawyers work as defence lawyers, and virtually no women lawyers in 31 provinces.[43] The challenges of practising law are two-fold: the challenges of professional women in the public sphere in Afghanistan as well as the challenges posed by the traditional system and its supporters. A September 2013 conference of female judges discussed both professional challenges

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[38] Resource Centre for Women in Politics, Gender Unit of the Independent Election Commission and UNIFEM.2009, page 9.
[39] National Democratic Institute.September 2009, pages 33.
[40] Grenfell, Laura. The Participation of Afghan Women in the Reconstruction Process, Human Rights Brief 12, no. 1 (2004): 22-25, accessed at http://www.wcl.american.edu/hrbrief/12/1grenfell.pdf on August 26, 2013.
[41] Oxfam, Women and the Afghan Police, 173 Oxfam Briefing Paper Summary, September 10, 2013, accessed at http://www.oxfam.org/sites/www.oxfam.org/files/bp173-afghanistan-women-police-100913-summ-en_0.pdf on September 12, 2013.
[42] Oxfam, A place at the table: Safeguarding women's rights in Afghanistan, 153 Oxfam Briefing Paper, October 3, 2011, page 15, accessed at http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf on August 26, 2013.
[43] Hakimi, Asar. Afghan Female Lawyers: Providing Hope for Female Detainees (Interview with Najla Rahib), April 23, 2013, Bamdad.af, accessed at http://www.bamdad.af/english/story/2256 on September 12, 2013.

and the obstacles women faced in getting justice.[44] Women judges are targeted and stigmatised for doing their work, and the result is that there are provinces which have no female judges. This makes it that much harder for female complainants to approach the courts freely. There is also no woman judge in the High Council of the Supreme Court.

The Law on Elimination of Violence against Women, which was passed as a presidential decree in 2009, went to the Afghan Parliament for ratification in May 2013, to have the vote deferred indefinitely after a mere two-hour debate.[45] Very few women have access to the formal justice system, and this reinforces the culture of impunity around violence against women and human rights violations.[46] The number of female prisoners has been on the rise, and a majority of female prisoners are held for "moral crimes," which include running away from an abusive husband, pre- or extra-marital affairs, and rape—this is in spite of these women approaching the formal system.[47]

In sum

With the international community providing a favourable tail-wind, the women of Afghanistan have come a long way to reclaim the rights and spaces in the public sphere that they once had. While constitutional measures like the quota have helped, credit goes primarily to them for persevering in the face of great odds that include abiding social conservatism and threats from all quarters to their safety. For every gain they make, there is a set-back—the assassination of a woman activist or official. In a chicken-egg cycle, women's participation in the public sphere is actually curbed by the relatively low presence of women in the public sphere. For instance, not having enough women police officers makes it hard for women to file complaints. Not having enough women polling station agents inhibits women from going out to vote. Admirably, Afghan women are resolute; their advocacy efforts have been unflagging and Afghan democracy will owe them a great debt someday.

Bangladesh

[44] UN Assistance Mission in Afghanistan, Afghanistan's female judges discuss challenges in justice delivery, September 4, 2013, accessed at http://reliefweb.int/report/afghanistan/afghanistan's-female-judges-discuss-challenges-justice-delivery on September 12, 2013.
[45] Feministnews, Afghan Violence against Women Law blocked in Parliament, Feminist Majority Foundation Blog, May 20, 2013, accessed at http://feminist.org/blog/index.php/2013/05/20/afghan-violence-against-women-law-blocked-in-parliament/ on September 12, 2013.
[46] 153 Oxfam Briefing Paper, October 3, 2011, page 14.
[47] DCAF, Gender and Security Sector Reform: Examples from the Ground, 2011, pages 41-44, accessed at http://www.poa-iss.org/kit/Gender-SSR-E.pdf on September 12, 2013.

> "I think it is natural to expect the caged bird to be angry at those who imprisoned her. But if she understands that she has been imprisoned and that the cage is not her rightful place, then she has every right to claim the freedom of the skies!"
>
> Kalpana Chakma[48]

The struggle of those who have lived in the Chittagong Hill Tracts to preserve their identity, their lands and their autonomy from a Bangladeshi state predicated on a single Bangla identity, people from the plains looking for 'living room' and the coercive authority of that state, illustrates the oft-used metaphor of the 'matryoshka' doll to describe nested nationalisms. Land acquisition for development projects like the Kaptai dam displaced hundreds of thousands who had always lived in this area. Bangladesh came into being in 1971, an expression of linguistic nationalism, asserting that one hegemonic cultural identity could not be imposed on a multi-nation state encompassing many diverse histories. Ironically, the Bangladeshi state went on to do just that, but identifying Bangladeshi with Bengali to the exclusion of the other communities that lived within the same state.[49]

As a corollary to Bangladeshi independence, Jumma communities in the south-eastern part of the new country sought autonomy within the new state.[50] A four-point manifesto on this was presented to the Prime Minister Sheikh Mujibur Rahman and to the constitution drafting committee in early 1972.[51] The four demands they made were: 1) Autonomy for the CHT; 2) Retention of the CHT Regulation of 1900 which restricted outside access to the hills; 3) Recognition of the

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[48] In Memory of Kalpana Chakma, CHT News Update, June 12, 2012, accessed at http://chtnewsupdate.blogspot.in/2011/06/in-memory-of-kalpana-chaka.html on September 22, 2013.

[49] In preparing to write this section, I drew on and am grateful for the guidance of Dr. Meghna Guha-Thakurta.

[50] The people who have historically inhabited the Chittagong Hill Tracts belong to over a dozen tribal communities. Collectively, they are called either "Jumma" and "Pahari." Each of these terms has significance. "Jumma" is derived from the 'jum' (shifting) cultivation long practiced here, but it has been used for all the indigenous groups living here, by their own parties and leaders. "Pahari" means those who live in the hills, including both indigenous communities and Bengali settlers, and is preferred by the Bangladeshi establishment. In this section, I will use both, interchangeably, reflecting their use in specific contexts.

[51] This historical account draws on Sagheer Faiz and Naeem Mohaiemen, Peace in Our Time? (1715-1997), Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, page 27, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013; Zafar Sobhan, Fire on the Mountains, in Ainoon Naher and Prashanta Tripura, Violence against Indigenous Women, in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, pages 59-60, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013.

three kings of the Jummas; and 4) a ban on non-Jummas settling in the hills. However, the committee refused to even mention the presence of indigenous and non-Bengali communities in the constitution.[52] On a 1973 visit to CHT, the Prime Minister was reported saying, "From today, there are no tribal sub-groups in Bangladesh; everyone is a Bengali." Several writers have pointed to the irony of Bangladesh, having sought independence from Pakistan in the face of linguistic domination and cultural hegemony, seeking to efface the identity of non-Bengali communities within its borders.[53]

The Chittagong Hill Tracts Solidarity Party was formed in June 1972 to further the cause of autonomy and in 1975, acquired a militant arm, the Shanti Bahini. The next 22 years witnessed violence and hostilities, an increased military presence in the CHT, displacement and the settling of the CHT by Bengalis from the plains.

In 1997, after seven rounds of talks, a Peace Accord was signed between the Parbattya Chattagram Jana Sanghati Samity (PCJSS or JSS) and the National Committee on CHT (NCCHT). In the sixteen years since the signing of the Accord, the demographic balance in the CHT has changed to where there are now almost as many Bengalis as indigenous peoples.[54] There is also an influx of NGOs and development money in this area. Military camps remain in the area.

In 2011, the 15th Amendment to the Bangladesh Constitution suggested that after forty years of insurgency and counter-insurgency, accord and post-conflict politics, nothing much had changed. Those concerned with human rights and with the struggle of the peoples of CHT point to three particularly problematic provisions.[55] First, through the re-insertion of "Bismillah-ar-Rahman-ar-Rahim" at the beginning of the preamble and the retention of the provision that made Islam the state religion, the Constitution was signalling exclusion to non-Muslim Bangladeshis.

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[52] South Asia Forum for Human Rights, Chronology of Events: Conflict in the Chittagong Hill Tracts, 2012, accessed at http://idl-bnc.idrc.ca/dspace/bitstream/10625/49985/1/IDL-49985.pdf on September 24, 2013.

[53] Mohsin, Amena. Language, Identity and State, in Ainoon Naher and Prashanta Tripura, Violence against Indigenous Women, in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, pages 157-166, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013.

[54] Guhathakurta, Meghna. "Changing Context in the CHT," in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, page 138, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013.

[55] Chittagong Hill Tracts Commission, Letter to the Prime Minister, July 12, 2011, accessed at http://www.chtcommission.org/wp-content/uploads/2011/07/CHTCommission_LetterToPM_Constitution.pdf on October 2, 2013.

Second, with this amendment, Article 6(2) specifically states: "The people of Bangladesh shall be known as Bangalees as a nation and the citizens of Bangladesh shall be known as Bangladeshis." This harks back to Sheikh Mujibur Rahman's statement that sparked the CHT movement. Finally, the reference in the constitution to tribes, minor races, ethnic sects and communities is not acceptable, while 'indigenous peoples' would be.

Peace Process

> "Women in the Hill Tracts want peace and for most it means the freedom to be their own selves, to live without fear and insecurity."[56]

Women activists played an important and visible role in the CHT struggle for autonomy.[57] Women spoke up and wrote about their experiences, as Kalpana Chakma's diary and Kabita Chakma's poetry showed.

Sadeka Halim writes briefly about the history of women's activism in CHT.[58] In 1975, the Parbatyo Chattagram Mohila Samity was formed to raise awareness among women about the CHT struggle. In 1977-78, about 150 were given arms training and a women's regiment of the JSS was formed. Participants were mostly educated women who remained politically active even after the regiment was disbanded in 1983. In the late 1980s, women were largely active in student organizations like the Pahari Chhatra Parishad. In 1988, the Hill Women's Federation was founded, prompted in large measure by the rape and sexual harassment of women by the security forces and also by their support for the autonomy movement. Political activism lent a measure of dignity to their lives.

Membership of the Hill Women's Federation overlapped with other organizations like the Pahari Gono Parishad and the Pahari Chattra Parishad; it is now listed on the PCJSS website as a 'Wing Organization.'[59] While women activists

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[56] Guhathakurta, Meghna. Women's Narratives from the Chittagong Hill Tracts, in Women, War and Peace in South Asia: Beyond Victimhood to Agency, edited by Rita Manchanda, Sage, New Delhi, 2001, page 287.

[57] This paragraph is largely drawn from Meghna Guhathakurta, Women's Narratives from the Chittagong Hill Tracts, in Women, War and Peace in South Asia: Beyond Victimhood to Agency, edited by Rita Manchanda, Sage, New Delhi, 2001, pages 252-293.

[58] Halim,Sadeka.Insecurity of Indigenous Women, in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, page 186, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013.

[59] Parbattya Chattagram Jana Samhati Samiti (PCJSS), Hill Women's Federation, accessed at http://pcjss-cht.org/index.php?option=com_content&view=article&id=58&Itemid=27 on September 28, 2013.

drew attention to the insensitivity of the male-dominated leadership to their concerns, they also did not think it possible for these concerns to be addressed without self-determination and autonomy.[60] Women were community and political activists and while there were few women combatants, they offered the Shanti Bahini auxiliary services like cooking and nursing, and also worked as informers.[61]

The CHT peace process lasted over two decades, during which time, two women held the office of Bangladesh Prime Minister. Yet, there were no women representatives involved on either side, the PCJSS or the government.[62] In spite of the Hill Women's Federation's role in making known human rights violations in the Chittagong Hill Tracts, not one woman represented the CHT side.[63]

The CHT Peace Accord 1997 consisted of two kinds of provisions: administrative arrangements and adjustments at every level of governance, including spelling out jurisdiction over subjects; and some provisions relating to rehabilitation and amnesty.[64] The CHT Accord has been criticised as a "gendered" accord.[65]

The Accord created Hill District Councils for Rangamati, Bandarban and Khagrachari, to control the transfer and lease of lands, forests, hills and water-bodies.[66] It created a Regional Council to oversee these. The administrative

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[60] Kalpana Chakma quoted in Meghna Guhathakurta, Women's Narratives from the Chittagong Hill Tracts, in Women, War and Peace in South Asia: Beyond Victimhood to Agency, edited by Rita Manchanda, Sage, New Delhi, 2001, pages 281-284.

[61] Mohsin, Amena. Gendered Nation, Gendered Peace, in Peace Processes and Peace Accords, edited by Samir Kumar Das, Sage, New Delhi, 2005, page 244.

[62] Mohsin, Amena. 2005, page 236.

[63] One JSS leader is quoted as saying to Amena Mohsin, "I was drafting a peace accord, not doing gender," in Cate Buchanan, Adam Cooper, Cody Griggers, Lira Low, Rita Manchanda, Rebecca Peters and Antonia Potter Prentice, From clause to effect: including women's rights and gender in peace agreements, Women at the Peace Table Asia Pacific, Centre for Humanitarian Dialogue, December 2012, page 91.

[64] Parbattya Chattagram Jana Samhati Samiti (PCJSS), CHT Accord of 1997, accessed at http://pcjss-cht.org/index.php?option=com_content&view=article&id=62&Itemid=54 on September 28, 2013. Critical appraisals of the Accord abound. See: Bina D'Costa, Displacement and Dislocation in CHT, in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, page 152, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013; Amena Mohsin, Patriarchal state and Jumma women's agency, South Asia Citizens' Web, March 8, 2012, accessed at http://www.sacw.net/article2574.html on October 1, 2013.

[65] Mohsin, Amena. 2005, page 246. Of the four cases considered here, this is the only case and the only Peace Accord that was signed prior to the adoption of UN Security Council Resolution 1325 (2000).

[66] "Buchanan,Cate"" Cooper,Adam" " Griggers,Cody" " Low, Lira" "Manchanda, Rita" "Peters,Rebecca" and "Prentice ,Antonia Potter". From clause to effect: including women's rights and gender in peace agreements, Women at the Peace Table Asia Pacific, Centre for Humanitarian Dialogue, December 2012, page 31.

arrangements provide for quotas of women--three women at every level, two tribal, and one non-tribal. While the inclusion of any quota for women may have been a positive change in 1997, the quota the Accord provides for including women is very small, just three women in the District Councils as well as the Regional Council. In the former, women make up three members (one non-tribal) out of 30; while in the latter, women make up just three members (one non-tribal) out of 22. The Accord makes no quota provision for tribal women in the national Parliament or the Advisory Council to assist the Ministry of CHT Affairs. While the Accord provides for recruitment from CHT to the police, there is no quota for recruiting female constables or officers.

The CHT Accord mentions human rights in the preamble but overlooks the history of human rights violations by security forces in the CHT. The amnesty provided in the Accord was meant for JSS cadres and contingent upon them surrendering their arms. It speaks to the rehabilitation of those who fled their homes during the years of fighting, but it does not address their experience of forced conversion, eviction, abduction, rape or persecution. It said nothing about the sexual violence that was rampant in the years of conflict, nor anything about violent excesses by soldiers. Amena Mohsin wrote that between 1991 and 1993 over 94 percent of reported CHT rape cases were by security personnel and more than 40% of those raped were women under the age of 18.[67] Another author states that 2500 indigenous women were raped between 1971 and 1994.[68]

The Accord also stated that the government could not acquire or dispose of land (other than that already in use for large development projects) without the permission of the Hill District Council. It does not take into account tribal women's property rights; for the PCJSS, this is a problematic question, because of the fear that women marrying outside the community will take property out of the community. There is no requirement that the Councils consult both men and women in their decision-making.

The reparation and rehabilitation provisions are not gender-sensitive.[69] The provision for educational scholarships does not specifically include women and girls. There is no specific mention of women in either the general amnesty provision or of

[67] Mohsin, Amena. 2005, page 246.
[68] Naher Ainoon and Tripura ,Prashanta. Violence against Indigenous Women, in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, page 194, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013.
[69] "Buchanan,Cate"" Cooper,Adam" " Griggers,Cody" " Low, Lira" "Manchanda, Rita" "Peters,Rebecca" and "Prentice ,Antonia Potter". December 2012, pages 53-54.

female-headed households in the payment of rehabilitation, nor when it comes to employment or credit facilities. Perhaps the generic provision is intended to apply to women and men; the reality is that unless otherwise specified, benefits do not accrue to women because they remain invisible. The JSS also overlooked the work of women in compiling their surrender list, listing only two, where there might have been 50.[70]

> "In some ways, the Accord made conditions worse for women in the CHT. It sidestepped in the topic of the Bengali settlers, which exacerbated tensions over competing claims on land. The splintering of the armed groups into rival factions and the ensuing turf wars reinforced violence, justifying the continuing presence of the military in the hills and making women more vulnerable to abuse."[71]

The Accord provided for the phased withdrawal of paramilitary and army camps to their permanent bases, and the occupied land to be returned to owners. This has not happened.[72] There is a discrepancy between the government's claim to have withdrawn 172 camps and their information to PCJSS that they have withdrawn 31 camps. Some of these have since been redeployed. The previous martial law-like "Operation Dabanal" has been replaced by "Operation Uttoran," but with the same everyday impact.

> "In the name of "Operation Uttoran", the military, in the previous style during the period of insurgency, still continues to interfere with the functions of the general civil administration, such as law and order, construction and repairing of roads, forest produce transit, land disputes, NGO activities, tribal affairs, etc. on one hand, and on the other, they continue to actively support the outsider Bengali settlers in expanding and establishing newer cluster villages in the CHT through "Shantakaran Prakalpa" (Pacification Project). The military continue to conduct operations in villages and to check and control public transports like bus, car, boat etc. by setting up newer military check posts throughout the CHT. Human rights

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[70] Halim, Sadeka. Insecurity of Indigenous Women, in Between Ashes and Hope: Chittagong Hill Tracts in the Blind Spot of Bangladeshi Nationalism, edited by Naeem Mohaiemen, Drishtipat Writers' Collective, Bangladesh, 2010, page 184, accessed at http://www.academia.edu/2482097/Chittagong_Hill_Tracts_in_the_blind_spot_of_Bangladesh_nationalism on August 22, 2013.

[71] "Buchanan,Cate"" Cooper,Adam" " Griggers,Cody" " Low, Lira" "Manchanda, Rita" "Peters,Rebecca" and "Prentice ,Antonia Potter". December 2012, page 92.

[72] Information and Publicity Department, Parbatya Chattagram Jana Samhati Samiti, Report on the Status of Implementation of the CHT Accord, January 2013, page 48, accessed at http://www.chtcommission.org/wp-content/uploads/2013/01/Report-on-Impln-of-CHT-Accord-January-2013-Final.pdf on September 29, 2013.

> violation by the military continues unabated. In fact, they are vigorously going for a combined programme of militarisation and Islamisation through establishing more and more outsider Bengali Muslim settlements in the CHT region. In short, it can be likened to a gradual ethnic cleansing of the Jumma people living therein."[73]

One consequence of militarization is restricted mobility. The large numbers of security personnel in the countryside mean that wherever women need to go in order to gather water, fuel and fodder, they face the risk of sexual violence.[74] Incidents of sexual and other violence by Bengali settlers also seem to have gone up since the Accord, because they are no longer confined to isolated settlements.[75] The climate of impunity which discourages women from making complaints contributes to their insecurity. Uprooted and alienated from their ancestral homes, women's vulnerability to sexual violence increases during displacement. Naher and Tripura makes the additional point that men in the community, angry and frustrated as a result of losing their land and livelihood, are resorting to violence within their families.[76]

A JSS leader, Shantu Larma, is quoted as saying that as long as institutions in the CHT are dominated by Bengalis, there can be no justice for women.[77] Autonomy is the prerequisite of gender justice. In his view, the Hill District Councils and the Regional Council just do not enjoy enough autonomy or authority to ensure an end to impunity. Sixteen years after the signing of the CHT Accord, progress appears to be negligible on both the question of self-determination and the question of women's rights. Even as the International Crimes Tribunal, established in 2010, tries and prosecutes individuals for their part in crimes against humanity including sexual violence during the war for independence, impunity for the same behaviour during counter-insurgency operations continues.

Political institutions and political processes

Women's participation in peace work in post-conflict CHT is framed by the broader Bangladeshi context.

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[73] Parbatya Chattagram Jana Samhati Samiti (PCJSS), Militarisation in the CHT, accessed at http://pcjss-cht.org/index.php?option=com_content&view=article&id=75&Itemid=74 on September 29, 2013.
[74] Halim, Sadeka.2010, page 185.
[75] Chakma, Kabita. Sexual violence, indigenous Jumma women and CHT, Bangladesh, Parts 1 and 2, South Asia Citizens' Web, June 13, 2012, accessed at http://www.sacw.net/article4727.html On October 2, 2013.
[76] Naher, Ainoon and Tripura, Prashanta. 2010, page 194.
[77] Halim, Sadeka. 2010, page 187.

Women's participation in local government has been a Fundamental Principle of State Policy since the Bangladesh Constitution was first enacted in 1972. Quotas for women exist at both the local and the national government levels in Bangladesh.[78] As per the 15th Amendment (2011), the Bangladesh constitution reserves 50 out of 350 seats in Parliament for women. 69 women actually sit in Parliament, making up about 20% of its members. Over almost forty years, this number has doubled from the original 15, which makes it one of the oldest quota systems. Since 1997, three seats have also been reserved for women in each union parishad—the lowest tier of government.

In spite of having two female Prime Ministers who are the leaders of Bangladesh's main political parties, and a female Speaker, women's participation in Bangladesh politics falls short. Sheikh Hasina is quoted as saying, "Women candidates could not survive in the election politics of violence and money. Moreover, the popular believe is that nominating a woman for a seat is the other name of losing it."[79] Chowdhury speculates as to the factors that limit women's participation. One of her interlocutors rules out religion, given that religious parties mobilise women. Her answer:

> "In fact, male control of both public and private spheres hinders women's political participation. In the public sphere, women have to contend with mastan culture (Mastan culture refers to the killers, extortionists, looters, perpetrators of violent crimes who operate under the supervision of so-called godfathers)… and availability of illegal arms, accessibility to black market money and fear of sexual harassment… In the private sphere, women have to cope with a lack of control over their own income, family involvement and non-cooperation of husbands."[80]

Those women who have entered public life through quotas serve as role models, showing that women can be in public spaces and public roles. Over time, Chowdhury says, they have become preferred mediators in family disputes.[81] Lack of resources, ill-defined functions, sexual harassment and their marginalised status within the family and in society, serve as challenges faced by women who enter politics.[82]

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[78] Quota Project, Bangladesh, April 2013, accessed at http://www.quotaproject.org/uid/countryview.cfm?CountryCode=BD on October 2, 2013.
[79] Deeba Chowdhury ,Farah. Women's participation in local governments: Bangladesh and India, Commonwealth Secretariat, June 2013, page 2, accessed at http://secretariat.thecommonwealth.org/files/256105/FileName/WomensparticipationBangladeshandIndiaJune2013.pdf on October 2, 2013.
[80] Deeba Chowdhury, Farah. June 2013, page 4.
[81] Deeba Chowdhury, Farah. June 2013, pages 4-5.
[82] Deeba Chowdhury, Farah. June 2013, pages 6-9.

In spite of their activism during the conflict years, when it came to the peace process, we saw that CHT women were invisible even to their partners in the struggle. The post-Accord years have not opened up for them the arenas of politics and policy. If anything, the public sphere has become more fraught with risk—both because of a shrinking political space and because of deteriorating safety in CHT villages. Where institutional arrangements are facilitating the incremental inclusion of women in the mainstream of politics, CHT women are excluded by virtue both of ethnicity and gender. In 2012, women from the CHT formed the Bangladesh Indigenous Women's Network. It proposes to work on rights advocacy, to increase women's participation and to work with other organizations to end the oppression experienced by women.

In sum

From all accounts, women in the CHT had far more autonomy and agency during the insurgency years than they do in the post-Accord period. Human rights violations, including rampant sexual violence by both the continuing military presence as well as settlers, dominate most versions of their story. Their voices are now heard much less than before and their issues are not important to anyone. Alliances with the mainstream Bangladesh women's movement too appear to be uncommon, although the latter rallied around the question of Kalpana Chakma's disappearance.

Nepal

For ten years, between 1996 and 2006, Nepal was ravaged by an internal war between the Communist Party of Nepal (Maoist) and the Government of Nepal. The causes of the civil war were classic: an autocratic monarchy which ruled with the support of an aristocratic elite and uneven development in a hierarchical society. Geographical diversity overlapped with developmental divides, making it possible for the Maoists to quickly gain support and bases in more impoverished areas.

Over the decade of conflict, Nepal's women saw their world change in dramatic ways.[83] The most dramatic change was the report that women made up one-third of the Maoist forces.

[83] See: Shobha Gautam, Amrita Banskota and Rita Manchanda, Where there are no men: Women in the Maoist Insurgency in Nepal, in Rita Manchanda, ed., Women, War and Peace in South Asia: Beyond Victimhood to Agency, Sage, New Delhi, 2001, pages 214-251; Advocacy Forum and ICTJ (Nepal), Across the Lines: The Impact of Conflict on Nepal's Women, December 2010, accessed at http://ictj.org/sites/default/files/ICTJ-Nepal-Across-Lines-2010-English.pdf on October 9, 2013; and Office of the High Commissioner for Human Rights, Nepal Conflict Report 2012, accessed at

Speculation as to the reasons for this drew attention: intimidation, peer pressure, the experience of sexual violence, poverty, the feeling of empowerment and the draw of ideas like land reform and equality.[84] What is important is that this made women visible in politics as never before. "…the ordinary village women who joined the Maoist Army learned a new 'liberation vocabulary' that encouraged them to question traditional gender roles."[85]

As men left home to join the civil war, or to escape being targeted by the Maoists and government forces, they left behind entire villages with only women and children.[86] Women's agency expanded during the conflict, not just in political terms but also as economic actors and local decision-makers. With no men around, women contested local elections for the first time.

For women in Nepal, peace was not just the absence of conflict. It meant 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)."[87]

Peace process

A large number had engaged in different kinds of peace work in the years preceding the Comprehensive Peace Agreement, yet, none was included in the final

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http://www.ohchr.org/Documents/Countries/NP/OHCHR_Nepal_Conflict_Report2012.pdf on October 9, 2013.

[84] Nepali women were part of the Asia-Pacific Regional Women's Hearing on Gender-based Violence in Conflict organized by the Cambodian Defenders Project in Phnom Penh in 2012.

[85] Quoted in Reecha Upadhyaya, "Nepal" in Centre for Humanitarian Dialogue, Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities, 2011, page 92, from UNDP Regional Centre for Asia, Power, Voice and Rights: A Turning Point for Gender Equality in Asia and the Pacific, Macmillan, India, 2010, page 99.

[86] "Gautam ,Shobha" "Banskota, Amrita" and "Manchanda, Rita". Where there are no men: Women in the Maoist Insurgency in Nepal, in Rita Manchanda, ed., Women, War and Peace in South Asia: Beyond Victimhood to Agency, Sage, New Delhi, 2001, pages 224-227.

[87] Rajbhandari, Renu. "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 2008, page 108, cited in Günther Baechler, A mediator's perspective: Women and the Nepali peace process, Mediation for Peace Opinion, August 2010, Centre for Humanitarian Dialogue, accessed at http://www.peacewomen.org/assets/file/Resources/Academic/wps_womenandthenepalipeaceprocess_centerforhumanitariandialogue.pdf on October 20, 2013.

negotiations.[88] Women had even participated in the pro-democracy movement as well to exert pressure on the Seven-Party Alliance and the Maoists to come to terms. Reecha Upadhyaya summarises this situation as "Active at Track 2, excluded at Track 1," saying that finally, the peace was negotiated at the elite leadership level on both sides.[89]

Upadhyaya identifies[90] several states in the peace process:

1. The 2001 peace talks, which collapsed
2. A seven-month truce bookended by a ceasefire in January 2003 and talks that collapsed in August 2003
3. A unilateral Maoist ceasefire in September 2005, after which Maoists and anti-monarchy political parties negotiated the "Twelve Point Agreement" in November 2005.
4. Ceasefire in April 2006 followed by talks that ended in the signing of the Comprehensive Peace Agreement in November 2006.

Only Anuradha Koirala was involved in any of these, in 2003, and in a note-taking role. Gender was not a concern at either the 2001 or 2003 talks, and human rights only received attention in 2006.

The Comprehensive Peace Agreement (2006) makes on the most general references to women and gender. The first is in the Preamble, which pledges a "forward-looking restructuring of the state by resolving the prevailing problems related to class, ethnicity, regional and gender differences." This is reiterated in Article 3.5, and Article 3.4 mentions equal rights for women. Both sides agreed that gender was, among others, not a ground for discrimination in Article 7.1.1 in the

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[88] Samira Paudel listed around thirty organizations whose work engaged with some aspect of peace and involved women in these activities. She describes the work of five—*Women for Human Rights*, *Sancharika Samuha Nepal*, *Nagarik Aawaz*, *Legal Aid and Consultancy Centre* and *Didi Bahini*, and mentions three others—*Ama Samuha*, *Stri Shakthi* and *Nari Chetana Kendra*. (Samira Paudel, Women's Role in Peace Building in Nepal, no date, Democracy Nepal: Gateway to Nepali Politics and Civil Society (FES Nepal), accessed at http://www.nepaldemocracy.org/gender/role_women_peacebuilding.htm on October 20, 2013.) Another list mentions 16 organizations that work on peace and gender rights. (Nepal: Peacebuilding Organizations, Insight on Conflict, no date, accessed at http://www.insightonconflict.org/conflicts/nepal/peacebuilding-organisations/?tag=genderwomens-rights on October 21, 2013.) In addition, organizations like *Saathi* have played a leadership role in promoting UN in Nepal. Reecha Upadhyaya writes about *Shanti Malika*, "a network of women's organisations that strengthened women's involvement in peacemaking, empowered women economically and socially, and addressed the violence perpetrated by both the Maoists and the state security forces. The network brought together women from diverse political parties to demand that their voices were heard during the peace negotiations and processes." Reecha Upadhyaya, "Nepal" in Centre for Humanitarian Dialogue, Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities, 2011, page 93.

[89] Upadhyaya, Reecha. "Nepal" in Centre for Humanitarian Dialogue, Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities, 2011, page 93.

[90] Upadhyaya, Reecha. 2011, page 93-4.

section on Human Rights. A single section is devoted to "Rights of women and children" and Article 7.6.1 states:

> Both sides fully agree to special protection of the rights of women and children, to immediately stop all types of violence against women and children, including child labour as well as sexual exploitation and abuse, and not to conscript or use children who are aged 18 or below in the armed force. Children thus affected shall be rescued immediately and appropriate assistance as may be needed shall be provided for their rehabilitation.

For all the visibility of women as soldiers and peace activists, this is the extent to which the Comprehensive Peace Agreement acknowledges their presence and experiences. Günther Baechler attributes this exclusion to fear that very active and vocal women would rock the boat uncomfortably for the male-dominated political system.[91]

A Centre for Humanitarian Dialogue project examines the CPA and finds multiple entry points or missed opportunities for making it a more inclusive agreement.[92]

- While the CPA proposes the creation of an Interim Legislature and Constituent Assemble, it does not describe the composition of the body (for instance, a quota). (pages 38-39)
- The CPA's references represent women "as people whose problems need resolving, rather than as productive contributors to the new society." (page 42)
- The clause that refers to women and children reinforces the view of women as victims who need to be protected, without making a definitive commitment to ending violence against them and impunity for the same. (page 43)
- The Convention on Elimination of all Forms of Discrimination against Women (1979) is not referenced along with other international human rights standards. (pages 43-44)
- While land reform had been a central concern for the Maoists, that concern is reflected here as a class concern, not inclusive of gender. Women's right to ownership and inheritance is not recognized. (page 50)
- Commitments on development and livelihoods are broad and could have been gender inclusive. (page 56)

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[91] Baechler, Günther. A mediator's perspective: Women and the Nepali peace process, Centre for Humanitarian Dialogue, 2010, accessed at http://www.hdcentre.org/uploads/tx_news/1Amediatorsperspective-WomenandtheNepalipeaceprocessFINAL.pdf on December 22, 2013, pages 3-5.

[92] "Buchanan,Cate"" Cooper,Adam" " Griggers,Cody" " Low, Lira" "Manchanda, Rita" "Peters,Rebecca" and "Prentice ,Antonia Potter". December 2012.

- The CPA ignored the fact that 20% of Maoist fighters were female and the composition of the Special Committee set up to address DDR was all male. Maoist women soldiers were also largely ineligible for integration into the Nepalese Army (by virtue or marriage or motherhood), and only 7.5% who chose that option were female. Most women opted for voluntary retirement and a cash payment, and very few for rehabilitation. The CPA could have provided for women members of the Special Committee, flagged gendered needs of combatants and mentioned gender-sensitive and inclusive security sector reform. (page 60-61)
- The CPA mentions investigation of war crimes but does not mention sexual and gender-based violence, nor access to justice for the same. Sexual and gender-based violence are not even mentioned in the provisions that deal with crime prevention. (pages 66-67)
- Neither the National Peace and Reconciliation Commission nor the High-level Truth and Reconciliation Commission are required to be gender-inclusive. (page 71)

In short, while women had been active participants in the war and pro-active campaigners for peace and democracy, their needs and concerns found little expression in the peace imagined by the Comprehensive Peace Agreement.

Political institutions and political processes

What the CPA omitted, the Interim Constitution adopted in January 2007 remedied. This was a result of lobbying by women's groups and high-profile women activists with the support of UN agencies. Women were members of the peace task force, which had "representatives of political parties, the Peace Secretariat, local facilitators and international advisers."[93]

The Interim Constitution prohibited discrimination and laid down principles for state policy which required including and considering the needs of different sections of women.[94] Moreover, women were required to be included in statutory and constitutional bodies. Article 20 recognized four specific rights of women:

"(1) No discrimination of any kind shall be made against the women by virtue of sex.

(2) Every woman shall have the right to reproductive health and reproduction.

[93] "Buchanan,Cate"" Cooper,Adam" " Griggers,Cody" " Low, Lira" "Manchanda, Rita" "Peters,Rebecca" and "Prentice ,Antonia Potter". December 2012, page 100.
[94] Interim Constitution of Nepal, 2063 (2007), accessed at http://www.lawcommission.gov.np/en/prevailing-laws/constitution/func-startdown/163/ on December 21, 2013.

(3) No woman shall be subjected to physical, mental or any other kind of violence; and such act shall be punishable by law.

(4) Sons and daughters shall have the equal right to ancestral property."

Article 63 (5) mandated that one-third of the members of the Constituent Assembly be women, ensuring that they would have a say in drafting the mandate of the state and the design of its institutions.

Since then, there has been some watering down of these rights. "On women's inheritance rights to property the language restricts it to 'ancestral property' as opposed to 'parental property'; on citizenship law, citizenship through either parent is recognised, but it is a claim not a right and is premised on naturalisation and permanent residence in Nepal from birth until16 years of age. Unlike for Nepali men married to foreign women, no provision is made for Nepali women married to foreign men."[95]

In the 2008 elections to the Constituent Assembly returned 191 women members, and 6 more were nominated.[96] Of the 191, 30 were directly elected and 161 were elected through the proportional representation system. In 2013, it was time for another round of Constituent Assembly elections, and one change was the introduction of the category "third gender" which would be available to LGBT candidates.[97] In the direct election process for 240 seats, only 10 women were directly elected—4.2%.[98] The remainder of the quota would have to be made up through allocation of the proportionate representation seats.

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[95] Manchanda, Rita. "Nepali women seize the new political dawn: Resisting marginalisation after ten years of war," Opinion, December 2010, pages 7-8, accessed at http://www.hdcentre.org/uploads/tx_news/47Nepaliwomenseizethenewpoliticaldawn FINAL.pdf on December 22, 2013.

[96] Basnet, Sagun. Women's Political Participation: Revisiting The Number Game In Nepal, presentation at Regional Conference on Women's Political Participation: "Charting a path for political equality in Asia," organised by UNDP Mongolia and National Committee on Gender Equality of Mongolia, 2012, accessed at http://www.undp.mn/gender/papers/sagun%20presentation.pdf on December 22, 2013. Profiles of the women members are available here: "Marching Ahead," 2010, accessed at http://www.ndi.org/files/MARCHING_AHEAD_final_layout_English.pdf on December 22, 2013.

[97] Nepal opens up national elections to members of 'third gender,' LGBTQNation.com, October 1, 2013, accessed at http://www.lgbtqnation.com/2013/10/nepal-opens-up-national-elections-to-members-of-third-gender/ on December 22, 2013.

[98] Ghimire, Binod. "45 NC women leaders likely in CA," eKantipur.com, December 16, 2013, accessed at http://www.ekantipur.com/2013/12/16/top-story/45-nc-women-leaders-likely-in-ca/382412.html on December 22, 2013. See also, UN Nepal, "Nepal: Constituent Assembly Election 2013 under FPTP - Breakdown of Elected Candidates by Gender," accessed at http://www.un.org.np/sites/default/files/CA-candidate-by-gender.pdf on December 22, 2013.

What was women's experience in the Constituent Assembly 2008-13? Old patriarchal ways seem to have resurfaced in the post-conflict moment and women's descriptions of their experience do not inspire hope.

- "It was extremely hard for some sections of our patriarchal society to accept that women were on the frontline sacrificing their lives during the Peoples War. Now they doubt us and say we will not be able to write a good constitution." Sarala Regmi[99]
- "We feel women (in the CA) are still supplicants – that position has not changed. Earlier men made laws for women which were imbued with patriarchal values. Now we are 33 per cent in the CA. We have our own negotiating power. But we forget that we are not in the political decision making bodies, the high level political committees. There has to be proportional representation of women in the political party decision making bodies."[100]
- "Whenever we raise an issue inside the CA, senior leaders walk out of the hall without bothering to listen to us. Even the media ignores the issues that women raise."[101]

While the quota provisions go towards meeting the goal of women's political participation, Reecha Upadhyaya identifies two challenges for peace.[102] The first is the reintegration of the Maoist army members, especially women combatants and supporters, who are likely to be overlooked and whose livelihood and support needs are likely to be forgotten.[103] The second is to support women entering politics at the grassroots level in a sustained manner. Local Peace Committees were set up in 2007 with a requirement that 33% of the members should be women. SAATHI has been monitoring this process.

Undeterred, women have continued to organize and to use every resource or avenue available to them. One example is security sector reform.[104] Women were active in the civil society campaigns for peace and democracy, but they also found a way to work with the military to conduct human rights training. In 2003, for instance,

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[99] Rai, Dewan. "Sarala's struggle," Nepali Times, Issue No. 422, October 24-30, 2008, accessed at http://nepalitimes.com/news.php?id=15322 on December 22, 2013.
[100] Manchanda, Rita. December 2010, page 8.
[101] Savita Bhusal quoted in Alexandra Delaney, "Nepal's women have a voice in politics but no one is listening," May 27, 2011, accessed at http://www.theguardian.com/global-development/poverty-matters/2011/may/27/nepal-women-in-politics on December 21, 2013.
[102] Upadhyaya, Reecha. "Nepal" in Centre for Humanitarian Dialogue, Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities, 2011, page 99.
[103] See also Ani Colekessian, Reintegrating Gender: A Gendered Analysis of the Nepali Rehabilitation Process, INSTRAW Gender, Peace and Security Series Working Paper, 2009.
[104] "Nepal: Women's civil society organizations working with security institutions," in DCAF, Gender and Security Sector Reform: Examples from the Ground, 2011, page 78.

200 senior officials received training on human rights, especially the rights of women and children. The programme also highlighted the negative impact of harassment and violence. Following this, in 2004, the creation of a training manual for field personnel was supported by the NGO Save the Children, the military police, the police and the Prime Minister's Office.

In 2006, Women's Alliance for Peace, Power, Democracy and Constituent Assembly (WAPPDCA), an NGO, compiled a "Who is Who of Nepali Women," listing over 3000 qualified Nepali women able to participate in political and peace processes.[105] It thus countered the excuse that there are "no qualified women." In addition, WAPPDCA has undertaken voter education and offering women in the Constituent Assembly computer and English training.

The Nepali National Action Plan drafting process is considered exemplary because it was so inclusive. As Bandana Rana states, "The development process has been considered to be the most consultative, inclusive and participatory. It set precedence in terms of collaboration between civil society and government as well as the external development partners."[106] Over 3000 women and organizations participated in the process of debating and drafting Nepal's National Action Plan for UN Security Council Resolution 1325, adopted in 2011. These included "survivors of conflict-related violence, women's organisations, representatives of the security sector and local district authorities."[107] Key government agencies, NGOs and international development organizations were involved in the drafting of a plan, which was finalized after consultations with conflict-affected women and girls, local peace committees, local government authorities and civil society organizations and individuals working on women's rights and gender equality, all of whose suggestions were taken on board.[108]

The process of developing the NAP has in itself furthered the cause of women's participation. It has "created new spaces for dialogue" and again in Bandana Rana's words, "If not for the advocacy space provided by the mandate of 1325, given the patriarchal structure and the lack of political will, things in Nepal

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[105] Suthanthiraraj, Kavitha and Ayo, Christina. Promoting Women's Participation in Conflict and Post-Conflict Societies: How Women Worldwide are Making and Building Peace, Global Action for Peace/NGO Working Group on Women, Peace and Security/ Women's International League for Peace and Freedom, 2010, page 40.

[106] Rana, Bandana. "Preface and Acknowledgments," in *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page v.

[107] Sundman, Helena. "A Good Example—Nepal," no date, Operation 1325, accessed at http://operation1325.se/en/projekt/a-good-example-nepal on October 21, 2013.

[108] "Introduction," in *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 1.

would not be happening as quickly as they are. 1325 has enabled a wider set of conversations to occur at the highest level of policy making."[109] It is reported that in the post-conflict period, alliances between women's organizations are unravelling.[110] Local implementation of policies is further challenged because women are not pushing together.

The National Action Plan for Nepal has five pillars: Participation; Protection and Prevention; Promotion; Relief and Recovery; Resource Management, Monitoring and Evaluation.[111] Distinctive additions are the Promotion pillar which builds advocacy into the NAP and the acknowledgment that Resource Management, Monitoring and Evaluation require equal attention and effort. The NAP document identifies challenges ("risk factors") for implementation:[112]

1. Lack of resources
2. The availability of skilled human resources
3. The difficulty of ensuring access to relief assistance
4. Going beyond cash compensation in relief and reparation arrangements
5. Ensuring that implementing agencies are pro-active
6. Coordinating the work of implementing agencies
7. Ensuring regional balance
8. Ensuring security

A detailed one-year progress report, seen as a way to strengthen accountability and identify gaps and priorities,[113] found that lack of political will was preventing visible change.[114] It predicted that increasing the number of women candidates in forthcoming elections would be a daunting task—something that has been borne out in the 2013 elections. The evaluation commented in several places on the difficulties of data collection on sexual and gender-based violence without the cooperation of local organizations. The poor economic climate made the livelihood and entrepreneurship training components ineffective, it was found. The report also commented on lack of coordination between different implementing agencies,

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[109] Rana, Bandana quoted in Reecha Upadhyaya, "Nepal" in Centre for Humanitarian Dialogue, Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities, 2011, page 99.
[110] Suthanthiraraj, Kavitha and Ayo, Christina. 2010, pages 40-41.
[111] Government of Nepal Ministry of Peace and Reconstruction, National Action Plan On Implementation of the United Nations Security Council Resolutions 1325 and 1820 (2011/12 – 2015/16), 2011.
[112] Government of Nepal Ministry of Peace and Reconstruction. 2011, pages 61-62.
[113] Rana, Bandana.2012, page v.
[114] "NAP Implementation: Challenges and Recommendations," in *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 39.

something exacerbated by lack of transparency that allowed people to see who was doing what.

What the one- year report does, very usefully, is give us a quantitative snapshot of the state of women's participation in Nepal.[115] The following table shares some of the data here.

Women's participation indicators, Nepal, 2006-2012

Sphere	*Number*	*Percentage*
Political parties and Constituent Assembly (2008)	197	33.2
Council of Ministers (2009)[116]	6	14
Constitution-Making—Interim Constitution 2007	4	25
Cabinet (2007)	3	13
Constituent Assembly Committees[117]	-	15.21-65
Justice Sector (across levels), most at Appellate Court level	6	1-4
Nepal Bar Association (across levels)	491	7-12
Constitutional Bodies[118]	34	15-100
Nepal Army Officers (across levels), most at Captain rank[119]	258	6.78
Nepal Army Solders (across levels), most at Sergeant rank[120]	1266	1.47

[115] *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, pages 8-20.

[116] Has varied between 2006-2009, from 11.1% in 2006, to 14% in 2009, with a low of 9.1% in 2007. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 8. Another table on page 10 suggests that the numbers have been higher when the Communists formed the government.

[117] Has ranged from 15.21% in the Natural Resources, Financial Rights and Revenue Sharing Committee to 64.40% in the Women, Children and Social Welfare Committee. Women are only 24.19 in the Constitutional Committee, 27.90% in the Fundamental Rights Directive Principles Committee, 25% in the National Interest Preservation Committee and the Security Special Committee. In other words, the division of subjects replicates the gendered division of labour in society. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 11.

[118] The 100% female membership statistic is for the National Women's Commission. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 12.

[119] 234 out of 258 women officers in the Nepal Army in 2012 ranked between the levels of Lieutenant and Major. This means that in years to come, they could hopefully constitute a critical mass, as they rise through the ranks, visible as role models. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 13.

[120] 937 Sergeants, 107 Followers and 99 Warrant Officers First Class and Recruits form the bulk of the 1266 soldiers. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 13.

Nepal Police (across levels), most at Constable rank (2227)	3457	5.77
Armed Police Force (across levels), most at Constable rank (739)	996	3.22
Peace Keeping Missions deployed by Army (2011-12) (all levels)	217	1.63
UN Peace Keeping Missions deployed by Nepal (2007-9)[121]	115	-
Senior positions in Civil Service[122] (2011)	790	6.49
Peace Negotiating Teams and Agreements (Govt and Other)[123]	19	-
Major Political Parties Central Working Committees	107	14
Local Peace Committees	484	29.2
Private and NGO Sector (Central Committee Members)	58	28

In sum

The impact of the civil war on women in Nepal was profound, but one of its consequences was to mobilise women—as combatants and as peace activists. Women were an integral part of the movement that facilitated the Comprehensive Peace Agreement. Undeterred by its conservatism on gender issues, they pushed for a more inclusive Interim Constitution. Even being overlooked and ignored in the Constituent Assembly has not stopped women activists from pushing forward both in their sensitization and capacity-building work. Their advocacy efforts have led to Nepal being the first South Asian country to adopt a National Action Plan. However, for all this to translate into a changed ground reality, much work lies ahead, and depends on sustained effort no matter what political vicissitudes lie ahead.

Sri Lanka

[121] The total number of Nepali women in Peace Keeping Missions is 197, but just between 2007-9, the number is 115, counting both Police and Armed Police units. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 15.

[122] 4 women at Secretary level, 9 at Joint Secretary level, 97 at Under Secretary level and 680 at Section Officer level. There are fewer women in the pipeline than one would expect. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 17.

[123] 12 women and 19 men participated in the peace process from the Government side and 7 women and 74 men on behalf of other negotiating parties. *Nepal National Action Plan on Implementation of the UNSCRs 1325 and 1820: First Year Monitoring Report*, Government of Nepal and Saathi, 2012, page 18.

In the early decades after decolonization, Sri Lanka made path-breaking developmental choices that led to some of the region's most enviable human resource indicators on health and education. The good human resource indicators and the high profile activism of women however, did not spare them the usual travails of war—bereavement, displacement, trauma, sexual violence and loss of livelihood—over two generations.[124]

Indicator	*c.1971*	*c.2011*
Life expectancy	66.2 (1)	78.1 (1)
Maternal Mortality Rate	-	39 (per100000) (2)
Literacy	67.3 (1963) (3)	89.1% (1)
Labour force participation	34.8 (1975) (3)	41.2 (2002) (3)

Source:

(1) Health Profile Sri Lanka, Worldlifeexpectancy.com, accessed at http://www.worldlifeexpectancy.com/country-health-profile/sri-lanka on December 27, 2013.

(2) UNDP, Sri Lanka Human Development Report 2013, accessed at http://www.undp.org/content/dam/srilanka/docs/localpublications/Sri%20Lanka%20Human%20Development%20Report%202012.pdf on December 27, 2013.

(3) Department of Census and Statistics, Government of Sri Lanka, Social Conditions of Sri Lanka, no date, accessed at http://www.statistics.gov.lk/social/social%20conditions.pdf on December 27, 2013.

During the war, women's agency was most dramatically exemplified by the role that women in the Liberation Tigers of Tamil Eelam played. As soldiers wearing cyanide capsules, they fought important battles but it is as suicide bombers that their dedication to their cause was most clearly expressed. Even as LTTE women

[124] The International Crisis Group's recent report summarizes: "There were many forms of violence. The LTTE forcibly recruited women and girls to join the insurgency and did not hesitate to threaten or kill Tamil women who challenged the Tigers' authority. Government security forces and the IPKF were responsible for many cases of rape, torture and killing of Tamil women. Both sides abducted or disappeared women's husbands and other family members, increasing economic and social vulnerabilities." ICG, Sri Lanka: Women's Insecurity in the North and East, Asia Report No. 217, December 2011, page 4. Women Under Siege's Sri Lanka profile states: "But what sets Sri Lanka's conflict apart from many others is that sexualized violence was not used by all sides. While government, paramilitary, and rebel forces all violated human rights, the Liberation Tigers of Tamil Eelam (LTTE), or the Tamil Tigers, successfully trained their fighters not to rape, according to multiple sources. The LTTE, famous for suicide bombings, ethnic cleansing, displacement, forced recruitment of child soldiers, and murder, reportedly did not use sexualized violence as a weapon." Michele Lent Hirsch, Conflict Profiles: Sri Lanka, July 2013, Women Under Siege Project, accessed at http://www.womenundersiegeproject.org/conflicts/profile/sri-lanka on January 3, 2014.

were drawing attention, Sri Lankan women were also fighting for peace and for the protection of civil rights. Perhaps this was noticed less because, after all, this was the first country in the world to have a woman Prime Minister (Sirimavo Bandaranaike).

The first Sri Lankan woman to be elected to a legislature was Adeline Molamure in 1931.[125] Between 1947 and 1977, more women, mostly left-wing, entered Parliament and spoke up for women's rights.[126] Between 1931 and 2011, only 59 women have been members of Parliament.[127] It is commonplace to think of "dead men opening doors for women" (someone dies and a woman from his family replaces him) and therefore, of women as representing their family's political base rather than women's interests. [128] However, almost half the women who have been MPs have no family connections. In 1994-2000, when both the President and Prime Minister were women, it did not make any difference to women's rights. Furthermore, many women prefer to work on peripheral social welfare issues or to speak up on family values rather than to take strong positions on questions like violence against women.[129] Those who do use Parliament as a platform to speak up on issues that affect women are fewer.

The experience of women in militant groups also differs from our stereotypes. It is often said that women join militant groups following the experience of sexual violence or in search of a feeling of empowerment (or both). Researchers found that women in the LTTE felt empowered but did not necessarily have a say in decision-making within the organisation.[130] In recent interviews with women who were part of other militant groups, Ambika Satkunanthan uncovered other stories. Women spoke about the experiences that drew them into public life (like attending funerals of slain leaders) and about the challenges of continuing (family strictures on

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[125] Wickremasinghe, Maithree and Kodikara, Chulani. Representation in Politics: Women and Gender in the Sri Lankan Republic, in *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice,* edited by Asanga Welikala, Centre for Policy Alternatives, Colombo, 2012, page 775, accessed at http://republicat40.org/wp-content/uploads/2013/01/Representation-in-Politics1.pdf on August 20, 2013.

[126] Wickremasinghe, Maithree and Kodikara, Chulani.2012, page 776.

[127] "Women in National Legislature (1931-2011)," in Maithree Wickremasinghe and Chulani Kodikara, Representation in Politics: Women and Gender in the Sri Lankan Republic, in *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice,* edited by Asanga Welikala, Centre for Policy Alternatives, Colombo, 2012, pages 811-817, accessed at http://republicat40.org/wp-content/uploads/2013/01/Representation-in-Politics1.pdf on August 20, 2013.

[128] Wickremasinghe, Maithree and Kodikara, Chulani. 2012, page 778-9.

[129] Wickremasinghe, Maithree and Kodikara, Chulani. 2012, page 801.

[130] Ramachandran, Sudha. "Dying to be Equal: Women Militants and Organisational Decision-making," in Farah Faizal and Swarna Rajagopalan, Women, Security, South Asia: A Clearing in the Thicket, Sage 2005, pages 154-176. Darini Rajasingham-Senanayake describes women's agency in conflict situations as "ambiguous empowerment" to capture their mixed experience during and after conflict. "Ambivalent Empowerment: The Tragedy of Tamil Women in Conflict," in Rita Manchanda, ed., Women, War and Peace in South Asia, Sage, New Delhi, 2001, pages 102-130.

movement).[131] Women from the Eelam People's Revolutionary Liberation Front (EPRLF), for instance, did mainly political work and were also sidelined from decision-making over time.[132] They did take up issues like violence and abuse, but not with the support of the men in the organisation. Women cadres faced social and familial disapproval for the work, and when this really hurt was when the LTTE banned the EPRLF, but the latter did nothing to help women to safety.

> "…women were forced to hide in the houses of persons they knew as many had discontinued relations with their families and therefore felt they could not return home. Some managed to travel to Colombo while others whose families were willing to assist them left the country. Some women were left destitute while others who got married without disclosing their involvement with EPRLF faced marital discord, with many marriages breaking down when husbands learnt of their past."[133]

In other words, this post-2009 post-war moment was not going to hold any surprises for Sri Lankan women who sought to or did participate in public sphere activities. They had already been in politics and in power, sidelined in politics, celebrated in power. They were part of fighting groups and peace groups, dealing with the consequences of political transitions and rivalries, as individuals.

Peace process

There have been many moments in Sri Lankan history when peace talks have taken place—from the two sets of talks between SJ Chelvanayakam and Sri Lankan Prime Ministers, SWRD Bandaranaike and Dudley Senanayake that led to important (but soon abandoned) accords on language and other issues to the many rounds of talks between the Sri Lankan government and the LTTE from the 1990s onwards. Through all these moments, women have been active as peace and human rights activists, whether or not they have been official players. Women and Media Collective's "Strategic Mapping of Women's Peace Activism" identifies 20 spheres of such activism.[134]

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[131] Satkunananthan, Ambika. "Whose Nation? Power, Agency, Gender and Tamil Nationalism," in in *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice,* edited by Asanga Welikala, Centre for Policy Alternatives, Colombo, 2012, page 629, accessed at http://republicat40.org/wp-content/uploads/2013/01/Representation-in-Politics1.pdf on August 20, 2013.

[132] Satkunananthan, Ambika. 2012, page 643-646.

[133] Satkunananthan, Ambika.,2012, page 645.

[134] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, pages 7-9.

The earliest women's organizations date back to the first decade of the 20th century.[135] Subsequently, women were very active in the trade unions and the left parties, and some of these women took strong peace positions vis-à-vis international politics. Typically, peace work was placed in the context of other struggles, as for instance, the Sarvodaya Movement did, engaging and empowering groups across ethnic lines. Women who were very active in this and other movements, went on to become active in women's organizations. The first explicitly feminist organization to emerge was a multi-ethnic socialist women's collective called the Voice of Women, which was formed in 1978. Most organizations work with women in distress, when they are displaced, widowed or experience violence.[136]

> "…the interviewer asked the question 'why is it important for your organisation to work on peace'. They replied with many examples of their day to day battles to prevent their communities and homes being militarised. They had also made the conceptual link that the increased militarization in their communities had led to the increase in domestic violence within their homes, and sexualised violence in their communities."[137]

When targeted for taking clear positions on war and in support of peace negotiations and accords, coalitions like Women's Action Committee recast themselves around more traditional roles like motherhood. The Mothers and Daughters of Lanka, the Southern Mothers' Front, the Northern Mother's Front[138] and the Association of War Affected Women are examples. Some of the issues such groups take up are disappearances and conscription of children.[139] Women's groups have undertaken practical work at the grassroots level to promote peace from canvassing for women's land rights (Suriya Women's Development Centre[140]) to running a pre-school for Muslim and Tamil children so that they can be friends and their parents can interact (Muslim Women's Research and Action Forum[141]) to building dispute resolution skills (Samadanam[142]) to consultations on drafting laws

[135] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, pages 17-19.
[136] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, page 24.
[137] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, page 29.
[138] Satkunananthan, Ambika.2012, page 656-7.
[139] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, pages 26-29.
[140] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, page 30.
[141] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, page 31.
[142] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, page 31.

on violence against women (Women and Media Collective[143])—to give a few examples. Poorani, functioned through the 1980s as a centre where women affected by war and sexual violence in Jaffna, could come for help, resisting LTTE pressure.[144]

Decades of women's activism are surely a factor in the creation of the Sub-Committee on Gender Issues (SGI) in December 2002.[145] The February 2002 Ceasefire Agreement (CFA) signed by the Sri Lankan Prime Minister and the LTTE leader was followed by several rounds of negotiations that broke down in April 2003. The objective of setting up the SGI was to include gender concerns in the peace process. Five women from the government (actually, women activists from civil society) and five from the LTTE made up the committee which was facilitated by a Norwegian woman minister. The SGI would report directly to the plenary sessions of the peace talks and work with other subcommittees. The SGI met twice formally, and both times in Kilinochchi, then the LTTE headquarters. Both parties drew on consultations and experience in their exchanges.

The first meeting of the SGI decided that the scope of the Committee's considerations would be broadened from 'women' to gender and a range of concerns from representation to gender socialisation. At the second meeting, the SGI finalised its terms of reference to include: sustaining peace process; resettlement; personal security and safety; infrastructure and services; livelihood and employment; political representation and decision-making; and reconciliation. The breakdown of the peace process in April 2003 aborted this process summarily. There was no time to see how, in the absence of formal mechanisms for its inputs to be included, it would have worked to inform the peace process.

The 2008-09 military campaign created a humanitarian crisis on a scale that was described by some as "genocidal." It is still unclear exactly how many were displaced, wounded and killed and as accounts emerge from survivors and foreign aid and UN workers, the question of accountability remains on the table. The Commission Of Inquiry On Lessons Learnt And Reconciliation (LLRC, which had one female member out of eight) report did not devote a separate section to gender issues, leave alone the question of sexual and gender-based violence.[146] Moreover:

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[143] Women and Media Collective, Strategic Mapping of Women's Peace Activism in Sri Lanka, Colombo, 2009, page 32.
[144] Satkunananthan, Ambika. 2012, page 652-654.
[145] Samuel, Kumudini. The Centrality of Gender in Securing Peace: The Case of Sri Lanka, WISCOMP Revisioning and Engendering Security Series, Rupa, New Delhi, 2010, pages 41-54. Kumudini Samuel was a member of the SGI.
[146] Report of the Commission of Inquiry on Lessons Learnt and Reconciliation, November 2011, Sri Lanka, accessed at http://www.llrcaction.gov.lk/Downloads/FINALLLRCREPORT.pdf on December 30, 2013.

> "330. Reports that the LLRC has not provided all those seeking to testify with the opportunity to do so, in particular in the North and East, suggests that the body has failed to appreciate the significance of the process for all victims and, in particular, for women victims. It is significant that large numbers of women spontaneously sought to speak publicly before the LLRC about violations of their rights and the rights of family members, in a climate in which few victims have been willing to speak due to perceived risks. The refusal by the LLRC to allow many women to testify publicly reinforces general patterns of discrimination against women, and against war-affected women, which have been exacerbated by war and must be redressed through any accountability mechanism. Best practices ensure that gender-based violations are an integral part of the inquiry and that the voices and experiences of women victims are heard, whether the mandate expressly incorporates gender, as did commission mandates in Haiti, Sierra Leone and Timor-Leste, or whether the mandates were gender neutral, as were commission mandates for commissions in Guatemala, Peru and South Africa."[147]

Political institutions and political processes

13 women sit in the 16th Sri Lankan Parliament elected in 2010; they make up 5.7% of the legislature—an abysmal percentage. Quite apart from the post-conflict context, the Sri Lankan case pushes us to ask what holds women back in even what would see propitious conditions for their participation in formal politics. It is held that women's participation improves with education and other indicators, but Sri Lanka proves that this is not necessarily the case. Moreover, it scarcely follows from the rich history of women's participation in civil society or their long innings in politics. Proportional representation is said to aid the entry of women, but though Sri Lanka uses the List system, it has not made a difference.

The Sri Lanka Shadow Report to CEDAW stated in 2011, "In our analysis, the main obstacle to women's equal political representation remains within Political Parties, since they do not nominate an equitable number of women to contest elections."[148] The authors contrast this to the Government's view in its report that women are reluctant to engage in active political work and that even though they

[147] Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka, March 2011, accessed at http://www.un.org/News/dh/infocus/Sri_Lanka/POE_Report_Full.pdf on December 30, 2013.

[148] Sri Lanka Shadow Report To the Committee on the Elimination of All Forms of Discrimination Against Women, prepared by the Women and Media Collective, Colombo, 2010, page 12, accessed at http://www2.ohchr.org/english/bodies/cedaw/docs/ngo/WMD_SriLanka48.pdf on December 31, 2013.

have tried to introduce a women's quota at the nomination level, women still do not feel confident to enter politics.

Three concerns dominate post-war Sri Lankan politics. The first is the humanitarian crisis that follows conflict and displacement—the rehabilitation of those who fled their homes; militarization in northern Sri Lanka, and a climate of shrinking space in the public sphere. These are also factors that affect women's participation.

The ICJ report is primarily concerned with northern and eastern Sri Lanka.[149] It points to the gender imbalance—women outnumbering men for at least one generation. Tens of thousands of women have been widowed—in a society that abhors widows and regards them as inauspicious, and many of them are very young. They struggle to support their families and must contend with stigma and sexual harassment. Common to conflict zones everywhere, it has also fallen largely to women to search for missing family members who may be captured and in detention by either side, lost or dead. To sustain both the search for missing family members and the struggle for livelihood takes a toll on women, emotionally and physically. Locating relatives in detention centres brings emotional relief, but the physical and financial responsibility of visiting them. "When detention or absence of a family member overlays continuing displacement—which in Jaffna includes over 70,000 people, in Vavuniya over 24,000 and in Trincomalee another 12,000—the vulnerability of women to fraud, exploitation and violence only increases as they try to manage on their own."[150] The assumption that anyone detained by security forces was also subjected to sexual violence adds to the fear and stigma in their lives.

Militarization has a very everyday face in northern Sri Lanka where military camps and checkpoints surround civilian settlements and military personnel are involved in local businesses and building infrastructure.[151] Indeed, this is very similar to the post-2001 situation in Afghanistan, with the difference of labour being moved from the south to stay in work camps as well. The military is also visiting homes in the name of checking on demobilised LTTE cadres. Civilian authority is so ineffectual as to be non-existent, and since there are fewer Tamils in the military than civilian authority, essentially that reinforces local powerlessness. There is a view that militarization is the new vehicle for internal colonisation that will create demographic change.[152]

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[149] International Crisis Group, Sri Lanka: Women's Insecurity in the North and East, Asia Report No. 217, December 2011, pages 18-22.
[150] International Crisis Group, Sri Lanka: Women's Insecurity in the North and East, Asia Report No. 217, December 2011, page 21.
[151] Asia Report No. 217, December 2011, pages 22-23.
[152] Asia Report No. 217, December 2011, page 23.

Disasters and donor fatigue have slowed down government-led recovery processes in both north and east.[153] Women's livelihood choices are limited, and they have ended up in competition with Tamil men for limited resources and opportunities.[154] This has reinforced the sexist view that working women must be immoral. The war is blamed for a breakdown in values.

The ICJ describes Sri Lanka's post-war culture as a "masculine, militarised" one.[155] In official pronouncements on women and women's rights, the tone is paternalistic—placing women on a pedestal, speaking of their protection and valorising conciliation in the event of violence. On domestic violence, for instance, the President is repeatedly quoted as saying, "Anger between husband and wide is only until the pot of rice gets cooked." The ICJ report collates news about several acts of violence perpetrated against women and children by current and former soldiers, and says the government response is merely that they will "delist" military deserters and "pursue the "few dozen" allegedly involved in serious crimes."[156] Demobilisation, rehabilitation and reintegration do not seem to be on the cards. In general, the government's response is characteristically "not… any great problem."[157]

The climate of fear and insecurity are best epitomised by the stories of 'grease yaka' attacks in August-September 2011.[158] After initial reports from the tea estates of Ratnapura,[159] women from Batticaloa, Puttalam, Trincomalee, Mannar, Vavuniya and Jaffna reported that they were physically assaulted by men with concealed identities. According to the ICG report, the attacks were never sexual and seemed random, with perpetrators approaching women from behind and putting their hands on victims' neck and chests. However, what the Women Under Siege researcher heard suggests they were in fact sexualised: the perpetrators are naked and bite breasts or rape.[160] Fear of the attacks was sharpened by the feeling that the police were not just ignoring the attacks but sheltering the perpetrators, and this

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[153] Asia Report No. 217, December 2011, page 23.
[154] Asia Report No. 217, December 2011, page 24.
[155] Asia Report No. 217, December 2011, page 11.
[156] Asia Report No. 217, December 2011, pages 13-14.
[157] International Crisis Group, Sri Lanka: Women's Insecurity in the North and East, Asia Report No. 217, December 2011, page 15. See, the section entitled "Systematic Denials of Sexual Violence involving State Forces," pages 14-18.
[158] Asia Report No. 217, December 2011, pages 30-31.
[159] Isaac, Leela. Reconciliation, A Political Settlement and the "Grease Devil," Groundviews.org, September 8, 2011, accessed at http://groundviews.org/2011/09/08/reconciliation-a-political-settlement-and-the-"grease-devil"/ on January 3, 2014.
[160] Lent Hirsch, Michele. Conflict Profiles: Sri Lanka, July 2013, Women Under Siege Project, accessed at http://www.womenundersiegeproject.org/conflicts/profile/sri-lanka on January 3, 2014.

resulted in vigilante attacks on suspects, which in turn led to their arrest.[161] Most of those caught were Sinhalese and some were members of the armed forces.

Violence against women in politics comes as no surprise. Thuggery and voter intimidation happen during elections, and sometimes "gender-specific and sexualised forms of violence" are witnessed.[162] In the north and east, human rights activists were always at risk under LTTE control, and in the post-war period, the space for difference and dissent has shrunk—perhaps to an unprecedented extent—across the island.[163] Women human rights defenders continue their work in the face of threats from multiple state and non-state quarters.[164] Their activities include bearing witness and documenting human rights violations; helping grassroots women go about their work and making sure that grassroots accounts inform national and global activism. In return, they face surveillance, military inspection and harassment from various official and non-official quarters. Relatively unknown, they receive no protection and have no income security, and their work isolates them from traditional support systems. Better-known women human rights defenders benefit somewhat from international advocacy networks. Recently, a radio threat against Dr. Nimalka Fernando, for instance, was picked up by the Women Human Rights Defenders International Coalition, but this is exceptional and only effective to draw attention, not ensure protection.[165]

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[161] "In all these places civilians who protest against the 'Devils' are the ones who are considered the villains of the peace. According to General Hathurusinghe those who disturb the peace, those who protest would be shown no mercy – in fact they would be branded "Terrorists"." Leela Isaac, Reconciliation, A Political Settlement and the "Grease Devil," Groundviews.org, September 8, 2011, accessed at http://groundviews.org/2011/09/08/reconciliation-a-political-settlement-and-the-"grease-devil"/ on January 3, 2014. See also, "Ground report: Widespread public perception of military links to 'grease devils'? August 15, 2011, accessed at http://groundviews.org/2011/08/15/ground-report-widespread-public-perception-of-military-links-to-grease-devils/ on January 3, 2014; and Kusal Perera, "De-greasing social speculation over "grease devils" in Sri Lanka," Groundviews.org, August 21, 2011, accessed at http://groundviews.org/2011/08/21/de-greasing-social-speculation-over-"grease-devils"-in-sri-lanka/ on January 3, 2014.

[162] Sri Lanka Shadow Report to the Committee on the Elimination of All Forms of Discrimination against Women, prepared by the Women and Media Collective, Colombo, 2010, page 15, accessed at http://www2.ohchr.org/english/bodies/cedaw/docs/ngo/WMD_SriLanka48.pdf on December 31, 2013.

[163] International Crisis Group, Sri Lanka's Authoritarian Turn: The Need for International Action, Asia Report No. 243, February 20, 2013, accessed at http://www.crisisgroup.org/~/media/Files/asia/south-asia/sri-lanka/243-sri-lankas-authoritarian-turn-the-need-for-international-action.pdf on January 3, 2014.

[164] "Women's rights defenders," in Minority Rights Groups International, Report: Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka, 2013, page 17, accessed at http://www.minorityrights.org/download.php?id=1297 on December 30, 2013.

[165] Forum-Asia, Sri Lanka: WHRD-IC Statement on the Smear Campaign and Threats against Nimalka Fernando, Asian Forum for Human Rights and Development, *November 27, 2013, accessed at* http://www.forum-asia.org/?p=16489 on January 3, 2014.

In sum

Women have always been active in Sri Lanka's civil society and one challenge is to get them into formal political institutions—but this is not a new challenge. And a much more formidable obstacle is a trend towards authoritarian intolerance for difference and dissent. A political climate inimical to political activism is inimical to women's rights as well.

The continuing lack of transparency about and accountability for what happened during the war; the growing militarization of civilian life in north and east Sri Lanka and the social consequences of both conflict and militarization threaten to reverse the activism of Sri Lankan women over time.

Enablers and inhibitors of women's political participation

The most striking feature of South Asian women's participation in politics is the presence of so many female heads of government and heads of state. Most of these women leaders come from politically influential families; observers often use the term "Widow-Orphan syndrome" to describe their rise but their successful consolidation of their position and influence speaks to both their skill and an accepting electorate. A report on *Political Parties in South Asia* observes that across the region, party officials only had very approximate statistics on female membership—meaning both that their membership records are not exemplary and that they do not care enough about gender equity to keep disaggregated records (IDEA 2007: 115).[166]

Number and Percentage of Women in National Legislatures of South Asia	
State	*Number and Percentage of Women in National Legislatures*
Afghanistan	Lower House: 69/249 (27.7%), September 2010 Upper House: 28/102 (27.5%), January 2011
Bangladesh	69/350 (19.7%), December 2008
Bhutan	Lower House: 4/47 (8.5%), March 2008 Upper House: 2/25 (8%), April 2013
India	Lower House: 60/545 (11%), April 2009 Upper House: 26/245 (10.6%), January 2012
Maldives	5/77 (6.5%), May 2009
Nepal	197/594 (33.2%), April 2008
Pakistan	Lower House: 65/334 (19.5%), May 2013 Upper House: 17/104 (16.3%), March 2012

[166] International IDEA. 2007. *Political Parties in South Asia: The Challenge of Change*. Lead Author: K.C. Suri. South Asia Regional Report, page 115.

Sri Lanka	13/225 (5.8%), April 2010
Source: Inter-Parliamentary Union, Women in Parliaments: World Classification, As on July 1, 2013, http://www.ipu.org/wmn-e/arc/classif010713.htm, accessed August 15, 2013.	

A 2012 study of regions across Asia identified the following key enablers and obstacles.[167] The authors pointed out that rapid economic and human development mattered; but growth alone is not enough, it has to be accompanied by greater participation of women in the workforce. Private sphere responsibilities keep women out of the public sphere; at the same time, when women enter the workforce, their workload doubles. Much depends on the unpaid domestic work of women. Cultural attitudes and expectations need to change so that women's nature and capabilities are not stereotypically seen as limiting their potential for public life. Women's education is essential although not enough on its own to draw women into political life. Finally, the study echoes others in identifying the role played by electoral systems and quotas; for each electoral system, there are quotas that help enhance women's participation and representation.

Women's participation in politics is determined by many factors. Shvedova writes of three categories of obstacles: political, socio-economic and psychological.[168] Political obstacles begin with what she terms a 'masculine model' of political life, which predicate political activity on men's lifestyles making it harder for working mothers or other women to network and balance politics with care-giving roles. Political parties, a necessary part of democratic politics, fail to provide financial support to women for the increasingly expensive political enterprise, and they are also accused of applying more stringent standards to the selection of women. Moreover, women are often not as well-networked with civil society organizations like trade unions. Finally, political scientists have found that the nature of the electoral system matters. Single-member, first past the post systems work less in favor of women than does proportional representation with multi-member constituencies. Having to choose just one member to win a seat, parties calculate that the male aspirant's chances are better.

The second layer of obstacles comes from the various socio-economic challenges faced by women in both advanced industrial and developing countries.

[167] True, Jacqui" "Niner, Sara" "Parashar ,Swati" and "George ,Nicole Political Participation in Asia and the Pacific, SSRC Conflict Prevention and Peace Forum, 2012, pages 12-16, accessed at http://artsonline.monash.edu.au/thebordercrossingobservatory/files/2013/02/UNDPA-Women%E2%80%99s-Political-Participation-in-Asia-and-the-Pacific.pdf on September 14, 2013.

[168] Shvedova, Nadezhda. 2005. Obstacles to Women's Participation in Parliament. In International IDEA. Women in Parliament: Beyond Numbers. Edited by Julie Ballington and Azza Karam. Stockholm. Pages 33-44.

Echoing the old idea that development aids democracy, Shvedova finds a positive correlation between development and women's representation levels which she attributes to their growing literacy and presence in the workforce. But this correlation does not necessarily hold as the following table illustrates. In the case of Maldives, for instance, high female literacy and relatively low maternal mortality ratio coexist with a low percentage of female parliamentarians but even more significant, a bar against women contesting elections for the Maldivian presidency. In Sri Lanka, where the first two social indicators are good, and there have been female heads of state and government, extremely few Parliamentarians are women. On the other hand, in Afghanistan where women's schooling has been strictly prohibited and maternal mortality ratios are tragically high, quotas introduced by the last constitutional process have assured a significant female presence in the national legislature, which observers report has actually given a voice to women not just from the capital but other parts of the country.[169]

Social Indicators and Parliamentary Presence			
States	*Percentage of Women over 25 years who have at least a secondary level education*	*Maternal Mortality Ratio (Deaths per 100,000 Live Births)*	*Women as percentage of national legislature (where relevant, Lower House; Upper House)*
Afghanistan	5.8%	460	27.7%; 27.5%
Bangladesh	30.8%	240	19.7%
Bhutan	34%	180	8.5%; 8%
India	26.6%	200	11%; 10.6%
Maldives	20.7%	60	6.5%
Nepal	17.9%	170	33.2%
Pakistan	18.3%	260	19.5%; 16.3%
Sri Lanka	72.6%	35	5.8%

[169] Amiri, Rina. 2007. Evidence. Standing Committee on National Defence. January 30.

Sources:

Percentage of women over 25 who have secondary education and *Maternal mortality ratios* from United Nations Development Fund, Human Development Report 2013, Table 4: Gender Inequality Index, http://www.undp.org/content/dam/undp/library/corporate/HDR/2013GlobalHDR/English/HDR2013%20Report%20English.pdf, pages 156-159, accessed August 15, 2013.

Women as a percentage of the national legislature, Inter-Parliamentary Union, Women in Parliaments: World Classification, As on July 1, 2013, http://www.ipu.org/wmn-e/arc/classif010713.htm, accessed August 15, 2013.

A lack of adequate financial resources, the gender gap in earning and illiteracy or poor education are obvious drawbacks, but women have been shown to be a disproportionately large number of the poor and unemployed in many settings. Shvedova underscores the 'dual burden' of household and political responsibilities that women carry in most societies and quotes a Bangladeshi politician who points out that women are also hampered by the lack of a natural constituency in patrilocal settings where they are born in one place, married into another and move with their husbands where they go. Women thus face structural constraints that they also internalize as limitations. They lack the confidence to stand for elections and the presentation of women in the media is also a deterrent. Finally, where some cultures seek to limit their participation in the public sphere, women themselves perceive politics as a 'dirty game'.

This last may account for their willingness to enter the public sphere in other ways, whether through traditional charity work or through modern non-governmental organizations. Emphasizing development, health care or welfare activities, this participation is also more closely aligned to an essentialist view of women as nurturers and to gender stereotypes. Writing about the non-profit sector, Srinath states that while in common with other 'caring' professions it is low-paying, it does employ as many men as women.[170] She goes on to suggest that socialization in patriarchal societies is likely to equip women better than men with the qualities that work in the social development sector. Moreover, in the statist political cultures of South Asia, the ability to influence policy and resource allocation depends on closeness to the state. In other words, unless women enter politics or the bureaucracy in large numbers, they cannot seriously hope to become political decision-makers.

[170] Srinath, Ingrid. Does gender matter? Economic Times, March 8, 2007, accessed at http://www.cry.org/about-cry/media-center/cry-in-news-and-general-articles/Does-gender-matter.html on January 4, 2014.

Two debates about political representation are also salient to women's political efficacy. The first is the question of whom or what is being represented by the representative. Women politicians often stress that they are politicians who happen to be women and this distancing or clarification underscores the issue: do they represent just women and women's issues, or do they represent their constituencies and all of society? Moreover, it challenges the assumption that women will bring feminist or even women's special concerns to the table.

The second debate concerns the use of quotas and on the whole, scholars, policy-makers and activists appear to agree that they serve a useful purpose in the case of women. In Dahlerup and Freidenvall's words, quotas serve as a 'fast track' to achieving equal representation of women in legislatures[171] and a compensation for persistent structural barriers. Elsewhere, Dahlerup writes that quotas place responsibility for including women on gatekeepers to electoral politics such as political parties by forcing them to give women a chance. Quotas may be instituted at any tier of the state structure. Implementation is the key to quotas succeeding in their objectives, and even when well-implemented, women may face challenges to their political undertakings by virtue of gender. In South Asia, quotas for any purpose are highly contentious. In spite of this, quotas have been adopted by the state and by political parties in the region as the following summary table shows.

Quotas applied in South Asian states	
State	*Quota types*
Afghanistan	Legislated quotas for the Single/Lower House Legislated quotas for the Upper House Legislated quotas at the Sub-national level
Bangladesh	Legislated quotas for the Single/Lower House Legislated quotas at the Sub-national level
Bhutan	-
India	Legislated quotas at the Sub-national level Political party quotas (Indian National Congress 15%)
Maldives	-
Nepal	Legislated quotas for the Single/Lower House Legislated quotas at the Sub-national level
Pakistan	Legislated quotas for the Single/Lower House Legislated quotas for the Upper House Legislated quotas at the Sub-national level

[171] Dahlerup, Drude And Freidenvall, Lenita. 2005. "Quotas As A 'Fast Track' To Equal Representation For Women: Why Scandinavia Is No Longer The Model." *International Feminist Journal of Politics*. March (7:1). Page 26.

Sri Lanka	-
Source: Quota Database, Data grouped by quota type, http://www.quotaproject.org/country.cfm, accessed August 15, 2013.	

As elsewhere, the Indian experience with constitutionally-mandated reservations at the Panchayat level suggests that quotas can have a positive effect[172]: (1) Women are participating enthusiastically disproving the myth that they are not interested in politics and they are engaging in political activities that men alone did; (2) Marginalized groups were also better represented because around 40% of the women representatives elected were from these groups; (3) Seen as either representing otherwise-marginal interests or consolidating elite positions, women received support from their families for their political activity; (4) The women's self-esteem has improved no matter which social segment they come from and on the whole, the entry of women into the public sphere is likely to alter gender relations within the home and in society. However, the extension of this quota to the national legislature has met with resistance. More informative are the similar responses to quotas in Pakistan and Bangladesh where they have been in place longer.

While reservations are meant to be a transitional measure, they fail to enable women to build their own political bases and support systems.[173] In Pakistan, quotas for women have existed in some form since 1956 and the reserved seats are filled through proportional representation in contrast to the general seats which are filled by direct election. Direct election is also an issue in Bangladesh, where reserved seats are filled by appointment and recently, indirect election. In both instances, who is selected lies in the hands of the majority party in the legislature. There is a concern that women will be confined to the reserved seats, rather than being integrated into the political system. Since there is a provision for them already, political parties may not risk their candidature at elections. The majority party controls which women will be included, whether it is through proportional representation or appointment. Women are entirely dependent on the mostly male members of the majority party in the legislature. They are second-class members of

[172] Raman, Vasanthi. "The Implementation of Quotas for Women: The Indian Experience," in International IDEA, *The Implementation of Quotas: Asian Experiences*, Quota Workshops Report Series, Jakarta, Indonesia, September 25, 2002, page 25.

[173] See: Najma Chowdhury, "The Bangladesh Experience: Dependence and Marginality in Politics,." in International IDEA, *The Implementation of Quotas: Asian Experiences*. Quota Workshops Report Series, Jakarta, Indonesia, September 25, 2002, pages 50-59; Soccoro Reyes, "Quotas in Pakistan: A Case Study," in International IDEA, *The Implementation of Quotas: Asian Experiences*, Quota Workshops Report Series, Jakarta, Indonesia, September 25, 2002, pages 42-47; Amrita Basu, Women, Political and Social Movements in South Asia, Occasional Paper 5, United Nations Research Institute for Social Development, July 2005; Shirin Rai, South Asia, in International IDEA, Women in Parliament: Beyond Numbers, edited by Julie Ballington and Azza Karam, Stockholm, 2005.

the legislature, lacking the power base, mandate or credibility as political leaders that directly elected members have. Where they represent an area, it can be much larger than the average constituency as it clubs several constituencies together. As an illustration, in Bangladesh, Sheikh Hasina and Khaleda Zia are both directly elected and not beneficiaries of the quota.

Women's participation during emergencies and transitions

Emergency and transitional situations pose specific challenges to women's participation in public sphere activities, for instance, disasters, political transitions and transitions out of conflict.

Disasters take lives, destroy property, disrupt livelihoods and fragment the social fabric of a community. In recent decades, the idea that communities should be a part of planning and decision-making in the post-disaster relief and rehabilitation phase has caught on, but this has only seldom extended to women. Women experience disasters very differently from men. They die in larger numbers, creating a sex ratio that is distorted in favour of men. Levels of violence increase, especially sexual and gender-based violence. The loss of home can be traumatic—as loss of shelter, privacy and security. Organizations that genuinely involve women in the visualization, planning and execution of post-disaster reconstruction are few and far between.[174] In these circumstances, claiming (or re-claiming) political agency for women is very difficult and apt to be confined to local, immediate concerns about survival and rebuilding lives.

The democratizing impulse is an impulse to include, but feminist research in Latin America and Eastern Europe tells a different tale. Women's organizations played an important part in the initial phase of several democratic transitions but appear to have become invisible again in the period of democratic consolidation. Waylen attributes the rise of women's groups in authoritarian periods in Latin America to four factors.[175] The first three were the feminist opposition to authoritarianism in every setting; the impact of structural adjustment programs; and their mobilization by the Church to make demands for services like day care. But women could claim this last 'political space' in authoritarian settings as mothers looking for missing children and because authoritarian governments placed motherhood on a pedestal as an ideal for women, it was hard for them to act

[174] Swayam Shikshan Prayog is one organization that has really managed to involve women at every stage, and to have those women go out to train others in similar situations. Prema Gopalan, Not Victims but Architects of Disaster Reconstruction, in Gendering Disaster in South Asia: Survival, Security and Development, edited by Linda Racioppi and Swarna Rajagopalan, in progress.
[175] Waylen, Georgina. 1994. "Women and Democratization: Conceptualizing Gender Relations in Transition Politics." *World Politics*. April (46:3). Pages 327-354.

repressively against the protesting women. The same factor worked as a reason why women have not been able either to stake a claim to a decision-making role or to place feminist/ gender issues on the agenda. Their political engagement was predicated on "difference" and an outlook that Franceschet describes as 'political motherhood' ("the ideal that politics is about acting selflessly and acting *for* others").[176] Another related factor is that during the transition period, while they have leverage, women do not demand institutional reforms like gender-based quotas or power-sharing, so that the barriers to their participation simply re-emerge. Political parties are primarily blamed for placing barriers to women's participation—from the timing of their meetings to their calculus in choosing candidates. "Political motherhood" as an ideology militates against seeking power against these odds. In Eastern Europe, the democratic transition was a transition away from a polity that was ideologically committed to women's equality towards market liberalization and a return to traditional values that appeared to have eroded social securities, increased levels of violence and forced women into unemployment or the informal sector. A decline in women's political participation ensued.[177]

These post-transition situations are reminiscent of the situation of women after the Second World War—having come out of their homes in hundreds to work in factories and ambulances, at the end of the war, women were expected to return to domesticity and make no claims on the political process. So what can women in the Nepal or Sri Lanka, where women have been active in political struggle, even taking up arms, expect?

Women made up a large percent of the Maoist insurgents in Nepal and were active cadres of the Liberation Tigers of the Tamil Eelam. Much of what has been written about why women take up arms-- in search of dignity when they are abused, of refuge against iniquities and in support of elements of its agenda that benefit them like the drive against alcohol-- only occasionally speculating that women might have political agendas or as to what the impact of political participation has been on their lives. It is also important to ask about the extent to which the agendas of these organizations accommodate (at minimum) the concerns that bring women into their fold and to which they reflect gender concerns and about the extent to which participation translates down the lane into access to decision-making authority. The answer to both is: rarely.

Conflict and a climate of insecurity place restrictions on women's mobility and agency, make them vulnerable to sexual violence used as an instrument of war

[176] Franceschet, Susan. 2001. "Women in Politics in Post-Transitional Democracies: The Chilean Case." *International Feminist Journal of Politics*. August (3:2). Page 213.
[177] Waylen, Georgina. 1994. Pages 344-353.

as well as escalating levels of violence within and outside the home, cause displacement and loss of livelihood and loved ones. There are some ways in which conflict can create political agency—as militants, as peacemakers, as mothers taking action to look for missing children or as part of an institutionalised peace process. In the post-conflict context, lack of security can be a serious deterrent to women's participation, as Afghan women are finding out. Democracy, with or without gender equity and women's participation, is not possible without minimum standards of physical security.

The growing body of literature on women's participation in post-conflict activities offers several lists of explanatory factors. A five country study published in September 2012 lists six: restrictive social norms and attitudes; violence against women and girls; poverty and economic inequality; inequality in access to education; devaluation of women's roles as peacebuilders; and lack of sustained support for their work.[178] Elsewhere, the study also adds the unequal burden of housework to the list.[179] A 2010 Nepal study had also endorsed the idea that in the public sphere, men and women work largely in parallel universes—with men dominating the formal institutions where resources are concentrated, and women working in the social sector which is relatively poorly funded.[180] The study also points to the diversity of interests, divisions and rivalries within the women's movement as limiting the potential of women to push the 1325 agenda of greater participation.

Peace, with women: Concluding reflections on women's post-conflict political participation

If women hold up half the sky, as Mao Zedong is quoted as saying, then without them, as Asterix feared, the sky is ever in danger of falling down on the democratic aspirations of the South Asian political class. For women who wish to participate in the work of the public sphere in the states of South Asia, entry may be easy but moving beyond 'foot-soldier' status to garner support and resources to scale the political ladder may be near impossible. Material, social and emotional hurdles check women's political aspirations at each turn. Still, there are more South Asian role models for young girls seeking a political career than there are from any other region. The challenge is to clear the path from entry to premiership of

[178] Action Aid, Institute of Development Studies and Womankind Worldwide, From the ground up: Women's roles in local peacebuilding in Afghanistan, Liberia, Nepal, Pakistan and Sierra Leone, September 2012, pages 5-6, accessed at http://www.actionaid.org/sites/files/actionaid/from_the_ground_up_-_full_report.pdf on September 14, 2013.
[179] From the ground up: Women's roles in local peacebuilding in Afghanistan, Liberia, Nepal, Pakistan and Sierra Leone, September 2012, page 31.
[180] Abdela, Lesley. 2010, page 13-16.

structural obstacles. Quotas are one transitional measure towards this end, but public financing of campaigns and leadership training might be others. A greater sharing of experiences might also prevent activists from painting themselves into a corner during the struggle so that they are unable to stake a claim to power in the aftermath of a democratic transition or peace process. Finally, where scholars and advocates of democracy overlook the centrality of strong institutions and security, their work is self-defeating. Physical security is a key prerequisite of democracy, and especially of women's participation.

> "The post-conflict moment opens up the possibility of reframing the political and civic leadership, with women at the centre. Women's participation in the design of all post-conflict justice mechanisms, in peace processes and in political decision-making is essential for ensuring the post-conflict State advances women's rights and justice for all."[181]

The 2011-12 Progress of the World's Women Report by UN Women optimistically pointed to two positive changes wrought in post-conflict contexts.[182] First, it contends that the changing international legal environment is making it harder to overlook sexual violence in conflict, and in at least three instances—Yugoslavia, Rwanda and Sierra Leone—transitional justice has included prosecution and conviction for sexual crimes. Second, post-conflict constitutional schemes often provide for quotas for women that go a long way to increasing women's representation in the legislature.

This is especially true where the UN has been engaged in crafting the post-conflict moment. Afghanistan and Nepal exemplify this. In both cases, constitutional quotas have brought women into Parliaments. In both cases, tradition has kept continued to marginalise them even within those spaces. In Bangladesh, the women from CHT are invisible except as victims of sexual violence. The post-conflict context has disenfranchised them. In post-war Sri Lanka, the space for democratic politics is shrinking and women activists and human rights defenders are also affected by this change.

The two enduring challenges to women's participation in the post-conflict scenario are traditional misogynistic attitudes and the security situation.

The first illustrates the limits of outside intervention. UN agencies and resolutions, backed by international donors and even foreign military and diplomatic

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[181] UN Women, Progress of the World's Women: In Pursuit of Justice 2011-12, 2011, accessed at http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf on January 4, 2014, page 101.
[182] UN Women, Progress of the World's Women: In Pursuit of Justice 2011-12, 2011.

forces, might promote gender equality as a value. They might succeed in backing women's rights and human rights activists in getting laws and constitutional provisions adopted. Funding might even be contingent upon some degree of monitoring. But patriarchy's walls seem to survive. Women who are highly visible in the peace process become invisible thereafter, and find it hard to sustain the momentum of change. The reduction of quotas and the reversal on the domestic violence law in Afghanistan and the drop in numbers of elected women in Nepal are ominous. Even the most interventionist state's most determined decisions cannot force a change in the way that people think in the intermediate term. This educational outreach is the work of civil society, and it can best be reinforced by the state and international agencies preserving facilitating conditions like the rule of law, long-term funding and other support and security.

The security situation, on the other hand, is something that states can (and are meant to) take responsibility for. In three out of four situations described here, the end of the conflict seems to have created greater insecurity for women. CHT women are now vulnerable to sexual violence at the hands of both the military stationed in the area and also settlers in the area. In Afghanistan, there is a rise in levels of violence on the streets and in the home. In Sri Lanka, harassment of human rights activists and political disappearances could in the long run result in less public political activity. If the political leadership of a state decides, it can create better security through three decisions. The first is to take its law and order functions seriously, and ensure that local police and magistrates function as they are supposed to. The second is to define security not in terms of securing the state against dissent but in terms of committing to human rights and rule of law. Finally, the state should express and display zero-tolerance to sexual and gender-based violence by enacting an end to impunity for the same and ensuring access to justice.

Thus, the responsibility of drawing women into political activity rests with both civil society and the state. The first needs to take the lead in working on attitudinal change and the second must make it safe to be politically active—for all citizens. If state and civil society can work in tandem, then change is possible—and Nepal seems to hold out greatest promise for this to happen, among the four cases in this paper.

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