

# 1325 – IS THAT A TAXI NUMBER? IMPLEMENTATION OF THE NATIONAL ACTION PLAN ON 1325 & 1820 IN NEPAL

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When I go to the rural areas and ask people about 1325, they say, what is that? Is that a taxi number? Even educated people don't know about 1325. How can we expect people in the village to know all these numbers and remember them? They don't know what the Security Council is and what UNSCR 1325 is. They may memorize it for once but they forget after the programme is finished because the Security Council doesn't sound "real" to them.<sup>1</sup>

The United Nations Security Council adopted its first Resolution on Women, Peace and Security (WPS), UNSCR 1325, in 2000.<sup>2</sup> Resolution 1325 focuses on four priority areas (also known as pillars) including participation, prevention, protection, and relief and recovery<sup>3</sup>, and "calls for the prosecution of crimes against women, increased protection of women and girls during war, the appointment of more women to UN peacekeeping operations and field missions and an increase in women's participation in decision-making processes at the regional, national and international level".<sup>4</sup> This was the first thematic resolution on WPS, which is significant in many ways.<sup>5</sup> In particular, for the first time in history, the security of women in conflict was discussed in the Security Council.<sup>6</sup> Resolution 1325 was also significant because it was an outcome of exceptional transnational collaboration among the women's rights advocates from around the world, "inside and outside the UN".<sup>7</sup> For the first time, the door of the Security Council

was open to accommodate the security needs of the 'real people', outside of the 'old war' discourse.<sup>8</sup> Therefore, UNSCR 1325 was a watershed moment, which has provided mechanisms to incorporate gender into international peace and security legislation<sup>9</sup> and is "accepted as the founding document of the WPS agenda".<sup>10</sup>

It has been 16 years since the passage of Resolution 1325. The Security Council has adopted 7 other resolutions since then.<sup>11</sup> Various mechanisms have been adopted to operationalise the WPS agenda into the local context, such as incorporating the WPS agenda into the existing programmes and policies and/or developing a National Action Plan (NAP).<sup>12</sup> However, the NAP has been the most common way of implementing the WPS agenda and can be seen as a formal ratification of the WPS resolutions by the state.<sup>13</sup> Despite its relevance to all countries, only 63 countries have developed their NAPs on Resolution 1325 as of January 2017, the

first being Denmark and the most recent ones at the time of writing being Kenya, Ukraine, Timor-Leste and South Sudan.<sup>14</sup> Nepal adopted its NAP in 2011 to be the first country in South Asia.<sup>15</sup>

Nepal's NAP is seen as one of the best examples. It was developed through a highly consultative process with extraordinary levels of collaboration between government and non-governmental bodies. Nepal was also a focal point of the Global Study on 1325<sup>16</sup> carried out by the UNWOMEN in 2015. Some of the recommendations of the Global Study on 1325 are derived from the experiences of the Nepal NAP. In this paper, I aim to examine the contrast between the supposed success of Nepal's NAP and its minimal impact on the ground. I argue that, although the NAP was an excellent idea and it received a significant amount of attention, both from the government and development partners, and significant efforts were made to include the voices of locals, the achievements are very few

- 1 Interview with the Executive Director of an International NGO in Nepal, 20 July 2016.
- 2 The full text of UNSCR 1325 is available via this link: [www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1325\(2000\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1325(2000))
- 3 See Christine Chinkin and Mary Kaldor, "Gender and New Wars", *Journal of International Affairs* 1 (67) (2013): 167-87. Also see Nicole George and Laura J. Shepherd, "Women, Peace and Security: Exploring the implementation and integration of UNSCR 1325", *International Political Science Review* 37 (2016): 297-306.
- 4 Carol Cohn, Helen Kinsella and Sheri Gibbings, "Women, Peace and Security Resolution 1325", *International Feminist Journal of Politics* 6 (1) (2004): 130.
- 5 Dianne Otto, "Women, Peace and Security: A Critical Analysis of the Security Council's Vision", *LSE Women, Peace and Security Working Paper Series* 1 (2016): 1-10, [www.lse.ac.uk/WomenPeaceSecurity/pdf/2016/wps1Otto.pdf](http://www.lse.ac.uk/WomenPeaceSecurity/pdf/2016/wps1Otto.pdf)
- 6 Cohn, Kinsella and Gibbings, "Women, Peace and Security Resolution 1325"; Aisling Swaine, "Assessing the Potential of National Action Plans to Advance Implementation of United Nations Security Council Resolution 1325", *Yearbook of International Humanitarian Law* 12 (2009): 403-433.
- 7 See Felicity Hill, Mikele Aboitiz and Sara Poehlman-Doumbouya, "Nongovernmental Organizations' Role in the Buildup and Implementation of Security Council Resolution 1325", *Signs* 28 (4) (2003): 1255-1269, for the details about the role of NGOs in the implementation of UNSCR 1325 and for more details about the history of women's involvement in peacebuilding well before UNSCR 1325, see Cynthia Cockburn, "Achievements and Contradictions: WILPF and the UN", in *From where we stand: war, women's activism and feminist analysis*. (London and New York: Zed Books, 2007), 132-180. Also see Jacqui True, "Explaining the Global Diffusion of the Women, Peace and Security Agenda", *International Political Science Review* 37 (3) (2016): 308.
- 8 See Mary Kaldor, *New and Old Wars: Organized Violence in a Global Era* (Cambridge: Polity Press, 1999).
- 9 Roberta Guerrina and Katharine A.M. Wright, "Gendering normative power Europe: lessons of the Women, Peace and Security agenda", *International Affairs* 92 (2) (2016): 293-313.
- 10 Paul Kirby and Laura J. Shepherd, "The Futures Past of the Women, Peace and Security Agenda", *International Affairs* 92 (2) (2016): 373.
- 11 Resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013) and 2242 (2015). [www.un.org/en/peacekeeping/issues/women/wps.shtml](http://www.un.org/en/peacekeeping/issues/women/wps.shtml)
- 12 Laura J. Shepherd, "Making War Safe for Women? National Action Plans and the Militarisation of the Women, Peace and Security Agenda", *International Political Science Review*, 37 (3) (2016): 302.
- 13 True, "Explaining the Global Diffusion of the Women, Peace and Security Agenda", 311.

compared to the investment.<sup>17</sup> Only a small number of people have benefitted from the NAP. Instead of helping to improve the lives of women impacted by the armed conflict, the NAP has reduced the scope of the whole Women, Peace and Security agenda to a few projects. The NAP became a development project, not a process for sustainable peace, for two fundamental reasons: a) problems at the discursive level, both knowledge construction at international level and understanding of the WPS framework at the local level; and b) reliance on experts' knowledge and co-option of the WPS agenda by the development organisations and humanitarian agencies.

This paper is based on my interviews with 21 stakeholders in Nepal. I interviewed both donors and implementing agencies such as the government institutions, UN agencies, INGOs and civil society organisations, who were involved in the development as well as the implementation of the NAP. In addition, I interviewed actors who had nothing to do with the NAP, meaning they were never involved in any of the conversations about the NAP, even though they had been working with the conflict affected women in Nepal for several years.<sup>18</sup> This paper is divided into three main sections. In the first section, I shed light on the development and the implementation of the NAP in Nepal. The second section examines the achievements since the NAP and the third section highlights some of the key challenges for the effective implementation of the NAP in Nepal. However, before proceeding, I briefly describe the war context.

## THE WAR CONTEXT

The Civil War in Nepal, known as the People's War, started in 1996 and lasted for ten years.<sup>19</sup> During the decade of war, over 200,000 people were displaced, over 14,000 people were killed and over 1,400 people disappeared.<sup>20</sup> These are only estimated figures. The actual number of displacements, deaths and disappearances are likely to be much higher. Moreover, hundreds of

thousands lost their livelihoods; young women became widows; schools and health posts were closed; women and girls were raped and sexually abused<sup>21</sup>; and people were forced to leave their homes.<sup>22</sup> In addition to internal displacements, people also migrated to other countries. The forced migration that started during the war has now become a trend, so that most of the villages are left with only women, elderly people and children.

It has been over a decade since the Comprehensive Peace Agreement (CPA) 2006. However, people who were affected by the war are still waiting for justice. Thousands of people displaced by the conflict remain displaced.<sup>23</sup> The wives and families of disappeared people are still waiting for justice.<sup>24</sup> The survivors of rape and sexual violence have not received any support.<sup>25</sup> Likewise, women who were forced into prostitution during the war are not even seen as conflict victims. Further, attention to the conflict has waned, especially since the devastating earthquake in April–May 2015, which took over 9000 lives and displaced millions of people. The priority of the government and donors has shifted from the conflict victims to the earthquake victims (a similar shift occurred in Aceh where post-Tsunami recovery programmes marginalised the peace process).<sup>26</sup> Even though there is still a lot to be done to support the women impacted by the People's War, the government seems to feel that it has done enough and there is no need for a peacebuilding intervention in Nepal.

## NATIONAL ACTION PLANS

As discussed earlier, NAPs have been the most common way of implementing the WPS agenda. The NAPs can be divided into two different categories: those that are developed by countries emerging from conflicts and those developed by states, which provide the development and humanitarian assistance to these conflict-affected countries.<sup>27</sup> Laura Shepherd describes them as "outward looking" – the NAPs developed by countries

that provide development aid (such as the UK, Australia, USA and Germany), and “inward looking” – the NAPs developed by countries that are emerging from conflicts (such as the plans in Afghanistan and Pakistan).<sup>28</sup> The NAPs have taken different forms with different priorities in different contexts.<sup>29</sup> For instance, the third Norway NAP “concentrates largely on gender-responsive humanitarian action in Norway’s foreign security and aid policy toward fragile and conflict-affected states, and has a sizable budget commitment”<sup>30</sup>, whereas, “[i]n conflict-affected countries such as the Philippines (first country in Asia to adopt a NAP), the NAP covers the domestic implementation of the Arms Trade Treaty provisions through national laws to regulate small arms transfer and exchange, given their use in the perpetration of gender based and sexual violence. By contrast, in Georgia’s NAP the development of indicators for monitoring the protection of internally displaced women and girls is prioritised among the actions”.<sup>31</sup>

Some studies have been carried out to gauge the effectiveness of the NAPs. The Global Study 2015 on the implementation of UNSCR 1325 suggests that there has been some progress regarding the protection of women’s rights in war.<sup>32</sup> For instance, the Secretary-General has appointed a Special Representative to report on the cases of Sexual Violence in Conflict following UNSCR 1888. Likewise, the Rome Statute of the International Criminal Court, which came into effect in 2002, has outlined a comprehensive list of crimes against women as war crimes and crimes against humanity within the jurisprudence of the ICC, the CEDAW Committee adopted General Recommendation 30 on women in conflict prevention and post conflict situations, along with a slight increase in women’s representation in peacekeeping missions can all be seen as progress. However, despite some progress, the resolutions on Women, Peace and Security mostly remain rhetoric. Even after 16 years, the impacts on the ground remain negligible. The Global Study also suggests that, although some countries have come up with a National Action Plan, they have no mechanism to ensure accountability, nor any budget available for the implementation.<sup>33</sup>

The Nepalese NAP development process begun on 31 March 2010. Resolution 1325 was adopted by the Council in 2000, when Nepal was in the middle of the Civil War, and the majority of people did not know about the Resolution until 2007. Some organisations claimed they had been working on Resolution 1325 since 2003. However, the awareness about the Resolution was limited to a few NGOs and UN agencies. Lesley Abdela, who has documented the implementation of Resolution 1325 in Nepal since its adoption to just before the NAP, suggests that Resolution 1325 was used as an advocacy tool by some NGOs and UN agencies to increase women’s participation in peace processes and to campaign against gender-based violence.<sup>34</sup> However, it is important to note that despite their advocacy, no women were included in the peace negotiations and there is no reference to Resolution 1325 in the CPA. The CPA has only one point on women and children’s rights without a great detail.<sup>35</sup> Therefore, it is unclear if Resolution 1325 had any impact on the CPA.

A new ministry, the Ministry of Peace and Reconstruction (MoPR), was established in 2007 with a peacebuilding mandate. Women’s rights activists, in collaboration with UNWOMEN, decided to approach the MoPR instead of going to the Ministry for Women, Children and Social Welfare (MoWCSW) because Resolution 1325 was not just a women’s agenda. It was a peacebuilding agenda and the MoPR was established with peacebuilding mandate. It was a strategic decision of the women’s rights activists. They thought it will be more effective if they are associated with the MoPR, where they will have access to wide range of stakeholders from various ministries, which supports Aisling Swaine’s argument about the location of NAP within the government being critical for the effectiveness and to determine its focus.<sup>36</sup>

Although the consultation had begun in 2007, the discussion regarding the implementation of Resolution 1325 only started after the formation of a High-Level Steering Committee (HLSC) in September 2009. The HLSC was

- 14 See for details: [www.peacewomen.org/member-states](http://www.peacewomen.org/member-states)
- 15 See the timeline of country-wise NAP: [www.peacewomen.org/member-states](http://www.peacewomen.org/member-states)
- 16 See UNWOMEN, *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of the United Nations Security Council Resolution 1325* (New York, NY: UNWOMEN, 2015), [http://wps.unwomen.org/pdf/en/GlobalStudy\\_EN\\_Web.pdf](http://wps.unwomen.org/pdf/en/GlobalStudy_EN_Web.pdf)
- 17 The bi-lateral and multi-lateral donors and UN agencies are referred to as the ‘development partners’ by the government of Nepal. In this paper, I will be using development partners to refer to bi-lateral and multi-lateral donors, UN agencies, NGOs and civil society organisations.
- 18 Although there are dozens of INGOs working with conflict affected women, only a few NGOs were involved in the NAP development and the implementation processes.
- 19 For a detailed discussion on the People’s War, see Punam Yadav, *Social Transformation in Post-Conflict Nepal: A Gender Perspective*. (London and New York: Routledge, 2016); Ganga B Thapa and Jan Sharma, “From Insurgency to Democracy: The Challenges of Peace and Democracy-Building in Nepal”, *International Political Science Review* 30 (2) (2009): 205-219; Daniel Aguirre and Irene Pietropaoli, “Gender Equality, Development and Transitional Justice: The Case of Nepal”, *The International Journal of Transitional Justice* 2 (3) (2008): 356-377; Bishnu Pathak, *Politics of People’s War and Human Rights in Nepal* (Kathmandu: BIMIPA Publications, 2005) and also for factors that contributed to the sudden growth of the Maoist movement, see Jorg Frieden, “A Donor’s Perspective on Aid and Conflict”, in *Nepal in Transition: From People’s War to Fragile Peace*, ed. Sebastian von Einsiedel, David Malone and Suman Pradhan (Cambridge: Cambridge University Press, 2012): 100-113; and Nishchal Nath Pandey, *New Nepal: The Fault Lines* (Sage Publications, 2010).
- 20 See IDMC, “Nepal: IDP Return Still a Trickle Despite Ceasefire” (Geneva: Norwegian Refugee Council, 2006); UNOHCHR, “Nepal Conflict Report: An Analysis of Conflict-Related Violations of International Human Rights Law and International Humanitarian Law between February 1996 and 21 November 2006” (Kathmandu: UN Human Rights Office of the High Commissioner, 2012); UNWOMEN, *Preventing Conflict, Transforming Justice, Securing the Peace*.
- 21 See Human Rights Watch, *Silenced and Forgotten: Survivors of Nepal’s Conflict-Era Sexual Violence* (New York, NY: Human Rights Watch, 2014), [www.hrw.org/report/2014/09/23/silenced-and-forgotten/survivors-nepals-conflict-era-sexual-violence](http://www.hrw.org/report/2014/09/23/silenced-and-forgotten/survivors-nepals-conflict-era-sexual-violence)
- 22 Yadav, *Social Transformation in Post-Conflict Nepal*.
- 23 See Yadav, *Social Transformation in Post-Conflict Nepal* for reasons why people have not returned to their villages.
- 24 See Sharmila Tripathi’s struggle for justice for her disappeared husband: <https://trialinternational.org/latest-post/enforced-disappearance-torture-and-alleged-arbitrary-execution-of-mr-gyanendra-tripathi-in-september-2003/>

- 25 Punam Yadav, "White Sari—Transforming Widowhood in Nepal", *Gender, Technology and Development* 20 (1) (2016): 1-24.
- 26 Katrina Lee-Koo, "Gender at the crossroad of conflict: Tsunami and peace in post-2005 Aceh", *Feminist Review* 101 (1) (2012): 59-77.
- 27 Soumita Basu, "The Global South Writes 1325 (Too)", *International Political Science Review* 37 (3) (2016): 266.
- 28 Shepherd, "Making War Safe for Women?", 3.
- 29 True, "Explaining the Global Diffusion of the Women, Peace and Security Agenda", 309.
- 30 Ibid.
- 31 UNWOMEN, *Preventing Conflict, Transforming Justice, Securing the Peace*, as cited in True, "Explaining the Global Diffusion of the Women, Peace and Security Agenda", 309
- 32 UNWOMEN, *Preventing Conflict, Transforming Justice, Securing the Peace*.
- 33 Ibid.
- 34 For the details about the implementation of Resolution 1325 prior to the NAP, see Lesley Abdela, "Nepal and the implementation of UNSCR 1325", in *Women, Peace and Security: Translating policy into practice*, ed. Funmi Olonisakin, Karen Barnes and Eka Ikpe (London and New York: Routledge, 2011): 66-86.
- 35 Unofficial Translation of the Comprehensive Peace Agreement between the Government of Nepal and the Communist Party of Nepal (Maoist) 2006, [https://www.usip.org/sites/default/files/file/resources/collections/peace\\_agreements/nepal\\_cpa\\_20061121\\_en.pdf](https://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/nepal_cpa_20061121_en.pdf)
- 36 Swaine, "Assessing the Potential of National Action Plans", 417.

chaired by the then Deputy Prime Minister and Foreign Minister and co-chaired by the Minister of Peace and Reconstruction, both of whom were men. The MoPR, in partnership with UN agencies, donors, and women's rights organisations, initiated the discussion with other line ministries, security sectors and political institutions including Constituent Assembly (CA) members.<sup>37</sup> A women's rights activist, who has been actively involved in promoting women's rights and gender equality in Nepal for over two decades, said, "[i]nitially, we didn't know about the National Action Plan. It was only when 2010 was approaching. As you know, UNSCR 1325 marked the 10th anniversary in 2010, so there was a momentum and the discussion about the NAP was coming up".<sup>38</sup> The Nepal's NAP was what Jacqui True calls a "period effect", which suggests that "member states perceived the importance of WPS issues in light of the global meeting reviewing progress made over a decade in implementing 1325".<sup>39</sup>

A series of meetings and consultations were held, both at the national level as well as local levels. To ensure that the needs and concerns of locals were incorporated in the NAP and also to ensure local ownership, district-level

consultation workshops were carried out in 52 districts between July and September 2010. Special consultations were also held with women and girls directly affected by conflict to ensure their concerns were reflected in the NAP.<sup>40</sup> After 10 months of rigorous process, the Nepal NAP was finalised and adopted on 1 February 2011. There was a rush towards the end because Nepal wanted to become the first South Asian country to have NAP. A group of people flew to New York to launch the National Action Plan on 23 February 2011 during the 55th session of the Commission on the Status of Women.<sup>41</sup>

The development of the NAP was highly consultative and is often cited as one of the best examples of a collaborative project. Compared to other National Action Plans, such as the National Plan of Action on the Implementation of the CEDAW, 2004, and the National Plan of Action on Gender Equality and Empowerment of Women, 2005, the Action Plan on 1325 and 1820 received far more attention from the government, donors and civil society organisations.

The collaboration between the government and the development partners continued even after the launch of the NAP. For the implementation of the NAP, a High-Level Steering Committee and the NAP implementing committees were formed with the representation from various ministries, civil society organisations and the UNWOMEN. In addition, a gender unit was established at the MoPR, and for the localisation of the NAP, NAP District Coordination Committees (DCCs) were formed in each district.<sup>42</sup>

The Nepal Peace Trust Fund (NPTF) allocated NPR 844.5 million (around US\$7.9 million) to fund ten NAP projects from ten different ministries.<sup>43</sup> Most of the budget (61 per cent of the \$7.9 million) was allocated to the Ministry of Home Affairs to spend in the defence sector, training police personnel on UNSCR 1325 and developing infrastructures. The remainder was given to other ministries: 10 per cent to the Ministry of Education, 7 per cent to the Department of Cottage and Small Industry,

*Temporary settlement of the people displaced by the devastating earthquake in April 2015*



7 per cent to MoWCSW and less than 5 per cent was allocated to the National Women's Commission and other ministries.<sup>44</sup> In addition, the development partners provided technical support as well as funded some additional NAP projects.

Although it may look like a lot has been done, most of these projects were short-term, only made to last up to two to three years and implemented in only a few districts. The project funds were spent mostly on the training and capacity building of staff and stakeholders from national to district levels. Likewise, some money was spent on awareness-raising on UNSCRs 1325 and 1820, and the development of training manuals. Most of the NAP projects have now finished. The first NAP has been phased out and the process of developing the second phase of the NAP has started and is making very slow progress. Although the decision has been made by the government to go ahead with the second NAP, there is a lot of uncertainty about the process and the funding. The government of Nepal never allocated any budget for the NAP implementation, and development partners are reluctant to invest for various reasons such as funding cuts, shifting priorities and pressure to produce tangible outputs, which I will discuss later in this paper.

## ACHIEVEMENTS

The very fact that the NAP's launch was held in New York shows just how enthusiastic Nepal was for this process. Although it is difficult to separate the achievements of the NAP because gender mainstreaming was already strong in the Nepalese development discourse prior to the NAP and there were several projects to support conflict-affected women as a part of post-conflict reconstruction and peacebuilding programmes, it can be said that the NAP has strengthened the gender mainstreaming discourse, especially in the government institutions. Moreover, the NAP has also been used as an advocacy tool to create awareness about the gendered

impacts of war. In this section, I analyse some of the achievements since the NAP under its four pillars.

One of the achievements of the NAP is women's increased participation in the UN Peacekeeping Missions. An army officer, who is the Training Officer and Gender Focal Point of NEPBATT (Nepalese Battalion) for the UN Peacekeeping Mission, said, "UNSCR 1325 certainly has influenced the UN Peacekeeping mission. There has to be minimum 5-10 per cent women's participation in the Peacekeeping Mission from Nepal".<sup>45</sup> The Nepalese Army also sends Military Observers in the Peacekeeping Missions, with minimum 3 per cent women in these roles under a new Army policy.<sup>46</sup> Participation of women, however, is still far below the constitutionally guaranteed 33 per cent.

Some progress can also be seen in other sectors, for example the Election Commission issued a Gender and Inclusion Policy in 2013, which ensures gender mainstreaming in all electoral processes to increase women's participation in politics. The Ministry of Local Development and Federal Affairs (MOLDFA) made a provision to allocate 10 per cent of their grant to promote women's empowerment and to increase their participation. Likewise, Local Peace Committee has to have 33 per cent women's representation.

There are of course various factors that contributed to increasing women's participation. The work on improving women's participation in decision-making had begun in early 2000. The significant presence of women in the Maoist movement, combined with the work of women's rights organisations as well as development agencies, contributed to put pressure on the government to increase women's participation.

Turning to the "protection" pillar, one of the main achievements since the NAP was the development of the Gender Policy 2012 by the Nepal Police, which emphasises the special needs of women. The Nepal Police has also issued a Code of Conduct Against

37 As per the Comprehensive Peace Accord, the Constituent Assembly (CA) election was held in 2008. 601 CA members were elected to draft the new Constitution of Nepal.

38 Interview, 26 July 2016.

39 True, "Explaining the Global Diffusion of the Women, Peace and Security Agenda", 312.

40 See MoPR and 1325 Action Group Nepal, *Mid-term monitoring report of the National Action Plan on the Implementation of the United Nations Security Council Resolution 1325 and 1820 (2011-2016)* (Kathmandu: Ministry of Peace and Reconstruction and 1325 Action Group Nepal, 2014), [www.saathi.org.np/images/stories/pdf/saathimidtermreportenglish.pdf](http://www.saathi.org.np/images/stories/pdf/saathimidtermreportenglish.pdf)

41 See Government of Nepal, *National Action Plan on the Implementation of the United Nations Security Council Resolution 1325 and 1820, (2011-2016)* (Kathmandu: Ministry of Peace and Reconstruction, 2011), [www.kpsrl.org/uploads/debatten\\_discussies/nepals\\_national\\_plan\\_of\\_action\\_english.pdf](http://www.kpsrl.org/uploads/debatten_discussies/nepals_national_plan_of_action_english.pdf). See also UNWOMEN. Glimpses of the process adopted, 2011 for the details of the process and steps adopted; and news about the launch of the Nepal's National Action Plan on UNSCRs 1325 and 1820. Accessed 21 February 2017. [www.peacewomen.org/content/nepal-nepal-launches-national-action-plan-women-peace-security-internationally](http://www.peacewomen.org/content/nepal-nepal-launches-national-action-plan-women-peace-security-internationally)

42 See MoPR and 1325 Action Group Nepal, *Mid-term monitoring report of the National Action Plan*.

43 The Nepal Peace Trust Fund (NPTF) is a consortium created in 2007 with a 50% contribution from the Government of Nepal, and 50% from the development partners, including the European Union (EU), United States Agency for International Development (USAID), Department for International Development (DFID), Germany, Switzerland, Norway, Denmark and Finland. The secretariat of the NPTF was at the Ministry of Peace and Reconstruction (MoPR). For details about NPTF, see [www.nptf.gov.np/index.php](http://www.nptf.gov.np/index.php). To access the progress reports prepared by NPTF see [www.nptf.gov.np/content.php?id=259](http://www.nptf.gov.np/content.php?id=259)

44 See MoPR and 1325 Action Group Nepal, *Mid-term monitoring report of the National Action Plan*.

45 Interview, 5 August 2016.

46 Interview, 5 August 2016.

Gender Based Violence and the Nepal Army has developed several training manuals on gender. The training curriculum for the new recruits includes a session on UNSCRs 1325 and 1820. According to the NPTF, 1997 army personnel – 479 females and 1518 males – received training on UNSCRs 1325 and 1820 until the end of March 2016.<sup>47</sup> Likewise, a separate accommodation was built for women in the Panchkhal Barracks so that when women go to Panchkhal for trainings, they can stay there, with two childcare centres built in two separate army barracks.<sup>48</sup>

By contrast, nothing has been done on violence prevention under the NAP in Nepal. An NGO worker commented that “prevention means addressing the root causes, which means implementing long-term programmes, which cannot be done by the development partners or NGOs because they have limited budget, defined outputs and need to finish their project on time”.<sup>49</sup> Similarly, little has been done on relief and recovery and whatever was done was part of a bigger post-conflict reconstruction and peacebuilding, such as some scholarships to the children of martyrs and some relief to conflict-affected families, but there was nothing on recovery.

Although the NAP development process was almost led by the development agencies in terms of providing technical support as well as funding, the NAP became a policy document for government, which also meant that it was applicable only to government-run programmes. The implementation of the NAP or the incorporation of the provisions of the NAP was not mandatory for the development partners including UN agencies, NGOs and donors. It was a choice for the development agencies and not the mandate and the implementation of the WPS agenda dependent on their “will”. Moreover, the impact of NAP can only be seen in those areas, sectors or institutions where they had NAP funded projects.

This certainly does not mean that there was no progress made on gender in other institutions. The incremental progress to bring

more women into decision-making levels can be seen in all sectors. However, it is part of the wider inclusion discourse rather than attributable to the impact of NAP. It sometimes gets blurry because the same person who advocated for the NAP may also influence, in other capacity, gender mainstreaming in different organisations. Moreover, women who are part of the decision-making body, even though they do not know about NAP, are advocating for the inclusion of more women. A Constituent Assembly member of the second CA, for example, said she did not know about the NAP or the UNSCR 1325. However, she has been advocating for women’s participation in decision-making levels in parliament. Moreover, it is also difficult to distinguish the progress made because of the government’s intervention and the development partners because they are dependent on each other.<sup>50</sup> Although United Mission in Nepal (UNMIN) came soon after the CPA, it did not do anything on the Resolution 1325 saying it was government’s responsibility and that the UN did not have much role to play.<sup>51</sup> This gives some hints to the complexity of the context and illustrates the scope and the limitation of the NAP.

## CHALLENGES

“UNSCR 1325 is seen as a women’s project”.<sup>52</sup> The Global Study on 1325 recommends essential elements for a good NAP and the Nepal NAP contained all of them: comprehensive goals, strategic objectives, specific actions, indicators, clear lines of responsibilities and timeframe.<sup>53</sup> However, it still did not contribute to improving the lives of conflict-affected women in Nepal. The elaborated NAP development process and its limited implementation are an indication of a very low impact on the ground. Despite the strategic decision by women’s rights organisations to incorporate the WPS agenda into the MoPR’s mandate, NAP projects were still seen as women’s projects. Therefore, in spite of all the attention, the status of the NAP projects was not very different from any other projects on gender.

47 NPTF newsletter, March 2016, [www.nptf.gov.np/newsletter.php](http://www.nptf.gov.np/newsletter.php)

48 Ibid.

49 Interview, 21 July 2016.

50 Abdela, “Nepal and the implementation of UNSCR 1325”.

51 Ibid., 76.

52 Interview on 19 July 2016 with the Gender and Social Inclusion Coordinator of an International NGO, who has been involved in the development as well as implementation of the Nepal’s NAP.

53 See UNWOMEN, *Preventing Conflict, Transforming Justice, Securing the Peace*.

One of the main reasons why the WPS agenda has not been very effective on the ground is the construction of the WPS discourse at international level, which affects the implementation at the local level. Laura Shepherd argues that the way 1325 is understood by the policymakers determines how it is going to be implemented.<sup>54</sup> Katrina Lee-Koo expands on that, saying, “[t]he political context, discursive framework and a priori subjectivities of the reader play an important role in constructing an understanding of what UNSCR 1325 means, and how it should be taken forward”.<sup>55</sup> Resolution 1325 was a new phenomenon in Nepal brought by the international community. Therefore, they had to rely on experts’ knowledge. The policymakers needed to be trained first and then train others. Hence, most of the NAP budget was spent on trainings and orientation. Although the government took the lead and the civil society was very active, the NAP development process in Nepal was funded by the international community and was framed within the international WPS discourse, which influenced the implementation. Despite other important needs of conflict survivors, most of the NAP funding was spent on supporting security sector. Moreover, the NAP was taken as a development project and therefore, its implementation was very much development oriented. It was a five-year plan with fixed budget and defined indicators. The reliance on experts’ knowledge and co-option of the WPS agenda by the development organisations was the main reason for the failure of the first NAP in Nepal.

The changing context (ten years since the war) and shifting priorities also posed a challenge to the implementation of the NAP. Since the earthquake, the priority of the government as well as the development partners has shifted to humanitarian work. Although the most vulnerable people, who were once victims of conflict, have also been affected by the earthquake, there is no link between the WPS agenda and the post-disaster response. These seem to be two different projects, very distinct from each other.

This is evident in the way that the government of Nepal has been asking all the donors/development partners to invest in reconstruction activities and discouraging them from spending on any peacebuilding activities. An officer from an International NGO said, “it is very difficult to work on peacebuilding in Nepal”.<sup>56</sup> Some of the organisations whose main focus was peacebuilding said they cannot use the word “peacebuilding” as it is no longer seen as relevant in Nepal. Moreover, both the government and the donors are now focusing on the Sustainable Development Goals. The WPS agenda is no longer a priority for some development partners in Nepal. For instance, Nepal is no longer a priority country in the WPS agenda for the UK Department for International Development (DFID), which also means that they have no funding to support the second Nepal NAP.

The global slashing of the foreign aid also had impact on Nepal. A senior officer from an International NGO said, “there is no dedicated fund for the WPS agenda. When there is a funding cut, soft issues like this (WPS agenda) suffer. We can’t cut funds from our ongoing projects ... it is difficult to cut funding from infrastructure related projects”.<sup>57</sup> The recent earthquake in 2015 also has taken the attention of the government and the development partners from the conflict-affected people to the earthquake victims. Most of the organisations have redirected their support to the earthquake victims.

On the one hand, the government is asking the donors to invest in hardware projects (reconstruction), and on the other hand, the

54 Laura J. Shepherd, “Power and Authority in the Production of United Nations Security Council Resolution 1325”, *International Studies Quarterly* 52 (2) (2008): 383-404.

55 Katrina Lee-Koo, “Engaging UNSCR 1325 through Australia’s National Action Plan”, *International Political Science Review* 37 (3) (2016): 337.

56 Interview, 18 July 2016.

57 Interview, 22 July 2016.



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Source: Interview with an NGO worker, 22 July 2016

development partners have the pressure to show tangible outputs within a short project period. Therefore, they are more interested in investing in something where they can show the immediate results. A senior officer from a donor agency said, "the WPS is a long-term plan and needs a long-term investment. Therefore, it should be the government's responsibility".<sup>58</sup> Despite support from the international donors, the WPS agenda became the state's responsibility<sup>59</sup> and for the development partners, implementation of the NAP was a choice.

The management of funds also posed a challenge for the NAP implementation. A senior officer from the government said, "[t] here was a lot of interest initially from the donors. The government received a lot of money for the implementation of the NAP but there was no proper management of the fund. The fund was distributed haphazardly ... we couldn't keep the track of the NAP projects. The same people received the same sorts of training from different organizations".<sup>60</sup>

He further added, "a lot of these problems would have been avoided by having an investment plan". The projects were funded without proper planning and were never monitored. Although there was a monitoring guideline, not a single field visit was carried out. Therefore, the actors involved in the implementation did not feel accountable to anybody. Projects were taking longer to finish, and there was nothing to report on so many of the activities they had planned for the project.<sup>61</sup> The officer from the government also mentioned that "[a]lthough there was a provision in the NAP to establish an

Information Centre to keep a record of all the NAP projects, implemented by both the government as well as the civil society organizations, it didn't materialize. Therefore, there was a duplication of the programme and it became very difficult to keep the track of who was doing what".<sup>62</sup>

Another challenge he pointed out was that, "some people received skills training but did not receive any support for buying equipment or setting up a business. Therefore, the training was useless for them. The only benefit, for them, was coming to the district headquarters and staying in a hotel for two to three nights. Therefore, the same people finished one training and waited for another".<sup>63</sup> Almost a year was spent on designing and developing the NAP. However, there seemed to be a lack of planning for the implementation. This shows that the NAP was an outcome and an end goal in itself, lending further credence to the argument about projectisation.

Moreover, the operating environment is often not understood as gendered. Therefore, it is important to look at the internal dynamics – who makes the decisions, who is more influential, what kind of issues get priority over others and so on. Any decisions that are made depend on various intersecting factors, such as the status, orientation, mood, capacity and capability of the leaders in power and their commitment to the matter. District Coordination Committees (DCCs) and Local Peace Committees (LPCs) were the implementing bodies at the local level in Nepal. The DCCs, which were chaired by the Chief District Officer (CDO), were mostly male dominated. Although there was a mandatory 33 per cent women's representation in LPCs, the LPC was a political body. The members of LPCs were mostly representatives from various political parties. Therefore, one can imagine the nature of representation and localisation. One of my research participants said, "the CDO is the chair of the DCC and he is often the chair of many other such committees. Therefore, he can't even remember how many committees he is chairing unless there is a project running".<sup>64</sup>

58 Interview, 22 July 2016.

59 Kirby and Shepherd, "The Futures Past of the Women, Peace and Security Agenda", 383.

60 Interview, 18 July 2016.

61 See MoPR and 1325 Action Group Nepal, *Mid-term monitoring report of the National Action Plan*; also see the 2016 NPTF Progress Report.

62 Interview, 21 July 2016.

63 Interview, 18 July 2016.

64 Interview, 20 July 2016.



Although there was a good collaboration between the civil society and the government during the NAP development process, there was a lack of coordination during the implementation. Although the inter-ministerial collaboration was appreciated during the NAP drafting process, there was a lack of coordination at the local level. For instance, if a programme implemented by the MoPR focused on women, it had to be approved by the Women Development Officer, which was challenging and time-consuming so the coordination within the government institution was not easy.

The NAP was a project of only those who were involved in the NAP development process. The organisations who were not involved in the development of the NAP or were not the implementing partners did not own the NAP. They criticised the approach taken by the whole NAP group. Although some of the policies had a wider impact, such as the mandatory 33 per cent representation of women in LPCs, the NAP projects were implemented only in some areas of selected districts. Therefore, the expectation for a wider change was just an imagination. Moreover, projects implemented by the development partners had their own target groups, which excluded women from the same community who would have needed the support more.

Although there was a good inter-ministerial collaboration during the development of the NAP, none of these ministries allocated any budget for the implementation of the NAP, nor did they incorporate any of the NAP components into their programmes. When I asked the Ministry of Women, Children and Social Welfare about the implementation of the NAP, they said they only had one project on the NAP funded by the NPTF, which has finished so there is nothing to report.

Although the government owned the NAP, the fund for the implementation of the NAP was sought externally. The challenge at the moment is that the donors and NGOs are saying it is the government's responsibility,

but the government does not have the money to support the next phase of the NAP. The situation is quite complex. On the one hand, the government is keen and committed to developing the second NAP, on the other hand, the government does not have any money for the NAP.

To ensure accountability, the NAP had a provision for yearly monitoring. However, a representative from the civil society said, "it was too ambitious. The money should have been allocated for the final evaluation instead".<sup>65</sup> Indeed the way yearly monitoring was designed was an expensive way of doing it. It should have been designed differently in a more cost effective way, such as the civil society could have prepared a yearly shadow monitoring report. Moreover, although there was money for monitoring, only two monitoring reports were prepared. And there was no money allocated for the final evaluation. The government does not want to proceed without the final evaluation and the development partners are not interested in funding any money on the NAP. Therefore, there is a deadlock kind of situation at the moment.

65 Interview, 20 July 2016.

*Woman in Nepal carrying fresh vegetables to market*





Everyone has to take the responsibility of implementing the NAP. Not just the government... we all need to incorporate the components of the NAP into our operations.

Source: Interview with the Programme Director of an International NGO, 20 July 2016

The NAP development process was remarkable, but the NAP ended up being an end goal in itself. The government's reliance on the donors and the perception of donors that the implementation of the NAP is the government's responsibility also has posed a challenge. The Programme Director of an International NGO said, "everyone has to take the responsibility of implementing the NAP. Not just the government. The NAP is not a separate project. We all need to incorporate the components of the NAP into our operations". She also emphasised that, "the NAP is a process, not an end goal".<sup>66</sup>

All of my research participants said that UNSCR 1325 is a useful framework. However, people cannot relate to it. One of my research participants said, "the Security Council does not feel real to them. Even if you give them training, they will remember for a few days and then forget".<sup>67</sup> The Programme Coordinator of an International NGO said, "when I went into the field in the past, women knew what 1325 was but now they all have forgotten".<sup>68</sup> Therefore, the suggestion was that, instead of giving trainings on what the UN Security Council is and what 1325 is, it would be easier for people to relate to if we talk about the status of women in conflict and what needs to be done.

Although the Nepal NAP was on the implementation of two resolutions – Resolutions 1325 and 1820 – the NAP was seen as a synonym for 1325. All the programmes implemented under the NAP focused on increasing participation and protection and nothing was done to support the survivors of sexual violence. Some of my

research participants emphasised that there is silence, both from the government side as well as from women's rights organisations, because the state actors – the Nepal Army and the Armed Police Force – committed most of the rape crimes. Another concern was about the complexity and time-consuming process of reporting incidences of sexual violence. If you bring a case of sexual violence, you need to provide long-term support to the victim, from providing justice to helping them rebuild their lives. There were no resources for that and no mechanisms in place. Therefore, there is a reluctance to bring this issue to light.

## CONCLUSION

One of the interesting findings that seemed obvious during the interviews was that those who were involved in the NAP development process were positive about the NAP, whereas those who were not involved were very critical of the whole process and they had doubts about whether the NAP had made any difference.

Compared to the other National Action Plans, the NAP on 1325 and 1820 received significant attention from the government as well as from the civil society organisations. It was developed through a very consultative process, involving stakeholders from the national level to the grassroots level. Although there were a lot of challenges to the implementation of the NAP, it has, to some extent, contributed to strengthening the gender mainstreaming discourse in Nepal. The participation of women has increased significantly in every sector, including in the security sector. The NAP has contributed to bringing about some gender-friendly policies and has created awareness among government officials and security personnel about the differential impacts of war on women. However, it has not made a lot of difference to the experiences of conflict-affected women. There were various challenges to its implementation, such as lack of commitment, no accountability, shifting priorities and changing political contexts.

<sup>66</sup> Interview, 20 July 2016.

<sup>67</sup> Interview, 22 July 2016.

<sup>68</sup> Interview, 19 July 2016.

The biggest challenge was the projectised approach, which has reduced the whole WPS agenda to a couple of projects. Likewise, limited scope, political instability and a male-dominated operational environment were some of the other challenges. Although the Nepal NAP on the implementation of UNSCRs 1325 and 1820 was seen as one of the best NAPs, the implementation remained weak.

In conclusion, it can be said that the NAP has set up the groundwork for future intervention. There is a High-Level Steering Committee to oversee all the implementation processes. There is an implementing committee, 1325 Action Group and a Peace Support Working Group, who had been actively engaged in the implementation of the first NAP. Moreover, various guidelines have been developed for the effective implementation of the NAP, such as localisation guidelines in 2012, monitoring guidelines in 2012 and training manuals by various implementing agencies, including the Nepal Police and Nepal Army. However, this can be seen as a start, and there is a lot more to be done.

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