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United Nations Development Programme

DEMOCRATIC GOVERNANCE

PROMOTING GENDER EQUALITY IN ELECTORAL ASSISTANCE:
LESSONS LEARNED IN COMPARATIVE PERSPECTIVE

COUNTRY REPORT FOR NEPAL

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Page 3: Shankar Byanjankar

Page 9: Najia Hashemee

Page 10: Rochan Kadariya

Page 11: Laxmi Prasad Ngakhusi

Page 20: Rochan Kadariya

Page 29: Rochan Kadariya

Page 31: Rochan Kadariya

Page 35: Shankar Byanjankar

TABLE OF CONTENTS

1. INTRODUCTION	2
2. BACKGROUND TO POLITICAL PARTICIPATION IN NEPAL.....	3
2.1. Political Context and Electoral Framework.....	3
Electoral System and Quota.....	4
2.2. Situational Analysis of Women’s Political Participation	6
Historical Context.....	6
The Revolution and Women’s Political Engagement.....	7
The 2008 Election.....	9
3. INTERNATIONAL ASSISTANCE TO THE ELECTORAL PROCESS	11
3.1. Background	11
Support for Women’s Electoral Participation.....	11
3.2. Gender Mainstreaming in the ECN	14
Gender Mapping in the Field of Elections.....	14
Women’s Participation in the Voter Registration Process	15
Promoting Gender Equality in the ECN.....	16
Political Will	17
Staff	17
Capacity-Building.....	17
BRIDGE Training of Electoral Administrators and Other Stakeholders	18
Educational Outreach to Women Voters	19
3.3. Women’s Participation as Candidates	21
Promoting Gender-Sensitive Electoral Legislation and Policies.....	22
Research and Analysis on Women’s Political Participation.....	23
Identifying Potential Women Candidates	24
Engaging with the Political Parties	24

TABLE OF CONTENTS (CONT'D)

Empowering Women Candidates	25
Advocacy and Awareness on Violence against Women in Politics	25
3.4. Women in the Constitutional Process	27
4. LESSONS LEARNED	31
4.1. Good Practices	31
International Support for Women's Political Empowerment	31
Technical Details Matter and Must Fit the Context	32
Support by International Organizations at Critical Junctures.....	32
Political Will and Gender-Sensitive Electoral Administration	32
Gender Targets and Capacity Building in the ECN	33
Mapping and Gender Policy in the ECN.....	33
Engaging Political Parties.....	34
Engendering Voter Outreach.....	34
Women and Constitution-Building	34
4.2. Further Opportunities	35
Broadening the Recruitment of Women in the ECN	35
Drafting Gender-Sensitive Election Legislation.....	36
Institutionalizing Change	36
Gender and Electoral Observation.....	36
Substantive Impacts in Politics	37
4.3. Analysis and Recommendations	37

LIST OF ACRONYMS

BRIDGE	Building Resources in Democracy, Governance and Elections
CA	Constituent Assembly
CPA	Comprehensive Peace Accord
CSO	Civil Society Organizations
DDC	District Development Committee
DEAN	Democracy and Election Alliance Nepal
DPA	Department of Political Affairs
ECN	Election Commission of Nepal
EMB	Electoral Management Body
ESP	Electoral Support Project
EU	European Union
FLA	Future Leadership Academy
FPTP	First-past-the-post
GPECS	Global Programme on Electoral Cycle Support
IC	Interim Constitution
IDEA	International Institute for Democracy and Electoral Assistance

IFES	International Foundation for Electoral Systems
IRI	International Republican Institute
NDI	National Democratic Institute
P/EVER	Political and Election Violence Education and Resolution
PR	Proportional Representation
SPA	Seven Party Alliance
TTF	Train-the-Facilitator
UML	Communist Party of Nepal – Unified Marxist-Leninist
UNFPA	United Nations Population Fund
UNIFEM	United Nations Fund for Women, now UN Women
UNMIN	UN Mission to Nepal
VDC	Village Development Committee
WAPDCCA	Women's Alliance for Peace, Democracy, Constitution and Constituent Assembly
WLA	Women's Leadership Academy

1. INTRODUCTION

From 2011 to 2012, UNDP conducted a lessons-learned mapping on gender mainstreaming in electoral assistance in five countries, including Nepal. The objective of the research was to identify lessons learned about gender mainstreaming and women's empowerment initiatives in international electoral assistance programming. This included identifying the support provided to women voters and candidates and to Electoral Management Bodies (EMBs) during the electoral cycle.¹

This study traces the recent path of women's political participation in Nepal. It identifies some key actions that were taken to support and promote the participation of women, focusing on international assistance

providers, particularly the United Nations Mission in Nepal (UNMIN), with respect to the Constituent Assembly election in 2008 and UNDP after that. It also seeks to identify concrete lessons learned to promote the equal participation of women in all stages of the electoral cycle, including the integration of gender mainstreaming into electoral administration.

The study concentrates on the critical 2008 elections for the Constituent Assembly as well as actions taken since then to support women's participation in the constitutional drafting process. It looks at the work of a number of technical assistance providers during this five-year period, including that of UNDP, which began assistance in 2008 after the elections.

¹ This case study was prepared by Julie Ballington, Gabrielle Bardall, and Salina Joshi. It resulted from an in-country study mission that took place in Kathmandu from October 15-18, 2011 and from a desk review of relevant materials. Special thanks to Maarten Halff and Binda Magar for their valuable input and advice.



2. BACKGROUND TO POLITICAL PARTICIPATION IN NEPAL

2.1. Political Context and Electoral Framework

Following popular protests in 1990, Nepal transitioned from an absolute monarchy to a parliamentary monarchy and held its first multi-party elections in May 1991. Instability plagued the state, however, and none of the subsequent regimes (including Asia's first communist-led monarchy of 1994) survived more than a year or two, due to either internal collapse or parliamentary dissolution by the king. In 1996, the Communist Party of Nepal (Maoist) began a violent insurgency that engulfed over two thirds of the country and left more than 12,000 people dead and 100,000 displaced. On 22 November 2005, the Seven Party Alliance (SPA) of pro-democracy parliamentary parties and the Maoists agreed on a memorandum of understanding for peace and democracy. Backed by this political agreement and with the king under heavy pressure from public protests, the rebels entered talks with the parliamentary government on how to end the insurgency. The Comprehensive Peace

Agreement (CPA) that was signed between the Government of Nepal and the Communist Party of Nepal (Maoist) on 22 November 2006 formally ended a decade-long armed conflict. The Parliament agreed to abolish the 240-year-old monarchy and, after elections in April 2008, the Maoists emerged as the largest parliamentary party.

The 2008 elections changed Nepal's political landscape, with the Maoists regrouped as an institutionalized political party. Parties divided along new lines over the shape of Nepal's new federalism, specifically between those advocating for "ethnic federalism" (primarily backed by the Maoists) and those opposed to it, including the traditional Nepali Congress party and the Communist Party of Nepal – Unified Marxist-Leninist (UML). The year 2012 brought a new crisis when the Constituent Assembly was dissolved in May after failing to deliver a new constitution despite multiple deadline extensions. In addition, the Maoist Party split into two factions in June of the same year.

Electoral System and Quota

The Interim Constitution (IC) of Nepal came into force in January 2007 and governed the Constitutional Assembly elections that were held in April 2008 after being rescheduled twice. The IC stipulated a parallel electoral system² with 240 seats elected via a first-past-the-post (FPTP) system, 335 by proportional representation (PR) and 26 nominated (601 seats total).³ For the FPTP seats, the Interim Constitution required that political parties take into account the principle of inclusiveness while selecting the candidates, while, in the PR race, parties were to make sure that women (and other groups such as Dalits, oppressed castes/indigenous ethnic groups, members of 'backward' regions, Madhesi and others) were proportionally represented. Moreover, the IC required that one third of all the candidates nominated by each party for both races combined had to be women. These provisions marked a very important change in Nepali power relations, as a small elite had dominated politics up to that point. However, although the spirit of the IC was a great advance for representation in Nepal, its provisions required further clarification. Among other things, the "principle of inclusiveness" referred to in the context of the FPTP race was not defined,

nor had the drafters of the IC explained how the required "proportional representation" of women and other groups among candidates for the PR race was to be understood in numerical terms.

The Constituent Assembly (CA) Members Election Law was passed in June 2007 and closed important gaps in the IC regarding representation issues. Regarding FPTP, the election law repeated the requirement that parties take into account the "principle of inclusiveness" when nominating candidates, without further specifying its meaning.⁴ On the PR race, however, the electoral law spelled out a number of details that were critical to the ultimate composition of the CA and the representation of women. Most important, the law explicitly recognized that "proportionality" in the nomination process meant that the listed groups – including women – had to be represented among the candidates according to their share of the population as determined by the last national census. Women candidates therefore had to constitute 50 percent of each party list.

Moreover, the law specified that each of the other groups (Dalits, indigenous groups, etc.) had to be equally represented by men and women (see Table 1 next page).⁵

² The Interim Constitution called for a "mixed system", but this term left some room for interpretation, as UNMIN advisers pointed out to national authorities during the first half of 2007. The features ultimately adopted in the electoral law of June 2007 placed the system in the category of what are generally known as parallel systems, even though the electoral law also used the broader term "mixed system". In parallel systems, two separate electoral races are held and their results do not affect each other. The term "mixed system" could be misunderstood to refer to what is widely known as a "mixed member system", in which two races are instead interrelated.

³ This was the number of seats stipulated by the *amended* Interim Constitution, which was ultimately applied to the Constituent Assembly election. The Interim Constitution originally provided for a Constituent Assembly of 409 elected members, of whom 205 were to be elected by FPTP and 204 by PR (plus 16 appointed members). This was amended in February 2007 to provide for 480 elected members, equally split into FPTP and RP races (plus 17 appointed members). A subsequent amendment in December 2007 raised the size of the Constituent Assembly to the numbers given in the text above.

⁴ It is important to note that options for introducing temporary special measures in a FPTP system are very limited.

⁵ The electoral law approach to group representation was complex, but is not described here other than with respect to women. For a detailed analysis, see K. Vollen, "Group Representation and the System of Representation in the Constituent Assembly and Future Parliaments of Nepal", *International Journal on Minority and Group Rights*, vol. 18, no. 3 (2011), pp. 343-368.

The law did not set rules for the ranking of women on the candidate lists. In fact, the PR rules provided for an unusual closed list system that allowed the party leadership to choose the winning candidates from among the party list after the election results were known, regardless of the candidates' ranking on the original list. Nevertheless, the law required that, in selecting their winning candidates, parties had to adhere to the same requirements of proportional representation of women and other groups as at the time of nomination (that is, 50 percent of the winning candidates had to be women). The application of the quota requirement to the final selection of winners was an important factor that helped bring about an inclusive and diverse CA as called for by the IC, even though the IC had in fact provided for a quota requirement only for the nomination of candidates.

A 10-percent deviation was allowed for all groups in the final selection of candidates (that is, the share of winning women selected by parties could be between 45 percent and

55 percent of their total). Smaller parties fielding fewer than 100 candidates country-wide (often regionally based parties) were exempt from the group representation rules, but not from the gender parity requirement.

The election law established that the Election Commission of Nepal (ECN) would determine compliance with the rules and could return the lists to the parties if they did not comply (although the law did not provide for a situation in which a party, after its first list had been returned by the ECN, would again submit a non-compliant nomination). The ECN was empowered to make corrections to the selection of winning candidates from the lists if the parties did not comply with the law in their initial selection. The ECN also filled in remaining gaps in the legislation through its regulations and procedures. The ECN also decided to keep seats vacant if the parties could not fulfil the representation requirements in its final selection because of a lack of candidates from the appropriate groups. These enforcement mechanisms were critical to

Table 1: Group and gender representation in the CA

Sectoral group/ region	Female	Male	Total %
Dalit	6.5	6.5	13
Oppressed Caste/ Indigenous groups	18.9	18.9	37.8
Backward region	2	2	4
Madhesi	15.6	15.6	31.2
Other Groups	15.1	15.1	30.2

Source: International IDEA, 2010⁶

⁶ Bylesjö, Cecilia, Rumbidzai, Kandawasvika-Nhundu and Stina Larserud. 2010. "Electoral System and Nepal." Discussion Paper 4. International IDEA. Data from Constituent Assembly Election Act of June 2007, Schedule 1.

the final composition of the CA. The ECN, with UNMIN assistance, provided intensive training to political parties on the nomination and selection rules to ensure that the new and rather complicated rules would be understood.

In sum, with the principles of inclusiveness having been established but not clearly defined in the IC, at least three features of the electoral law were instrumental in bringing about a significant level of representation of women in the CA:

- a) The definition of ‘proportional representation’ of groups within the PR race as referring to each group’s share of the population, i.e., 50 percent for women
- b) The application of the quota rules for nomination of candidates and the selection of winners
- c) The adoption of effective enforcement mechanisms for the quota rules (along with training to increase understanding among the parties)

2.2. Situational Analysis of Women’s Political Participation

Traditional Nepali society is characterized by a patriarchal culture, where women are on the sidelines of public life.⁷ This remains the case despite the fact that the struggle for women’s political participation in Nepal can be traced back a century. Although women have had the right to vote and stand for election since 1951, and although Nepal signed

CEDAW in 1975 and ratified it in 1991, women never comprised more than 6 percent of Nepal’s parliaments until the introduction of the quota in 2007. The history of women’s organization and women’s movements in Nepal mirrors the periods of political change in the country.

Historical Context

The women’s movement emerged in protest to the oppressive actions of the Rana regime. While World War I was drawing to a close in the West, a small group of women led by Dibya Koirala (wife and mother of two of Nepal’s leading democracy activists) established the Women’s Committee (Mahila Samiti) to mobilize women against the regime. Thirty years later, more women’s committees developed, including the Model Women’s Organization (*Adarsha Mahila Sangh*) under the leadership of Revanta Kumari Acharya, wife of an imprisoned democracy activist. This group had explicit, gender-specific objectives in its quest to raise women’s social and political consciousness, such as ending child marriage.⁸

After the Rana regime was overthrown, many political parties developed in Nepal in the 1950s and 1960s as the country experimented with democracy. Many of the women who had been active in the women’s committees became involved with these parties. A number of major women’s organizations emerged: the All-Women’s Organization (1950), the left-dominated All-Nepal Women’s Association (1951) and

⁷ Falch, Aschild. 2010. “Women’s Political Participation and Influence in Post-Conflict Burundi and Nepal.” Peace Research Institute Oslo (PRIO). Prio Paper May 2010.

⁸ Acharya, Meena. 1994. “Political Participation of Women in Nepal” in Barbara J. Nelson and Najma Chowdhury (eds.). *Women and Politics Worldwide*. Yale University Press. P. 484.

the Women's Voluntary Services (1952) group chaired by a member of the royal family. During this period, "various women's organizations worked with allied political parties on political issues, [but] they worked with each other on women's issues"⁹ and made some inroads via nonviolent protest and lobbying into bringing women into decision-making structures such as the Royal Advisory Council. The movement culminated in the creation of a 500-member unified women's movement, the *Samyukta-Nepali-Nari Samiti* (United Nepali Women's Organization). The organization lasted only one year and, as a result, only two women were elected to Parliament in 1959.

The women's movement was suppressed, along with most other political activity, under the Panchayat system between 1960-1991. A new organization, the Nepal Mahila Sangathan (All-Nepal Women's Organization), was formed as essentially "a policing organization, intended to keep track of the women's movement, though it conducted some social programs."¹⁰ Some progress came when Nepal signed CEDAW in 1975 and the queen initiated reforms of women's inheritance rights. While progress during this period was slow, the United Nations' commitment to gender equality and the subsequent steady flow of funds for women-related activities after the International Women's Year of 1975 were instrumental to bringing

women's rights to the political forefront. The latter part of the Panchayat years was marked by the introduction of the Women's Services Coordination Council (1977) and the Women's Development Division (1987) as well as various women's units within government ministries. While these "were primarily limited to glorifying the queen and the royal family and controlling the flow of funds from foreign nongovernmental organizations",¹¹ they also prepared the way for the proliferation of organizations during the democratic opening of the early 1990s.

The Revolution and Women's Political Engagement

Nepali women have advanced in the tumultuous past decades through institutional government channels and the revolution that has dominated political struggles for the past 20 years. As in other post-conflict countries, women's role in public life in Nepal evolved as single mothers and widows took on more responsibility in the household and entered public life.¹² Some women joined the revolutionary forces, contributing to the Maoist struggle, but also helping define its direction. "The People's War ideology has created space for women to claim rights but the women joining the movement have also shaped that ideology."¹³ Women's role in the Maoist revolution shaped many of their later experiences as they entered government:

⁹ Ibid.

¹⁰ Ibid., p. 485.

¹¹ Ibid.

¹² Falch, 2010, p. 20.

¹³ Shobha Gautam, Amrita Banskota and Rita Manchanda. 2001. "Where there are no men: Women in the Maoist insurgency in Nepal" in Kamala Visweswawan (ed.): Perspectives on Modern South Asia: A Reader in Culture, History and Representation. Blackwell Publishing Ltd. Pp. 340-348.

"In Nepal's Maoist movement, initially, among the top leadership, were women with accomplished political qualifications like Pampa Bushal, co-leader of the United People's Front, the political platform of the Maoists. Hisila Yami, as head of the Women's Front was also in the circle of top leadership."¹⁴ Women engaged in the revolution in many roles, including as soldiers, medical staff and support and communication staff.

Others advocated for peace through peace-building activities at the grassroots level, through popular marches and protests and peace and democracy campaigns. Women engaged in the peace process that concluded with the signing of the Comprehensive Peace Accord in November 2006. Although women were active in supporting the peace negotiations through their public actions, they did not participate as mediators, participants, observers or signatories in the talks. The head of UNMIN, Ian Martin, noted in 2007, "At all the political negotiating tables I have seen in Nepal during the peace process, not once have I seen a woman at the table."¹⁵ Despite women's participation in the revolution, the Maoists did not include any female representatives in their delegation to the talks, nor did the government parties.¹⁶

Some women also entered into representative office during this time. In 1997, largely owing to a 20-percent reservation

quota for women in local-level government requiring the nomination of at least one woman in each ward and Village Development Committee (VDC), 36,000 women were elected as VDC members across Nepal. Among the 3,913 VDCs, 289 women were elected as VDC heads. No woman, however, has yet been elected as head of a District Development Committee (DDC) or a municipality. New elections for VDC have not been held since 1997.¹⁷

Despite women's multiple forms of engagement throughout the insurgency period, women's representation scarcely improved in the interim government process that followed the signing of the peace accord. "After considerable pressure from female politicians and women's organizations, however, the six-member all-male Interim Constitution Drafting Committee was eventually expanded to include four women and one representative from the Dalit community. During the drafting of the Interim Constitution, women in political parties and civil society continued to lobby for guaranteed women's representation in the new political institutions that were to be established. Their voices were finally heard and, at the last minute, a clause calling for affirmative action for women's political representation was incorporated into the new Interim Constitution, which was adopted in January 2007."¹⁸

¹⁴ Ibid.

¹⁵ Martin, Ian. 2007. "Implementing commitments to women's equal participation." Cited in Falch, 2010. http://un.org.np/unmin-archive/?d=activities&p=activity_detail&aid=50, accessed March 2013.

¹⁶ ICG. 2010. "Nepal: Peace and Justice." Crisis Group Asia Report No. 184. Kathmandu/Brussels, 14 January 2010, p. 13.

¹⁷ Engendering Democratic Governance. "EDG In Action: Nepal." <http://www.engenderingdemocracy.net/edg-in-action/edg-action-nepal>, accessed March 2013.

¹⁸ Falch, 2010, p. 22.

The 2008 Election

The CA electoral system introduced proportional representation as a means of giving a greater voice to traditionally excluded groups in Nepal (including women, Dalits, oppressed communities/indigenous groups, people from 'backward regions' and Madhesi). The introduction of the quota as part of the PR system was a major milestone for women's participation.

All political parties met the required 50 percent on PR lists (within the range permitted by the electoral law, i.e., between 45 percent and 55 percent) as well as the requirement that at least one third of all of a party's candidates in the FPTP and PR races be women. In all, 9,128 candidates, including 3,392 women (37.2 percent), vied for CA seats. Over 8,000 candidates were from 70 political parties, while some 800 candidates stood as independents. After the vote, parties that won seats under the PR system submitted their lists of names, including women, Madhesi, indigenous and marginalized people. The ECN ensured that the parties met the group representation quotas in their selection of winners. In all, 191 women, or 33 percent, were elected (30 under the majority system and 161 under the proportional representation system)¹⁹ and six women were nominated by cabinet, bringing the total number of women CA members to 197. This was a significant increase from the 6-percent share of women that had been elected in the last election in 1999. However, women were only appointed to four of the 24 ministerial positions after



the elections, namely General Administration, Tourism and Civil Aviation, Industry and Education.

Beyond numbers, women's influence in the CA was quite limited. Despite representing 33 percent of the assembly, "[women politician's] progress in contributing to the constitution-building progress has been hindered by a culture of patriarchy in which female politicians continue to be marginalized. This inherent patriarchy is reflected in the organizational structure of the various political parties and government bodies"²⁰ where women are poorly represented in membership and leadership positions. One woman member of the CA, Savitra Bhusal, testified, "Whenever we raise an issue inside

¹⁹ IPU Parline. http://www.ipu.org/parline/reports/2386_E.htm, accessed March 2013.

²⁰ Delaney, Alexandra. 2011. "Nepal's women have a voice in politics but no one is listening." Poverty Matters Blog. *The Guardian*. May 27, 2011. <http://www.guardian.co.uk/global-development/poverty-matters/2011/may/27/nepal-women-in-politics>, accessed March 2013.

the CA, senior leaders walk out of the hall without bothering to listen to us. Even the media ignores the issues that women raise. [...] Women haven't been given due importance in the constitution-building process."²¹

The structures that had been created to advance women's voices in the constitutional drafting process failed in their task, even before the assembly was dissolved. One analyst suggests that, "despite the existence of women's wings in most political parties and also an Inter-Party Women's Alliance, where women occasionally gather to discuss political issues, women politicians find it hard to raise issues of particular

concern to women in the Constituent Assembly. While the Inter-Party Women's Alliance has contributed to building cross-party alliances among female politicians, the chair of the alliance, Uma Adhikari, admits that 'it is not possible to channel our issues through [the eleven thematic committees], because the gender-related issues are not a priority.'"²² It is also noted that limited education and literacy among Nepali women as well as political parties' perception that women's participation is a simple legal requirement, not a commitment to integrating women, have hindered meaningful contributions by women parliamentarians. That being said, it is also important to note that women's persistent work in CA committees over time contributed to much progress on other non-constitutional-related issues such as inheritance rights or reproductive rights.

Despite the long history of women's activism, Nepali women continue to face steep challenges to political participation and a combination of "discriminatory cultural practices and laws pose major hurdles for achieving gender equality in Nepal".²³



²¹ Ibid.

²² Aryal, Mallika. 2009. "Women Push for Gender Equality in New Constitution." Inter Press Service News Agency. In Falch, 2010, p. 24.

²³ Falch, 2010, p. 21.



3. INTERNATIONAL ASSISTANCE TO THE ELECTORAL PROCESS

3.1. Background

International assistance to Nepal's democratic process has evolved with the changing context of Nepali politics in recent years. Following the end of the insurgency, the United Nations received a request for assistance and established the political mission, the United Nations Mission in Nepal (UNMIN), in January 2007 to monitor the disarmament of the rebels and the preparations for the CA elections in 2007. The mandate was renewed in 2009, with a phased withdrawal scheduled to end UNMIN by May 2010. UNMIN ceased operations on 15 January 2011.

The support from the international community has been crucial for the ECN. Aside from UNMIN in 2007 and 2008, different organizations have been involved in providing electoral support, including UNDP with the Electoral Support Project (ESP), IFES, International IDEA, the Carter Center, the European Union and others. UNDP began its programme to support the political process prior to the CA elections and has provided consistent support since that time. These

organizations, together with UN Women (formerly UNIFEM) and NDI, as well as Danida, DfID, and the Peacebuilding Fund, have also provided support for the electoral participation of women in Nepal. This section discusses some of the key interventions by these organizations.

Support for Women's Electoral Participation

UNMIN's mandate for electoral assistance included the provision of technical support and of a small team of electoral monitors to review and report on the election. In response to the mandate, UNMIN deployed a Gender Adviser in 2007, with substantive and technical support from the DPKO Gender Team, to provide a gender lens to the work of the Mission vis-à-vis women's engagement in the political process, specifically related to the promotion of a 33-percent quota for women's participation. UNMIN worked closely with the ECN in developing the legal framework, particularly with respect to the details of the electoral system and the group representation requirements. As explained

above, the IC established broad principles of inclusiveness, but did not provide detailed mechanisms to achieve those goals. At the request of the government, and with technical advice from UNMIN and others, the ECN developed a draft electoral law and subsequently provided briefings to the interim legislature. Among other things, UNMIN and affiliated advisers recommended that: a) 'proportionality' be defined in the law in terms of each group's share of the population (i.e., 50 percent for women); b) the quota rules be applied not only to the nominations, but also to the results; and c) the ECN have at its disposal effective enforcement mechanisms to ensure party compliance and provide technical options on these issues. In addition, UNMIN – in collaboration with UN partners such as UNIFEM, UNDP and OHCHR – conducted a series of briefings for women's groups. Working closely with the ECN, UNMIN and others developed and delivered training sessions for political parties on the group requirements.

Following the Constituent Assembly election in 2008, UNDP launched the multi-year programme Support to Participatory Constitution Building in Nepal, which sought to increase access to and participation in the constitution-building process and subsequent electoral processes. The programme operated according to three main pillars. The first pillar provided support to CA members, the Secretariat, technical advisors and support staff, ensuring that they had the infrastructure, information, advice, training, outreach capacity and other tools needed to work effectively. The second pillar facilitated dialogue between the CA and the public so that the concerns of all stakeholders

could be understood and constructively considered. This approach involved the establishment of a resource centre with facilities for expert advice, training, facilitated meetings and public information. The third pillar involved public outreach through television, radio and community mobilization activities focused on increasing public knowledge of the constitutional process and input into CA work. The project addressed women's equality through all three pillars, including increasing access to the constitution-building process, building supportive and accessible justice systems, fostering inclusive participation, strengthening responsive governing institutions and supporting national partners.

UNIFEM (now UN Women) supported the mobilization of civil society organizations (CSOs) during the constitutional drafting process and the provision of legal experts on quota options. UNIFEM worked with the parliament on the drafting of the law and provided support on gender mainstreaming policies and voter registration. Ahead of the 2008 elections, UNIFEM promoted civic education by developing a radio jingle targeting women as well as posters with the ECN for a civic education campaign for three districts of the country. UNIFEM supported a review of the political parties' manifestos to assess the gender sensitivity of their platforms. As a follow up to this activity, UNIFEM promoted gender sensitization for Nepali political parties and used advocacy on the quota provision and the nomination of women candidates to advance women's participation. It provided candidate training for women candidates in three regions of the country and supported the women's caucus

in parliament. Finally, in 2011, UNIFEM developed position papers to assist their local partners in analysing important options regarding the impacts of different electoral systems, special temporary measures and federalism options.

NDI has worked in Nepal since 1994 and has benefited from support provided by USAID, NED, CIDA and DfID. Much of NDI's electoral assistance and parliamentary and political party work has had a gender focus. Since 2008, its programmes have sought to promote and strengthen democratic political processes through political party development assistance, strengthen capacity for citizen oversight of the electoral process and support the institutional strengthening of the CA/Legislature Parliament and improve its ability to address constituent needs. NDI's political party development programmes in Nepal have employed a variety of tools, including consultants and assessments, national- and district-level training of trainer (TOT) programmes for political activists, the creation of a central coordinating group (the Inter Party Alliance) as well as the creation of a Future Leadership Academy (FLA) and the introduction of candidate debates in Nepal's political scene. NDI's parliamentary strengthening programme uses community dialogue and the Next Generation Parliamentarians Group to build the MPs' governing skills and enhance their political effectiveness. Pending political developments, NDI will also provide electoral assistance through electoral observation and voter education.

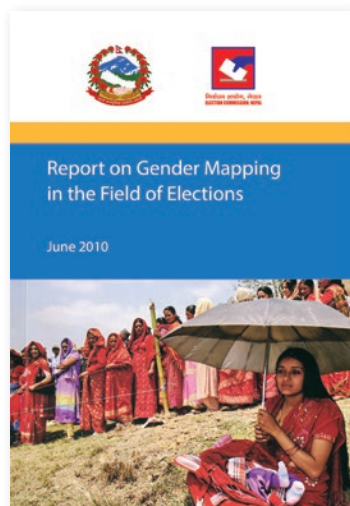
IFES has worked in Nepal since 1999 to support the ECN in overcoming election-related challenges and strengthening democratic institutions involved in the

electoral process. IFES has particularly worked with the ECN on strategic planning, voter registration and identification systems, electoral dispute resolution mechanisms, training programmes in organizational capacity, and gender inclusion and planning and delivery of electoral events. They have provided substantial assistance in gender mainstreaming, as discussed below, particularly in gender mapping for the ECN (with UNDP), technical training for permanent and temporary ECN staff, BRIDGE trainings and voter awareness.

International IDEA has been working in Nepal since 2004, initially offering its State of Democracy tool to enable citizens to assess the country's democracy. Since 2006, International IDEA has been supporting national actors in the process of constitution building by providing knowledge, facilitating dialogues and promoting public participation. Until the dissolution of the CA, IDEA programming sought to assist in the negotiation, drafting and implementation of the new constitution and support reforms in election management. IDEA produces resources such as handbooks, booklets and discussion papers on these themes, including such titles as:

- The Constituent Assembly of Nepal: An Agenda for Women
- Constituent Assembly Procedures from a Gender Perspective
- Participation in Constitution-Making with Reference to Women
- Electoral System and Quotas in Nepal
- Public Consultation on a Draft Constitution (gender perspective)

- Creating the New Constitution: A Guide for Nepali Citizens
- Nepal In Transition: A Study on the State of Democracy



International IDEA, in collaboration with the SAP Nepal, carried out the study 'Political Violence Against Women' during the CA elections, covering 30 districts. International IDEA also supported the informal network of women CA members (caucus) to come up with their joint agenda, translating demands for constitutional language in a document subsequently published.

project activities primarily focused on long-term capacity-building. One of the UNDP project activities was to provide support to the ECN for gender mainstreaming and women's inclusion. The ECN adopted several measures, outlined below, in its work to promote women's participation as voters, candidates and electoral staff.

Gender Mapping in the Field of Elections

In 2010, the ECN requested support from UNDP for integrating a gender perspective in the work of the Commission. As there was no real sense of the progress in, or shortcomings of, the inclusion of gender in the ECN and the 2008 election, UNDP and IFES commissioned a gender expert to undertake an assessment. The objective of this mapping exercise was to identify gender and social inclusion initiatives and gaps within the Commission institutionally and in specific electoral processes and to propose recommendations based on the findings. This pioneering study examined the gender impacts of institutional strategies and politics that could assist with integrating a gender perspective into the work of the ECN. The mapping consisted of a review of documents, interviews with ECN staff and focus group discussions.²⁴

The mapping identified a number of gender-related initiatives that the ECN undertook in the 2008 Constituent Assembly election. Some of these initiatives were based on existing law, including ensuring that 50 percent of voter registration enumerators, voter education volunteers and polling

3.2. Gender Mainstreaming in the ECN

Established in 1951, the ECN is responsible for conducting Nepalese elections, registering parties and candidates and reporting election outcomes. The ECN is comprised of five commissioners, a Chief Commissioner and a Secretariat of civil servants. The Commissioners are appointed by the Constitutional Council. The ECN has 75 district offices and a central office in Kathmandu. It is governed by the Constitution of 2007 and the Election Commission Act of 2007, and is guided by its Strategic Plan of 2009.

UNDP support for the institutional strengthening and professional development of the ECN was organized into eight main

²⁴ ECN, UNDP and IFES. 2010. *Gender Mapping in the Field of Elections*. UNDP.

staff were women. The report provided concrete recommendations as to how the ECN could further its work on gender mainstreaming and elections, including adopting a gender policy, establishing a gender unit and forming a consultative expert group to provide gender-related inputs to the ECN. UNDP and IFES have subsequently been working with the ECN to build on these recommendations and ensure that elections processes and the institutional framework are gender-sensitive and inclusive of women and other marginalized groups.

Women's Participation in the Voter Registration Process

The representation of women within the Commission and in management positions overall is low. In order to address this issue, at least at the operational level, the ECN acted on one of the recommendations of the mapping exercise and sought to include more women in the voter registration programme that was carried out in 2011.

In order to increase the quality of the voter list, the ECN initiated computerized voter registration with photographs and biometric profiling in 2010. The adoption of this modern registration process and the development of a voter list database with photographs and fingerprints supported the clear identification of voters on election day, deterrence of false voting, ability to detect and remove duplicate registrations and locate internal migration of voters between locations. Beginning in April 2010, the ECN implemented a pilot project in five districts for the project Voters' List with

Photo, an initiative to update the voters' register. In order to take part in the voter registration process, voters were required to produce citizenship certificates, which was problematic for the high proportion of women who did not have citizenship certificates. To help address this issue, the Ministry of Home established 'fast-track' desks for all citizens needing certificates for the registration process. Almost 35,000 voters registered in the pilot project, 47.3 percent of them women.²⁵

Following the 2010 pilot, around 28,000 enumerators were involved in the nationwide voter registration programme, drawing mainly on teachers from community schools, of whom 13 percent were women. Based on the pilot activity, a 50-percent goal was set for engaging women as enumerators, educators and in other positions in the ECN. The ECN's effort to increase women's participation in the 2011 voter registration drive resulted in approximately 30 percent of women working as computer operators and another 30 percent as voter enumerators. The Chief Election Commissioner has stated that the ECN plans to hire polling station staff directly (in addition to those provided by the government) for up to 200 polling stations in the next election, which is the only way they anticipate achieving gender balance among the staff. In order to address a potential shortfall of qualified women, the ECN plans to offer targeted training programmes. Voter registration figures for 2012 show positive trends in voter registration for women. As of November 2012, a total of 10.89 million voters were registered, 51 percent of whom were women.

²⁵ Presentation on Voter Registration with Photograph Program, June 29, 2010, Election Commission Nepal. Cited in *Gender Mapping in the Field of Elections*. ECN/UNDP/IFES 2010.

ECN GENDER POLICY IN ELECTIONS, 2009

In response to Nepal's commitments under CEDAW, the MDGs and UNSC Resolutions 1325 and 182, the ECN adopted its Gender Policy in Elections in order to achieve three main objectives:

1. To address the women, men and the third gender voters of all classes, regions and communities by identifying their typical needs from the perspective of election.
2. To ensure the participation of men, women and third gender from all classes, regions and communities in the overall process of election.
3. To develop the Election Commission as a gender-sensitive institution.

It sets out the main problems and challenges for women's participation, notably the lack of equal participation through the electoral process, lack of implementation of provisions for women's participation, inaccessibility of civic/voter education activities and the challenge of patriarchal norms and values. Specific strategies for achieving each goal are set out and include identifying gender-specific needs of voters, disaggregating data, enhancing accessibility, incorporating gender sensitivity into voter education programmes, making polling stations more women-friendly, seeking gender balance in EMB staffing, creating a gender unit and establishing regular review and evaluation mechanisms for the application of the gender policy.

Promoting Gender Equality in the ECN

Following the endorsement of the mapping findings and its recommendations, UNDP hired a Gender Specialist in 2011 to support the Commission in following up on the recommendations. Concurrently, the ECN appointed a gender focal person in the Commission at the rank of joint secretary. The UNDP Gender Specialist, who was based at the ECN offices, worked with the Commission to draft key documents, including a gender mainstreaming policy, terms of reference for the ECN gender focal person, a concept note for a Gender Unit and a concept note for the Consultative Expert Group.²⁶ The Consultative Expert Group comprises gender and social inclusion experts and aims to ensure that gender equality initiatives are mainstreamed through all areas of work such as voter registration, civic education, voter education, drafting of election laws and public outreach. UNDP's Gender Specialist provided hands-on advisory services and assistance with the drafting of the gender policy. Support has also been provided to analyse the option of establishing a permanent gender unit or gender focal point within the commission and where the most strategic location of that post would be. Some of the considerations included hosting a gender unit under one of the joint secretaries (department heads) or within the Commission.

²⁶ A concept note was prepared to form a Consultative Expert Group including gender and social inclusion experts. ECN had carried out several gender-sensitive initiatives in the CA election. However, gender equality initiatives need to be institutionalized through different strategies, one of which is establishing mechanisms to ensure that gender is taken into account in the work of elections. In this regard, the ECN established an advisory group with gender and social inclusion experts. The group was coordinated by the ECN and invited to seek gender and social inclusion related inputs in specific areas of work such as voter registration, civic education, voter education, drafting of election laws and public outreach.

Political Will

The introduction of gender mainstreaming into institutions that have traditionally been run by men presents cultural and social challenges as well as logistic difficulties. The gender assessment of the institution was only a first step. The ECN had to sensitize its own staff in order to build the political will to implement concrete steps to address the imbalances in the institution. Without a basic desire and identified shared goals in this area, needs would not be addressed, such as trying to attract more women to electoral administration through incentives or special measures or putting in place a dedicated unit to work on gender mainstreaming.

One of the findings of this study is that gender equality has been placed high on the institutional agenda because of the support and political will of the male leadership. Several senior managers in the ECN noted that the priority placed on gender mainstreaming in the institution resulted from the momentum generated in the struggle over the past 15 years. All of the men interviewed had received gender awareness training at different times, usually sponsored by the international community. Training on UN Resolution 1325 was cited as one of the main motivating factors driving the commitment to gender equality. However, the challenge of how to translate the will and good intentions into concrete actions remains.

Staff

Women's representation in ECN management is very low. There has only been one

woman Election Commissioner (Usha Nepal, 2006-2008) and none of the Commission members were women in 2012. In 2010, the ECN employed 109 staff members at the central level, 20 of whom were women (18 percent). There were two women section officers among ²⁷ officers. Out of 75 district election offices, only three (4 percent) are headed by women. Women's representation in ECN administration/secretariat is also affected by the low level of women's representation in the civil service, only 12 percent. One of the major challenges noted during interviews with senior ECN staff was the difficulty in attracting women to electoral assistance. Often, women do not put themselves forward for positions in the ECN or, if given a choice, would choose other portfolios in the civil service that are perceived as more relevant to them.

Capacity-Building

Through its support for the ECN's training programme for permanent and temporary staff, IFES has been assisting the ECN with improving the gender balance of its staff and increasing opportunities for women within the organization. IFES has helped the ECN provide its first-ever training programme for lower-level permanent staff, many of whom are women. IFES has also worked with the ECN to develop gender-sensitive training materials for its new biometric voter registration programme. Of the 85,000 staff trained to assist with the voter registration process, 25 percent were women. Around one third of those trained as skilled computer operators were women. IFES is also assisting the

²⁷ Renaissance Society Nepal, Women Democratic Network and UNIFEM. 2009. "Women's Political Participation, Empowerment and Inclusion." Survey Report and Strategic Action Plan.

ECN to develop a nationwide structure of local voter educators, of whom one third are female secondary school teachers.

In addition to increasing support for gender training for lower-level permanent staff, programmes have also targeted senior staff. A six-member team took part in a peer-to-peer learning exchange with the Independent Electoral Commission in South Africa in March 2011, with the support of the UNDP Gender Advisor. The learning visit was sponsored by UNDP/BPPS's Global Programme on Electoral Cycle Support and aimed to provide learning experiences on gender mainstreaming in electoral administration. The team comprised four senior-level government delegates and the UNDP Gender Specialist and was led by the (acting) Chief Commissioner.

BRIDGE Training of Electoral Administrators and Other Stakeholders

Since 2008, the BRIDGE partners (ECN, IFES, UNDP Electoral Support Programme and International IDEA) have established Nepal as one of the most active countries for BRIDGE training. Several train-the-facilitator (TTF) and module courses on different thematic issues have been convened and there is a dedicated BRIDGE office at the ECN. The BRIDGE gender module was first implemented in March 2010 to develop the capacity of key staff on gender issues.

In 2011, UNDP/BPPS's Global Programme on Electoral Cycle Support (GPECS) supported the roll-out of a nationwide programme to train regional administrators on gender and elections. Five workshops were convened in five developing regions in Nepal. In three of the regional trainings, several semi-accredited trainers, including several women trainers, reached full accreditation in the gender trainings. There is a plan to create a customized BRIDGE module for media persons to promote gender-responsive media coverage of elections and outreach.

Because of the low number of accredited women trainers in Nepal, IFES funded a TTF targeting women from different stakeholder groups in June 2011. Seventeen women participated and were granted semi-accreditation status and several of them received their full accreditation in the UNDP-funded BRIDGE courses at the end of 2011. In order to further build the capacity of the ECN senior management, GPECS also supported the gender focal person (joint secretary) and the head of training (under-secretary) to obtain their BRIDGE semi-accreditation by participating in a two-week TTF. The two representatives took part in a TTF on gender mainstreaming organized by International IDEA in Pretoria, South Africa.

IFES also planned to provide half-day training for non-gazette staff (administration, tea persons, drivers, etc.) on the work of the commission and gender equality to inform them more broadly about the work on elections. While good progress was made on providing capacity-building and training in gender issues for election managers and staff, there is scope to ensure systematization and inclusion in induction training.

BRIDGE Training Participants in Gender and Election to 2011	Women	Men
	114	599

Source: BRIDGE Office, Kathmandu (14 November 2011)

Educational Outreach to Women Voters

The ECN is responsible for providing voter education and for developing voter education materials. In 2007, the CA introduced a new voter education policy that included a number of provisions for gender equality and social inclusion, such as the need to design and deliver customized messages according to the type of audience in the voter education programme and to recruit a diverse workforce to enhance the gender and social responsiveness of the programme.²⁸ As a result, educational materials were developed in 17 languages and women were included throughout the process of conceiving, developing and producing the materials.

Radio jingles, posters, face-to-face training sessions, street drama, TV spots and TV interviews were used widely to disseminate information to support women's participation as candidates and as voters. Several organizations such as UNIFEM supported voter education, with a specific focus on women. The education programmes focused on targeting women in marginalized communities such as Muslims, Janjatis, youth, migrant women and Madhesi. Radio broadcasts, accessible to 90 percent of Nepal's population, were the vehicle for media campaigning that provided voter information with specific gender messages. Education programmes also sought to empower women at the grassroots level. To this end, assistance programmes

encouraged local women's organizations to develop outreach activities for their members and to attend conferences and educational events where they could build their networks.

Despite these efforts, the 'Report on Gender Mapping in the Field of Elections' found that not all materials were sufficiently gender-inclusive: "Despite including illustrations of women in the poster design, [women] were not typically depicted in active roles. They were mostly portrayed as voters, standing behind the men. At a later stage, a voter education calendar was developed that had a much stronger gender balance which is a positive step forward."²⁹ In one instance, with assistance from UNDP and IFES, one voter education image was altered to show women in an active role during the registration process, as shown below. IFES and UNDP worked together with the ECN to change some of the new posters that were not gender-sensitive.

The provision for inclusion in ECN's Voter Education Policy also applied to the educators implementing the trainings and outreach programmes. The policy declared that diversity based on language, region and caste should be ensured in the selection of volunteers for ECN voter education in order to best reach the various segments of Nepali society.³⁰ However, the failure to disaggregate data on recruitment meant that the ECN did not know how many of the estimated 10,000 voter educators were women.

²⁸ Voter Education Policy for Constituent Assembly Election 2063 (2007), Annual Report, Election Commission Nepal, 2063/63 (2008) p. 71. Cited in *Report on Gender Mapping in the Field of Elections*. ECN/UNDP/IFES 2010.

²⁹ ECN, UNDP and IFES, 2010.

³⁰ Voter Education Policy for Constituent Assembly Election 2063 (2007). ECN/UNDP/IFES 2010.



Original image showing men in an active role and women in a passive role



Likewise, without disaggregated data on the impact of the programme, it is unknown what percent of the beneficiaries of the programme were women or men.³¹ The lack of disaggregated data in several areas was highlighted as an important omission, especially as the ECN had set its own targets for women's inclusion.

UNIFEM supported five women's organizations to carry out voter education targeting women prior to the CA election in 2008. In particular, the organizations targeted women with disabilities, Muslim women, indigenous women, young women and Madhesi women. The five organizations trained grassroots women's groups to ensure that they clearly understood the electoral system, voting information such as the time and venue and other relevant information. The women's organizations used the voter education guidelines provided by the ECN and additional gender-related materials. In some cases, the organizations invited voter educators from the ECN to provide general voter education followed by gender-specific presentations from gender experts.

UNIFEM also supported wider outreach for gender-sensitive voter and civic education. It worked with various media houses to generate media tools such as radio jingles and TV spots highlighting women's role in decision-making, especially in the Constituent Assembly election. UNIFEM collaborated with media houses to obtain free time to air the radio jingles and TV spots.

IFES worked with the ECN to increase voter awareness, a key goal of the ECN's 2008-2013

³¹ ECN, UNDP and IFES, 2010.

Strategic Plan. IFES has helped the ECN to develop a comprehensive and inclusive public outreach strategy, designing and producing print and audio-visual materials, identifying methods of information dissemination and implementing voter education campaigns. IFES has worked closely with the ECN to ensure that women have prominent roles as service providers and service recipients in all official education materials.

Since August 2011, IFES has been working with the ECN and five local civil society organizations in 32 of Nepal's 75 districts to increase awareness of the voter registration process within traditionally marginalized populations: women, youth, Dalits and Kamaiyas (freed bonded labourers), in far- and mid-west Nepal and the Terai. A pool of over 5,000 local voter educators has been trained. There have been over 11,000 community events, 1,400 school visits, 400 street theatre performances and 148,000 household and workplace visits. Through the use of trusted local resources, such as the Female Community Health Volunteers, as voter educators, the programme has been highly successful in motivating women in marginalized communities to exercise their political rights. So far, the programme has directly reached over 1.7 million marginalized people, of whom 820,000 have been women.

NDI has worked in Nepal since 1994 to strengthen citizen engagement in the political process. The Institute has pursued this goal through civic education programmes, opinion polling, and assistance to domestic

election monitoring organizations and trainings for political party leaders on organization and leadership skills. In 2008, it replicated a poster campaign that had been developed in 1999, the Project Clean and Conscious Voter (PCCV). NDI printed and distributed 250,000 posters. Two of the posters targeted women, one targeted the poor, one encouraged unity and one discouraged intimidation and selling one's vote for money. At the bottom of each poster, the following was printed: "Let's vote consciously and elect good candidates capable of developing the country." In another initiative, NDI printed and distributed 70,000 copies of a voter awareness booklet that contained easy-to-understand messages aimed at the general voter. The booklet relied heavily on illustrations to convey information to semi-literate voters and included simple summaries of pertinent election laws, information about how to register and vote and the importance of elections. NDI also supported radio campaigns and a radio drama series, as well as street drama.

3.3. Women's Participation as Candidates

A large portion of the support from international donors focused on candidate training. NDI, UNIFEM and Jagaran Nepal³² focused primarily on providing candidates pre- and post-election training. Mostly evident in the CA election, candidates were trained in parliamentary functions and political and social issues, including gender issues. Women were also trained in how to interact

³² Jagaran Nepal was established in 1996 and works in the areas of peace, governance and the economic, social and political rights of women. Jagaran Nepal was one of the leading organizations working on promoting women's representation in CA.

professionally with media to strategically put forward their views and issues. Donors for advocacy and voter education supported media campaigning about gender issues in elections, including women's representation, violence against women in politics and gender-sensitive electoral processes.

Promoting Gender-Sensitive Electoral Legislation and Policies

Electoral assistance to promote a gender-sensitive legal framework was one of the earliest forms of assistance provided during the period under consideration. As early as January 2007, UNMIN's legal advising team reviewed the Interim Constitution that had just been adopted and identified potential gaps in the proposed application of the electoral system regarding representation provisions. For the consideration of the ECN, UNMIN prepared a 'non-paper' on electoral issues to be decided in February 2007. As noted above, the subsequent Election Law, which was adopted in June 2007, addressed many of these issues.

Meanwhile, during this early period, Nepali women's groups were beginning to advocate for gender-sensitive provisions in the legal framework that was forming. While the groups shared the common goal of addressing the serious shortfall of women in politics, there was confusion over the specific legal options available and their repercussions. Early in 2007, UNMIN's legal advising team, with the support of UNIFEM, UNDP and OHCHR, recognized this need and sought to address it by organizing a series of joint briefing sessions for women's groups on the proposed Election Law and its consequences. The assistance had an important impact by educating the groups to seize

on a legal opening in the IC and adapt their campaign to opportunities specific to Nepal's situation. Specifically, before the briefing sessions, some women's groups directed their advocacy towards the adoption of a one-third quota (a solution that was popular in other countries at the time). However, since the IC had included language to the effect that women and other groups should be represented proportionally, there was a legal basis to pursue gender parity in the CA. Thus, the support of United Nations entities helped broaden horizons and promote meaningful implementation of the principles of inclusiveness enshrined in the IC.

Building on this experience with UNMIN, when the Constituent Assembly Members Election Bill was proposed in the parliament, UNIFEM responded immediately to mobilize women's organisations to analyse the bill from a gender perspective and provide recommendations to promote women's representation in the CA. UNIFEM made the bill available to women's rights organizations and coordinated among the women's groups the review of the bill with the assistance of lawyers. UNIFEM also facilitated the process for the groups to meet members of parliament and submit their recommendations. As a result, their suggestion to ensure 50-percent participation of women was incorporated into the Proportional Representation System for the Election to Members of the Constituent Assembly Act.

In addition, an international expert on electoral systems was hired by IFES to help the CA, after its election in 2008, better understand electoral system options and their impacts. The expert also provided information on quota options that could be adopted under the electoral systems.

Research and Analysis on Women's Political Participation

Jagaran Nepal, with support from DFID, carried out the 'Study on Status of Women in Political Parties' in 2007, one year before the CA election.³³ The study was a baseline research project on women's representation in Nepal's political parties, which also identified challenges and opportunities for greater engagement of women in policies. The study was carried out in 11 districts. Twelve major political parties were selected in the centre (Kathmandu Valley) and four to 10 political parties in districts as sample groups for data collection.

The findings of the research revealed that women's inclusion in the district party committees was very low: it sat below 12 percent overall and, where Brahmin and Chhetris (upper-caste) women dominated women's representation, the percent of women from marginalized groups was much lower. The educational status of most of the women engaged in political party activities was generally poor, although a few women held PhDs. The reason for joining politics was expressed by the women politicians as a desire to raise the status of women in society and to contribute to the development of the country. Although women expressed satisfaction upon entering into politics, they were often disappointed at not being able to do much to bring about more positive

changes for women. The study's recommendations included uplifting women's overall status through programmatic and policy interventions; ensuring that women gained at least 33 percent representation in party committees, with a special focus on inclusion by diversity; ensuring women's representation at decision-making levels in the parties; ensuring representation of youth in the parties; ensuring women's exposure to national and international platforms; and ensuring women-friendly working systems in the parties and the adoption of participatory approaches.

The Women's Democratic Network (WDN) and the Renaissance Society Nepal (RSN), with the support of UNIFEM, carried out a research initiative entitled 'Women's Political Participation, Empowerment and Inclusion – A Survey Report and Strategic Action Plan, 2009'³⁴ in 2006, following the peace agreement that preceded the CA Election.³⁵ To promote women's equal representation in the CA and other decision-making bodies, the research documented the alarmingly low levels of representation in existing structures. It was judged to be the most comprehensive and original research of its kind at the time, with coverage of all 75 districts and a survey of some 30,000 political leaders and 21 parties. The data provided an evidence base for subsequent advocacy. The research found a lack of systematic data on

³³ Jagaran Nepal. 2007. "Status of Women in Political Parties: A Research Report."

³⁴ Renaissance Society Nepal, Women Democratic Network and UNIFEM, 2009. "Women's Political Participation, Empowerment and Inclusion", Survey Report and Strategic Action Plan. P. 46.

³⁵ The study was jointly carried out by RSN and WDN and published in Nepali with UNIFEM support in 2009. RSN is an NGO established to promote human rights and democracy. WDN is an inter-party women's network established in 2006 to promote women's representation, empowerment and inclusion within all political parties, decision-making bodies and state organs. WDN and RSN were involved in promoting greater women's representation in the CA, carrying out evidence-based advocacy built on comprehensive research that had been started in 2006. The research included a survey and development of a strategic plan of action to improve women's representation amongst the major political parties.

women's participation in various structures, including political parties and government offices at all levels, from local to national.³⁶ The initiative provided recommendations to political parties and to the government on how to reverse this situation through adopting positive discrimination measures and organizational action strategies and addressing issues such as violence against women in politics and low gender awareness among party/organizational staff.

Identifying Potential Women Candidates

Ahead of the 2008 election, UNIFEM supported the local organization Jagaran Nepal to conduct a mapping of potential women candidates in response to criticism from political parties that there were not enough women to run in the CA election. The mapping developed criteria for potential women candidates for the CA and collected data on women active in political and civic life from districts and civil society organizations in 14 districts. UNIFEM and Jagaran Nepal then published the names of 1,000 women who were considered potential candidates for the CA elections. The data was submitted to political parties with recommendations to increase women's candidacy for CA election.

Similarly, the United Nations Population Fund (UNFPA) and the Norwegian Embassy supported the Women's Alliance for Peace, Democracy, Constitution and Constituent Assembly (WAPDCCA) to publish the book *Who's Who of Nepali Women* that included potential women who could participate in

national and international decision-making. The book gave names of some 3,000 women from all castes and across the political spectrum who were qualified to take up positions of responsibility related to the peace and electoral process, including as candidates for the CA. The aim was to pre-empt claims from political parties, government, organizations or movements that they could not find any qualified women.

Engaging with the Political Parties

Beyond identifying qualified potential candidates, assistance providers engaged directly with the political parties to sensitize and educate. As part of the effort to evaluate parties' progress in this area and to advocate for improvement, UNIFEM supported Jagaran Nepal to review political party manifestos for Constituent Assembly Election 2007. The objective of this initiative was to encourage political parties to take concrete steps towards promoting women's rights through commitments in their party manifestos. Based on the review, seven priority recommendations were provided for the parties, including proportionately representing women in the CA and in political parties, promoting greater access for women to resources and employment, ending violence against women, ensuring gender-sensitive security reform and former (Maoist) combatant reintegration processes and ending impunity through gender-sensitive truth and reconciliation processes.

Other sensitization programmes promoting women's political participation in the Constituent Assembly targeted political

³⁶ RSN, WDN and UNIFEM, 2009.

parties, government representatives and civic actors. UNIFEM sponsored a women's network on peace and security called Shantimalika to carry out a national- and district-level sensitization programme on UNSCR 1325 and UNSCR 1820. Shantimalika complemented the training of party members by building capacity among local organizations to engage the poor, vulnerable and socially excluded groups of women and youth in the process of influencing a democratic constitution in Nepal with funding from the European Commission and in partnership with Nagarik Aawaj and CARE Nepal. Through this initiative, the groups opened four peace centres and trained peace ambassadors to engage with political parties on these issues.

Empowering Women Candidates

Training women candidates was another important area for supporting women in the CA elections. Two examples, UNIFEM and NDI, are notable in this area. In 2008, UNIFEM supported an NGO named Didi Bahini to train potential women candidates to develop understanding of parliamentary functions as well as national and social issues. Post-election trainings were organized for elected women on various issues to promote their meaningful participation. The German Government funded the programme.

NDI has also been training women candidates in Nepal for over 15 years. In 1997, the first Women Candidate Training was launched to support women running in local

elections. Funded by USAID, the cascade-format training trained a total of 3,865 potential women candidates and campaign staff members; of these, 710 (18 percent) women ran for the election, with half of them winning local election. Additionally, NDI produced and distributed more than 39,000 campaign manuals for local women candidates and more than 30,000 posters designed to increase public awareness of women's involvement in elections.

Advocacy and Awareness on Violence against Women in Politics

Violence against women in politics is a common problem in Nepal and a major barrier to entry for women. Prior to the CA election, women candidates raised this issue and consultations were held by women's organizations calling for greater protection of female candidates. Women participating in politics are more susceptible to political violence than their male counterparts and women leaders as well as voters experience politically motivated violence in the home and in public. According to the SAP analysis, "women have less supporting network, fewer contacts with people in influential positions and [are] often in a position where social stigma and stereotypes are applied if violence occurs."³⁷ A mechanism for electoral security was developed for the safety of polling centres, voters, candidates and the general public. As per law, a minimum of one security staff member was made available for candidates who requested security and the SAP study found that women and men candidates were treated equally in

³⁷ *Women, Representation and Violence: Exploring Constituent Assembly Election in Nepal*. South Asia Partnership International/International IDEA. August 2008.

this regard. However, no special provisions were made for women candidates and the security provided was not sensitized to the specific forms of violence experienced by women, e.g., sexual harassment.

The South Asia Partnership worked together with International IDEA to produce a study 'Women Representation and Violence' assessing the instances of violence that women candidates experienced during the CA elections. The study revealed that attacks on women candidates tended to correspond to their years of experience and to their caste, with members of the Madhesi and Brahim communities being attacked most often. Women candidates were often unaware of violence taking place against other candidates, reflecting the lack of information on the topic as well as the isolating effects of political violence against women. Women in Nepal suffered various forms of violence during the campaign. Attacks on their character and competency were common, based on misogynistic stereotypes. Acts of physical violence and threats were most frequent in the pre-election period and violence on election day itself was rare. This data was a significant tool for Nepali activists, researchers and the women running for office. Not only did it document and testify to their experience, but it created a basis for future advocacy and awareness-raising.

IFES also has led an extensive, multi-year election violence education and resolution programme in Nepal. As part of its initiatives to promote peaceful elections and reduce election violence, IFES partnered with Democracy and Election Alliance Nepal (DEAN) to monitor, report and advocate

against political and electoral violence from 2007 to 2009. In the Political and Election Violence Education and Resolution (P/EVER) Project, DEAN built the first-ever Nepali national violence-monitoring network and its members delivered regular, accurate and standardized reports on election and political violence, tension levels, potential for violence and peace activities in their communities. Based on information from the network, DEAN issued monthly reports on patterns of violence and recommendations for mitigation and prevention, the only such reports issued regularly by a local organization. DEAN also had the longest monitoring timeline of any organization working around the elections, as the team produced reports from December 2007 to May 2008 and then continued into the post-election period as well.

DEAN was committed to supporting women and youth engagement in its work. Most of the project staff and many monitors were young people. The Project Coordinator and two Regional Coordinators were women and gender parity was sought among the monitors. Outreach, press coverage and interest increased as the elections neared and, from March to May, there was widespread national print, TV, national and local radio coverage of DEAN and its P/EVER reports. DEAN also contributed to raising awareness about violence through post-election seminars with key stakeholders, held in Kathmandu, Biratnagar and Nepalgunj. The dataset of incidents of violence, from which the analytical reports were drawn, is another lasting contribution to understanding and reducing political violence in Nepal, as it can be used to compare between-election

levels of violence and future election cycles. This form of analysis allows Nepali leaders at all levels to develop better strategies for ensuring peace and stability.

UNDP also contributed to preventing and responding to violence against women by working with the national police force. With the Nepal police, UNDP supported an international seminar on gender-responsive policing, with delegates from seven Asian and Pacific countries. Success factors and best practices by police responding to gender-based violence cases were discussed in depth. In total, 186 Nepal police officers, 57 percent of them women, took part. A specialized national curriculum on gender issues with a focus on gender-based violence was adopted by the Police Academy. A total of 35 master trainers gained knowledge and skills in gender issues in relation to policing, with a focus on gender-based violence, and 144 police officers from women's and children's service centres were trained. Although violence against women in politics was not addressed, the gender-sensitive training was the only one of its kind in the country and contributed to promoting awareness among the forces responsible for securing the safety of women candidate during the election.

3.4. Women in the Constitutional Process

It is essential that women's voices be heard during the drafting of a new constitution because all constitutions have a deep and lasting effect on women's lives. The constitutional drafting period was thus a critical time in Nepali politics, as the basis for a new political order was to be established. In order to achieve this in Nepal, assistance

providers had to develop specifically targeted programmes designed to meet the needs of the newly elected women representatives in the Constitutional Assembly. It was necessary to develop knowledge resources to support a gender-inclusive process and constitution and to encourage debate between key stakeholders working in the drafting process. The objective of programming was to build on previous gains in Nepali constitutions, such as the Constitution of 1951, which specifically mentioned women's rights, and the interim draft constitution, which included the broadest protection of women's rights to date.

To this end, assistance providers worked with the 191 newly elected women in the Constitutional Assembly, who held a little over 33 percent of the elected seats, to support their role in the drafting process. Some of the women had extensive experience in parliament or public life and civil society, while others were relative newcomers. Some of the skills involved in these trainings included:

- Analysing problems in the current constitution
- Considering the needs of their constituents and of Nepali society as a whole
- Educating constituents about the purpose and content of the constitution
- Having dialogues with constituents to understand their needs and analyse them in shaping a new constitution
- Preparing proposals and shaping them in constitutional format
- Debating, amending and finalizing proposals and consulting with others about proposals

- Working in the formal process to finalize the constitutional draft

Key among providers of this form of assistance was International IDEA, which started the Women and Constitution Building Initiative in Nepal in June 2008 in the wake of the newly-formed CA when, for the first time in Nepal's history, a critical mass of women were elected to office. International IDEA identified a need for greater understanding of how a constitution affects women's lives and how women can contribute to the process of making a new constitution. The initiative aimed at 1) developing knowledge resources to support a gender-inclusive process and a gender-sensitive constitution; 2) facilitating dialogue between the key stakeholders working on constitution-building with a gender perspective; and 3) supporting the interparty CA Women's Caucus in its efforts to formulate a joint agenda and strategies inside the CA. This also included public consultations and the solicitation of views on women's agendas from around the country.

International IDEA provided comparative examples of how women have been involved in making constitutions in other countries and how women in Nepal have contributed to past constitutions. The programmes helped identify challenges and potential pitfalls and opportunities for overcoming them. Solutions included providing members with personal coaching, mentoring, research assistance, and other resources. Learning tools were very detailed; for example, the International IDEA publication 'Constituent Assembly Procedures from a Gender Perspective' looked at the practical details of CA functioning and how they related to women. The guide offered information in accessible language on practical

things such as the right to speak, the functioning of committees, decision-making and leadership within committees, voting methods, discipline, record keeping and seating arrangements.

With the support of the Royal Norwegian Embassy and the Government of Finland, International IDEA developed the 'Gender Folder: Toolkit for CA Members' which included resources on constitution-building with a gender perspective. IDEA's programme circulated discussion papers throughout the constitution-making process to highlight significant issues from a gender perspective. Discussion paper topics were identified by a national group of experts and focused on agenda setting, rules of procedure, and electoral quotas and participation. In particular, the 2010 discussion paper 'Electoral System and Quotas in Nepal' promoted greater understanding and consensus on quota provisions for women in elections, especially in the context of writing a constitution.

International IDEA also carried out research entitled 'Women Members of the Constituent Assembly' to document the stories of women CA members. The research examined the role of women in the CA and their contribution and challenges inside the CA. The research responded to criticism alleging that women in the CA lacked political experience, education and expertise to write the constitution. The research revealed that, on the contrary, the many women actually had experience in political and social work. Of the 197 women in the CA, 70 had experience in parliament through contesting in elections and through appointment in the 2006 reinstated parliament.

In addition to International IDEA's wealth of programming in this area, UNDP and NDI were also very active in supporting gender-sensitive constitution-building. From 2010, UNDP sponsored four national networks of 60 organizations in creating an analysis of women's rights and gender perspectives in the 11 Constitutional Assembly thematic reports. This activity enabled the drafting of 85 changes in constitutional recommendations on women's rights provisions, in particular relating to human trafficking, proportional representation and property rights, for the Women's Caucus of the CA. By working closely with the CA's Women's Caucus as well as the Indigenous Caucus, the Dalit Caucus and the Madhesi Caucus, UNDP assisted in preparing a series of position papers on the priority agenda.

NDI also supported the capacity-building of elected women in the CA. The Women's Leadership Academy (WLA) was launched in July 2008 to support newly elected women CA members. WLA brought together women leaders from political parties, civil society and the government to coordinate their efforts to participate effectively in development of the new constitution. One-hundred-twenty-three women, 102 of whom were CA members, from 13 political parties received training. In addition, 50 women members from civil society organizations and government agencies also participated in these trainings. The training focused on topics open to all women leaders interested in influencing the CA process, e.g., parliamentary culture, human rights, gender and social inclusion, constitution-making processes, political communication and federalism.



In September 2009, NDI launched an outreach programme in 10 districts in Nepal (Ilam, Morang, Sunsari, Dhanusha, Rautahat, Tanahu, Rupandehi, Dang, Bardiya and Kailali) to demonstrate the effectiveness of elected members and to involve the public in a discussion of community issues of concern. In February and March 2010, NDI ran a mock parliament project in 10 districts across Nepal (Jhapa, Udaypur, Terahthum, Mahottari, Sarlahi, Chitwan, Kavrepalanchok, Gorkha, Baglung and Banke). By training 60 women CA members (all graduates of NDI's WLA programme) to conduct the mock parliament workshops, NDI helped demonstrate the effectiveness of elected members.

OVERVIEW OF UNDP SUPPORT

The Support to Participatory Constitution Building in Nepal (SPCBN) project was established in 2008 with the overall objective of strengthening constitution-making as an inclusive and participatory process. In pursuit of its objective, SPCBN targeted Nepal's most vulnerable populations to ensure that they were represented in the constitution-making process. These vulnerable groups included Dalits, indigenous peoples, Madhesi and women.



SPCBN supported the refurbishment of the Constituent Assembly building and developed a full-service resource centre, the Center for Constitutional Dialogue (CCD). It also implemented activities, such as running radio programmes and conducting capacity-building seminars, and produced a documentary called *Voices from Below*. All of these activities benefited women and empowered them in the constitution-making process.

Some of SPCBN gender-targeted programmes were the establishment of the CA Women Caucus and, after its establishment, the provision of support to the Caucus to promote women's rights and agendas in the CA and in the various Thematic Committee reports. This support included interactions, workshops and technical advice on key constitutional issues.

With SPCBN's support, women's networks – Women's Democratic Network (WDN), National Indigenous Women's Federation (NIWF), Women Act and National Network of Indigenous Women (NNIW) – engaged in a year-long consultative process to review the CA's 11 Thematic Committee reports from a gender perspective, which resulted in the publication *Gender Equality Guaranteed Constitution*. This culminated in *16-Points Women's Agendas*, which was handed to the president, the prime minister, chairpersons of CA Thematic Committees and major political leaders in March 2011 after a rally in Kathmandu Valley.

SPCBN also hosted a number of workshops, interaction and consultation programmes for women, including:

- 'Substantive Rights and Women CA Members' Empowerment' training for 45 young women CA members in April 2010
- 'Women's Agendas to be incorporated in the New Constitution' in June 2011 in coordination with four Women Networks to discuss women's 50-percent representation in all state organs, equal rights to property, citizenship and the end of violence against woman. As a result, political leaders committed their support to ensuring women's rights in the new constitution.
- Inclusive Proportional Representation and Implementation of Women's 33% Representation' in July 2011 to discuss women's representation in political processes and political parties.
- Electoral System and Inclusive Representation' jointly organized with the Indigenous Peoples Caucus in July 2011 for representatives of different CA Caucuses to share their perspectives on electoral systems and inclusive representation.

In addition to conducting these programmes to enhance women parliamentarians' ability to advocate for women's rights and inclusion, SPCBN also worked to increase the capacity of other parliamentarians to understand gender rights. For example, in April 2012, SPCBN supported and coordinated a field visit for the CA's Legislature Parliament State Affairs Subcommittee in order for Committee members to observe first-hand women's and Dalits' problems in four districts in the Far West. The Committee members had formal and informal interactions with victims of domestic violence, women, prisoners, Dalits and others. The Committee was then able to advise the government on addressing the problems faced by these communities.



4. LESSONS LEARNED

4.1. Good Practices

The experience of international assistance programmes in Nepal illustrates an array of diverse practices that were adapted to ongoing changes in Nepal's dynamic political environment. Cultural transformations within the electoral management body, including building political will and educating staff through the creation of a permanent BRIDGE training unit, have built the foundation for sustainable progress. Time sensitive interventions, such as support for the quota and aid to women in constitution building, have responded to the most important political issues of the day. Throughout, good practices from Nepal underline the importance of responsive programming that engages with both the fundamentals and the practical details of making women's participation a reality.

International Support for Women's Political Empowerment

International organizations' sustained support for women's participation and the continuous work of women's organizations

in Nepal have contributed significantly to achievements in women's political participation. The heightened advocacy prior to the CA election and during the voter registration programme resulted in substantially increased participation of women in various roles. This advocacy also motivated institutions such as the ECN to act on the matter. Despite this progress, civil society organizations expressed the need for longer-term support. Often, donor programmes are based on a one- to two-year calendar, which is insufficient for the broader objectives that they seek to achieve. Ideally, programming in support of women's movements and other transformative change should work with a five-year schedule.

Likewise, donor interest often is a key factor that drives gender mainstreaming as a priority in assistance programmes. When a donor demonstrates a strong interest in gender mainstreaming and expects programme implementation to be gender-sensitive and include gender reporting, the implementing agencies oblige. However, when a donor does not

express a requirement, then it will most likely not be included unless the implementing agency has an interest to work on gender mainstreaming. The absence of interest in gender, or the lack of gender responsiveness in the leadership positions, could marginalize gender mainstreaming efforts or issues within the work of elections. Therefore, prioritizing gender mainstreaming within the donor agencies and the implementing agencies is key.

Technical Details Matter and Must Fit the Context

Foundational documents often set lofty goals for group representation, but the details of the implementation mechanisms, and their relationship to other aspects of the legal and political framework, will determine whether these goals can and will be met. The development of concrete and enforceable (if sometimes complex) rules and procedures by the ECN and the interim legislature were critical to ensuring a significant representation of women in the CA. Where national experience in these matters is not sufficient, early international expertise – preferably at the time of drafting fundamental documents like a constitution – is crucial.

Support by International Organizations at Critical Junctures

When the 2007 Constituent Assembly Members Election Bill was submitted to the parliament, there were only five months, from February to June 2007, to advise. The ECN, UNMIN and UNIFEM made headway through collective effort. UNIFEM played a particularly important role in rallying civil society and linking these voices with parliament and other stakeholders and

technical advice provided to the ECN turned women's demands into reality. This rapid response enabled the women in parliament to advance concrete recommendations and helped to ensure historic provisions in the Election Act that called for at least 33 percent of women's candidacy and 50 percent in the lists.

This experience demonstrates the vital importance for assistance providers to remain watchful of openings in the political processes and to be ready to act quickly and flexibly when the time is right. Additionally, the development of evidence-based research, advocacy planning and strategy and communication skill-building allows women's organizations to be ready to act quickly during these vital moments and to have the greatest impact in advancing their agenda. The presence of dedicated gender advisors, including an international expert supported by UNDP, and gender focal points within the ECN allowed actors to 'keep an ear to the ground' and stay alert to changes taking place at the grassroots level, in real time. Having dedicated staff therefore promoted responsiveness and developed resources necessary for acting during the critical junctures of the political transition.

Political Will and Gender-Sensitive Electoral Administration

Leadership and political will within key national institutions is critical to enhancing women's political participation. Within the ECN, the leadership of Mr. Bhoj Raj Pokhrel, the chief electoral commissioner and his team, including the current commissioners at the time of the CA elections, was a major contributor to the advances the ECN made in this area. The willingness of the current

commission to engage in dialogue with the women's movement and to recognize the importance of gender equality for democratic elections is viewed as encouraging for future prospects. The current ECN has engaged several officers with prior experience as gender focal persons in government ministries, which is expected to contribute to gender mainstreaming within the ECN. The organization has gained progressive awareness of the challenge in this area and is moving to address it. This transformative process is part of the development of political will to create lasting change within the organization.

Gender Targets and Capacity Building in the ECN

One of the most useful tools for involving more women into the process is to establish targets for recruitment and employment. Through the use of gender targets during the CA process, the ECN was able to focus its recruitment and measure its progress. A substantially greater number of women were employed as voter educators, enumerators and outreach volunteers.

A second key tool was the investment in capacity development for the members of the ECN. From the peer-to-peer exchange to the creation of a dedicated BRIDGE training office within the ECN, capacity-building programmes were undertaken with an eye towards the long-term and sustainable growth. The existence of a dedicated BRIDGE training unit in the EMB is particularly important. The BRIDGE programme was designed to be used as a sustainable capacity development tool for EMBs to promote ongoing learning within their

organizations. Through a careful balance of international support to increase the content and expertise of the training, particularly through the GPECS Gender and Elections BRIDGE courses and the accreditation of ECN staff, the EMB now possesses a major asset for advancing gender awareness (and other technical competencies) within its organization.

Mapping and Gender Policy in the ECN

Apart from the quota, the introduction of gender mapping in the ECN was perhaps the single most significant institutional innovation in mainstreaming gender into Nepal's electoral processes. By auditing the organization's practices in this area, the ECN achieved several major gains, including:

- Identifying its strengths and recognizing how to build on them
- Recognizing where its greatest weaknesses lay, thereby enabling the ECN to develop responses in short-, medium- and longer-term strategies
- Advancing the stature of gender issues within the organization and making a visible public commitment to improvement in this area
- Creating a baseline against which to measure future progress
- Committing to transparency and accountability in regards to women's empowerment issues

"We are serious and we would like to ensure gender balance in all our activities, be it in the central office, polling booth or in the election processes. We are willing to do it."

Mr. Neel Uprety, Chief Election Commissioner of Nepal
(2011, acting)

Engaging Political Parties

As gatekeepers of the political process, political parties play a major role in either advancing or inhibiting women's progress toward political involvement and leadership. Creative and sustained efforts to engage with political parties have made important inroads into this historically male-dominated arena of Nepali society. Consultations, dialogue, training and the comparative review of party manifestos brought the issue to the forefront and forced parties to recognize shortcomings in their actions. The introduction of quotas is often a difficult transition for many political parties and international assistance providers addressed the issue through a variety of techniques ranging from supportive (candidate training, party advising, etc.) to assertive (anticipating and pre-empting the common excuse that 'there aren't enough qualified women'). This range of strategies is viewed as an excellent practice.

In addition, various programmes documenting and responding to political violence against women confronted one of the most significant barriers of entry for Nepali women. This problem is fundamentally an issue for political parties. By recognizing the perpetrators of the violence and documenting the extent of the issue, advocates created a powerful impetus for change. Likewise, it was empowering for women candidates to discover that they were not alone in experiencing violence and that a community of support existed to help protect them and denounce future violence.

Engendering Voter Outreach

International assistance programmes provided a fundamental yet powerful service to the ECN by helping them engender their civic and voter education materials. Although seemingly basic, visual cues, body language and gender role allocation in posters and TV ads have a strong effect on popular perceptions of gender roles in an electoral process. By seeing (or, in the case of radio, hearing) women in active and responsible roles, citizens of both sexes develop a more balanced view of gender roles in the political process. The relegation of women in media representations to passive roles reinforces stereotypes of women being on the margins of politics and civic responsibility. By reviewing voter and civic education with the ECN to ensure balanced representation, assistance providers made an important contribution to advancing public perception in this area. The tools and methods used to deliver messages were also important in promoting women's participation. By identifying the media channels most accessible to women and developing educational programmes around them, the ECN and its supporters strategically used resources to their best advantage.

Women and Constitution-Building

Becoming a legislator for the first time is a challenging and often daunting task. Becoming a legislator charged with drafting a constitution, the founding document of the nation for generations to come, is a major undertaking requiring special skills and knowledge. Despite the difficult political climate and many competing demands within the CA, assistance providers rose to the challenge and helped women CA

members build the skills they needed to bring gender to the forefront of constitutional debates. The creation of detailed and highly pertinent resources and training courses by IDEA, NDI and UNDP were extremely important for the women of the CA. From understanding the 'big picture' of the importance of gender-sensitive constitution-building, to identifying the concrete areas for legislation and to understanding the nuts and bolts of the functioning of a CA, these tools filled a real need.

Although the CA was dissolved in 2012 without producing a constitutional draft, the work achieved by the Women's Caucus between 2008 and 2012 was invaluable in creating:

- A network of experienced women legislators
- A detailed reflection on the gender dimensions of Nepal's future constitution
- A series of detailed recommendations on women's rights and equality
- A strong awareness and momentum behind gender-sensitive constitution reform

These are major gains to be capitalized on when going forward in Nepal's political reform process.

4.2. Further Opportunities

The ECN, the Nepali women's movement and the many diverse actors that have supported increased participation for women in all areas of public and political life have made great achievements in recent years. Still, women's representation remains low and great uncertainty remains about



the resolution of the political crisis in Nepal. Further opportunities exist to capitalize on these gains and deepen progress in this area.

Broadening the Recruitment of Women in the ECN

While the ECN has improved women's representation within the EMB, they have only been able to do it for the temporary staff whom they hire directly. A strategy must be developed and implemented to ensure gender balance in the commission and to bring more women into permanent positions within the ECN, particularly in leadership positions. Every year since 2009, the ECN has organized an annual review of its work; however, its reviews have generally overlooked the issue of gender balance and have not been followed by much institutional discussion. The ECN can improve in this area by building its recruitment strategy to extend to permanent positions,

examining the issue in its annual reviews and including women from the different districts of Nepal to participate in dialogue and in finding solutions.

Drafting Gender-Sensitive Election Legislation

The ECN drafts relevant legislation on key areas of electoral practice, including political party management, financing and campaigning, voting, counting and electoral dispute resolution mechanisms, and submits it to the Ministry of Law to present to parliament. The ECN organized some debates with political parties on these issues; however, participation was limited and gender was not taken into account. The ECN Joint Secretary heading the legal section shared the drafts, but did not consult with stakeholders, including with women's organizations. Nonetheless, the Joint Secretary has expressed interest and openness to such consultations. Assistance providers should take advantage of this type of opening to organize and mobilize meaningful review and analysis of these critical pieces of legislation. In particular, the draft on political party management could be important in Nepal's context, where internal quotas are seen as critical to improving women's political participation. Also, financing laws can have a major impact on women's participation and should be reviewed closely.

The ECN's endorsement of the draft Gender Policy will likewise provide a framework for the ECN to integrate gender into its electoral cycle planning. The further integration of gender and social inclusion considerations into the ECN's strategic planning offers a

future opportunity to fill an existing gap in the ECN's strategic framework.

Institutionalizing Change

Lack of institutionalization is another gap in election administration. Many gains that are introduced in one electoral cycle are lost by the next. In particular, voter education materials have suffered from a lack of institutionalized gender mainstreaming. Although international assistance providers worked with the ECN to publish gender-sensitive posters depicting women in non-stereotypical roles, recent voter education publications have gone back to models that depict women in passive, marginal roles and men in active roles. As gender is better integrated into the culture of the ECN, this type of issue should be less of an issue. In the meantime, it must be guarded against by promoting institutional memory resources within the organization and by working with the ECN and international gender advisors on a regular basis.

Gender and Electoral Observation

Neither the ECN nor the international community has fully integrated gender into electoral observation. This includes ensuring gender balance within the long-term and short-term observer teams as well as integrating gender-sensitive observations into the checklists, analyses and reporting of the observation missions. Organizations such as the Carter Center conduct election observation or observation of the voter registration process, but are yet to ensure a systematic gender perspective in their programmes.

Substantive Impacts in Politics

Some interviewees noted that, in order to ensure that policies take women's concerns into account, more support is needed for women to make substantive impacts in politics. Women representatives are often beholden to the parties they represent and change is needed to ensure that women have a voice in policy development. In addition, women's roles should not be limited to promoting gender issues alone, but should also address major national issues of development and sustainable peace.

4.3. Analysis and Recommendations

Since the introduction of multi-party democracy in 1990 and the second people's movement in 2006, the issue of gender inequality has garnered wider attention in Nepal. The ECN has made important advances in including women within the electoral administration and promoting women's participation as voters, candidates, educators and other actors. Women elected to the Constituent Assembly have made vast strides in forming a vision of a gender-sensitive constitution and have developed the skills that they would need to lobby for it in the future.

Despite these significant gains in recent years, many needs remain. While the ECN has done much to move towards gender mainstreaming, a systematic approach has yet to be developed and applied. Ad hoc and sporadic interventions and frequent changes in staffing have resulted in a loss of institutional memory and mainstreaming remains an unrealized goal. Nonetheless, there is willingness to advance with gender

mainstreaming in the ECN. The gender mapping conducted in 2010 was a major gain in this area and the ECN has made progress towards realizing the recommendations set forth in the gender audit.

Beyond the ECN, other challenges remain as well for women candidates and elected officials, political parties, civil society, women's movements and the donor community itself. Recommendations for enhancing international assistance for women's political participation include:

- **Mainstream gender into international assistance.** Ensure that the UN and other donors and assistance providers place gender at the top of their priorities and guarantee strong backing from their leaderships. All assistance activities should ensure a mainstreaming perspective. Financial assistance can be made conditional upon gender-inclusiveness.
- **Gender responsive leadership.** Leadership positions for electoral assistance programming should call for gender-responsive leadership as one of the criteria for selection. Ensure that electoral assistance also includes gender expertise in the form of dedicated gender advisors.
- **Evidence-based advocacy and programming.** UNDP ESP initiated its support on gender by studying gender mapping in elections. Thanks to this, assistance activities were based on strong evidence. The study provided opportunities for ESP to engage with the electoral administrators in the mapping processes and thus built partnership and trust to work together. Therefore, the mapping exercise helped to set the context for future gender mainstreaming

efforts and support. Likewise, electoral violence programmes by IFES and SAP International/IDEA drew on strong, data-backed research. Such gender mapping, research and auditing should be conducted regularly.

- **Engendering ECN's policy.** International organizations and UNDP need to provide support to engender existing policy and develop a specific gender policy for EMBs. Currently, the Election Commission Nepal has a five-year strategic plan (2009-2013) that includes neither specific targets nor gender-related goals.
- **Promote women's participation as electoral administrators.** The focus should be on improving women's representation as commissioners and senior-level officers as well as electoral senior-level administrators during election time.
- **Gender targets.** The ECN adopted targets for women for voter education, voter enumeration and polling booth volunteers that resulted in 50-percent women's participation in all of these areas. This was an excellent practice that should be continued and expanded in the future.
- **Legislation.** Assistance providers should maximize assistance for all forms of existing and upcoming electoral legislation to ensure that it responds to women's needs, maximizes opportunities for their participation and does not create unfair barriers to access. Just as there was a gender-sensitive review of constitutional provisions, so should there be reviews of laws regulating political parties and political finance.
- **Election observation.** The ECN's guide for election observers should call for observation from a gender perspective and for gender reporting to the ECN with concrete recommendations.
- **Move beyond numbers and promote substantive participation.** More assistance is needed to promote women's participation in politics and in political parties. To ensure that women play a meaningful role in the political process, further investment should be made to inform and sensitize women and men.



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