

Women in Local Governance: From Representation to Participation

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Proceeding

Organized By

Municipal Association of Nepal (MuAN)

Supported By

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1. Background

The last decade has witnessed a rising concern with enhancing the representation and participation of women in politics at every level – from the local to the national. The reason for this is the obvious democratic deficit encountered in even the more advanced democracies, where the representation of women in national assemblies has increased only marginally from 9 per cent in 1995 to 16 per cent in 2004 – a rate of just 0.5 per cent per year – considerably lower than the ‘critical mass’ of 30 per cent envisaged at Beijing. However, in case of Nepal apart from the progressive 33% women quota for the CA/parliament, the governments’ performance has been less than satisfactory in living up to its obligations. In addition, the primary actors in both the political arena and administration continue to be dominated by the established male elites. Particularly the withholding of local elections has prevented the target populations to actively engage in local and central decision making by and for women.

Considering this fact, the Municipal Association of Nepal (MuAN) with assistance from Friedrich-Ebert-Stiftung (FES) Nepal organized an interaction programme on ‘Women in Local Governance: From Representation to Participation’ on 22 December 2014. The aim of the programme was to provide a forum for women Constituent Assembly (CA) members, women leaders, activists and relevant stakeholders with a national platform to communicate their legitimate claims and according demands to the media, political representatives and the general public. The programme aimed to address the need for both, the reintroduction of democratic local elections and proportional participation and representation of women as declared by the interim constitution, the three year interim plan and according regulations. The aim will be to provide a forum for women leaders, activists and academics with a national platform to communicate their legitimate claims and according demands to the media, political representatives and the general public.

2. Objectives:

- To bring together the women CA members and know about their experiences.
- To gather the primary actors of women rights and social inclusion to jointly formulate the problem of lacking participation and representation in governance and according demands.
- To generate awareness among the political representatives and general public for gender equal and socially inclusive local government.
- To provide a comprehensive publication to the socially crucial debate of gender equality and social inclusion in all government institutions.

3. Structure of the Programme

The one day interaction programme was divided into various sessions such as inaugural, thematic and closing session. The chief guest of the event was Ms. Sheikh Chand Tara, Chairperson of National Women Commission. Likewise, many women CA members, representatives of various I/NGOs and Ministry of Federal Affairs and Local Development (MoFALD), Civil Society, political parties and media showed their significant presence in the programme. Ms. Sara Neupane, Programme Officer of MuAN initiated the programme under the chairmanship of Mr. Dormani Poudel, President of MuAN. She started off with few facts and figures pertaining to Nepal and explained about various positive endeavors that have taken place for the women in Nepal such as the establishment of Ministry of Women, Children and Social Welfare (MoWCSW) two decades ago in 1995, the Gender Equality Act which gives women to use property freely without the consent of male family members and raised the age of consent for marriage was enacted in 2006, the 2007 Interim Constitution of Nepal which mandated 33 percent female participation quota across all government and local government boards and so on.

Likewise, the Local Self Governance Act (LSGA) 1999 reserves 20 percent seats for women in ward level committees to increase their representation in local government institutions and Nepal is one of the few countries to allocate a gender specific budget at a local level with 10 percent allocated to the development of women, she added. Despite all the hopeful efforts, women's equality is still a long way off in Nepal, she explained and concluded saying that the interaction programme was the hub for discussing and finding solutions of all such issues that have deprived women of opportunities in various spheres of life.



3.1 Inaugural Session

3.1.1 Welcome and Objectives

Mr. Bidur Mainali, General Secretary of MuAN formally welcomed all the participants and highlighted on the importance of the topic. He said that MuAN, ever since its establishment has been working on women's issues such as empowerment, capacity building and so on. Though women's participation is a must and mandatory in local level, this has not been implemented effectively, he said. He also explained that MuAN has been advocating for the immediate local elections and also for the representation of women in local level. He mentioned about the objectives of the programme along with the importance of women's participation and representation in multi level governance. He explained why investment on women is so important in a country like Nepal whose population is more than half women. This was followed by an introduction session where all the participants introduced themselves.

3.2 Thematic Session

There were two presentations in the thematic session. Ms. Kopila Rijal, Women Right Activist and Ms. Leela Adhikari, Under Secretary of Gender Equality and Social Inclusion (GESI) section of MoFALD were the presenters and facilitators in the event.

3.2.1 Presentation I

Ms. Kopila Rijal, Women Right Activist made a presentation entitled 'Women in Governance' and said that women's participation in the various levels of decision making is an essential prerequisite for the establishment of equality, development and peace. Women constitute about 50% of the total population around the world yet their participation in the various levels of decision making is negligible because the political space all over the world is monopolised by men, she said. She began with a global scenario which said only 8 women are the Head of State and 13 Head of Government currently.

She then highlighted on the political participation of women in the South Asian region which she said is not very encouraging. In many countries of South Asia special provisions have been made to increase women's political participation, yet the percentage of women in the higher levels of the political power structure has not risen, she mentioned. As per her presentation, in all the countries of South Asia Region women hold only 7% of ministerial positions and 15% in national parliaments on average. Less than half of South Asian countries have a Constitutional quota for women in their national parliaments 21% in Bhutan, 10% in Bangladesh and 33% in Nepal.

She identified some main reasons for low political participation of women in politics which are patriarchal values and norms, lack of institutional and family support, lack of security, criminalization in politics, multiple burdens and so on. However, she also suggested some future strategies for women's participation such as reservation of seats in all level of power structure, increased awareness of women Rights, institutional mechanism to support women candidates, electoral reforms and many more. (*See Annex 1 for detail*).

3.2.2 Presentation II

The second presentation was 'Women's Participation in Development and Positive Efforts for Women's Development in Local Level' by Ms. Leela Adhikari, Under Secretary of Gender Equality and Social Inclusion (GESI) section of MoFALD. She started with a brief explanation about what women's participation refer to, why is it needed and how it can be ensured followed by the status of women in Nepal. She explained about some national efforts that have been made to ensure women's equality and participation. Efforts at the national level were made after Nepal became the member of UNO and some other milestones were abolition of sati custom, celebration of women's day, enforcement of Muluki Ain, establishment of Women, Children and Social Welfare and National Women Commission and so on, she added.

Some constitutional provisions include equal wages for men and women; provision of women's rights in article 20; provision of education, health services and employment for women and inclusive representation in all spheres, she explained. Likewise, regarding the legal provisions, she explained about women's right to ancestral property, right to abort up till 12 weeks, Human Trafficking and Transportation (Control) Act 2007, Domestic Violence (Crime and Punishment) Act 2009, rights to husband's property even after divorce, special provisions in civil service and so on. Women have been given much more preference also in the 6th, 7th, 9th and 10th plan, the three years Interim Plan and the ongoing 13th plan, she mentioned. Similarly, other provisions include Gender Responsive Budgeting since 2008, establishment of GESI section in all ministries, women cell in police office etc.

She then mentioned about some provisions that have been made by MoFALD such as establishment of Women Development Section, special focus on women and socially/economically deprived group as stated by LSGA 1999, active coordinating role played by the GESI section, implementation of Gender Responsive Budgeting in all 75 districts since 2008, incorporation of gender in all guidelines and directives of MoFALD, allocation of 10 percent of total budget exclusively for women in all local governments, active participation of women through Ward Citizen Forum, Citizen Awareness Centre, Integrated Planning Committee, GESI implementation committee, compulsory representation

of one woman in all wards, representation and participation of more than 33 percent women in Ward Citizen Forum and Citizen Awareness Centre etc.

As per her presentation, some challenges relating to women's development include deeply rooted traditional values and belief; lack of enough resources, family support, meaningful participation; discriminatory legal provisions; weak monitoring and evaluation; less self confidence in women; difficulty to accept women's leadership; lack of effective institutions; institutional inefficiency and less opportunities for women. Similarly, she also outlined the challenges such as absence of national level GESI policies and framework, problem in the effective implementation of policies and guidelines pertaining to GESI, increased duplication in local programmes due to lack of collaboration/coordination between stakeholders, problem in implementing integrated result based planning and monitoring.

However, she also gave some suggestions for the problems such as strengthening gender mainstreaming in all sectors of development process, service delivery and governance system; strengthening Gender Budgeting System and extending it to local level; ensuring women's meaningful participation in conflict resolution and peace establishment; initiating programmes and campaigns like violence and discrimination against women etc. Therefore, her presentation was very much successful in explaining about the status of women in local governance.



Ms. Kopila Rijal (L) and Ms. Leela Adhikari (R) making presentations on Women in Local Governance

3.2.3 Commentary

Mr. Kedar Khadka, President of GoGo foundation was the commentator for both the presentations in the thematic session. He first thanked MuAN for providing him the opportunity and said that the CA members were very active and concerned about the topic. According to him, the presentations were very relevant as it came from global to local and included the issues of WCF and CAC. However, it could not include the issue of local election which is of paramount importance. He further stated that the concept of GRB initiated by MoFALD is laudable.



He expressed his opinion that women should now focus more on participation than household chores or else societies and communities can never be empowered. He further said that international movements have also put women's issues in the crux and are very much concerned. However, it is important to empower women in terms of information, knowledge and debating skills.

3.2.4 Questions and Recommendations from Participants

- *Shiva Maya Sarki Gotame Nagarkoti*

It is often seen that the money allocated for women, disadvantaged and target groups is not used exclusively for them. For example, the allocated budget for women is often used in road construction, school building and community tap saying that the women will also use these infrastructures. The disadvantaged groups are also not aware of the 15 percent budget allocated for them. Inability to get information is their weakness but concerned authorities should also take some effort to explain them about the existing system. This should be evaluated and monitored. We are in a very responsible position and we should take care of this. Regarding the amendment of LSGA 1999, we have asked for 50 percent women's participation in vital positions. Nepal is a patriarchal country and women are often dominated however; cooperation and support of both men and women in the family can help women to proceed further. Lack of social security for woman is another issue which needs to be diagnosed and discussed.

- **Gyandevi Gairhe , UML, Dadeldhura**

Our local level has been vacant since more than fifteen years and we have been advocating for the immediate local elections. It would have been very interesting to know about women's participation in the last local election and compare it with the current and upcoming scenario. Back then, representation of one woman in one ward was compulsory. The commentator said that WCF works well and treats everybody equally but WCF also seems to discriminate and promote nepotism in some cases. Even the WCFs have not been able to use the budget allocated for them properly. There is increased politicization in the WCFs. The budget meant for poverty reduction has not been used properly and there seems to be intervention from men even in the 10 percent budget allocated for women. In spite of our big talks, it is for sure that we need to have access everywhere, or else we will be deprived. There are numerous programmes meant for poverty alleviation but all in vain. Likewise, in case of Community Forests Users Group (CFUG), whenever there are problems there is a tendency to change the committees. I think women's participation alone is not enough and the need of time is meaningful participation.

- **Anarkali Miya, CPN UML**

Acts and laws do not seem to be working well in Nepal and we all are aware of it. The budgets are never used for the programmes and projects they are allocated for. Whenever we talk about women, we feel that women want to fulfill all their responsibilities, be it kitchen or in politics. There are women who wish to limit themselves in the household chores and remain quiet. However, there are other women who want to establish them in both politics and fulfill their other responsibilities. But the social environment around us has been made in such a way that it discourages even those women who want to go forward.

- **Ganga Chaudhary Satgaowa, Tharuhath**

The debate is going on for a long time on enhancing participation of women at policy making level. But the presence of women at the policy level of civil service known as the permanent government of the state is disappointing. It is difficult to place there even one percent of women through reservation, not to mention ensuring 50% representation. The number of women, who are given responsibility despite being at the special level, is negligible. It is men who occupy 100 percent positions in the Special Class category of the civil service. More women could not contest in the CA election of 2013 because the election system of Nepal is very costly and women in Nepal have financial problems to get the tickets and lack collateral. This is one major reason women from the grass root level or non elite group are not coming forward to take the leadership. Hence, it is important that such women be given opportunities by the state.

- **Gauri Oli, CPN UML**

We all have gathered here to discuss how women can be empowered and strengthened. The presentations were good but were more conceptual and did not mention about the way forward. We should focus more on increasing women's participation in national and decision making level. It would have been interesting if our role as women CA members in promoting women's participation was made clear. Women are lagging behind in each and every spheres of development. Though their participation is increasing, it is just limited to numbers. We have been suggesting that women's designation should not just be limited to 'vice' but they should be made the chief/president. Until and unless men start contributing at home, we cannot think of women empowerment because it helps reduce women's multiple burdens.

- **Shrimaya Thakali, CPN UML**

The issue of women's participation is very important and we all have stake in it. It is very unfortunate that the local election has not taken place since fifteen years. However, the number of municipalities is increasing rapidly and so are the challenges associated with it. Almost all parties during the CA election of 2013 had mentioned in their manifestoes that they would advocate for the local election, however, nothing much has happened in spite of such commitments. During the local election of 1992, women's participation was only 5 percent. This increased to 20 in the 1997 elections where about 40,000 women represented themselves. It would have been very motivating to know about the increment from 5 to 20 in one of the presentations. Even today, women are mostly the members in committees and the other decision making key positions are taken by men. More and more women should be encouraged to be a part of key positions along with the men.

- **Subash Panta, TDF**

The interaction programme is related to women in local governance but I did not see the presence of any women working in the local government, local organizations or a local activist. It would have been very nice if their participation was also ensured. It is always the elite group of women who dominate Nepalese politics. For example, Bidhya Bhandari, Astalaxmi Shakya, Chitrlekha Yadav and many other women politicians would have got the ticket or won in any case but since they came through reservation this really hampered other women who could have used that reservation. Hence, this should really be considered from next time onwards.

- **Minakshi Jha, Nepali Congress**

I would really like to congratulate Ms. Leela Adhikary, Under Secretary of MoFALD for being able to fulfill the responsibility of LDO. I think the LDO is one such designation where one has to go through the tortures of all political parties and stakeholders. Women's potential and capacity is so extensive that they can easily manage the household chores as well as the entire nation. I have come from such a community where women are under the veil and cannot do anything without the consent of the male members. Therefore, women cannot move further until they get the right platform. Women are discriminated everywhere, be it home, party or CA.



Women CA members actively interacting in the discussion session

3.2.5 Response and Clarification

Ms. Leela Adhikari, Under Secretary of MoFALD clarified that a woman should never forget her responsibility as a mother, wife and a daughter-in-law in our context. However, she should always be encouraged to move forward the way she likes, she added. Regarding the question about the use of 10 percent budget allocated for women, she said that all the projects

and budget of local level go through the 14 steps planning process. However, if there is no demand for any project by the people, the money cannot be used, she stated. She also clarified the query regarding women's participation in the local election of 1997 which was 20 percent but now the percentage of women's participation is something that really depends on the will of the CA members and the parties. Finally, she said that the time for the presentation was limited because of which she could not present everything. She requested the organizer MuAN to organize such programmes even in the days to come.

4. Concluding Session

Ms. Sheikh Chand Tara, Chairperson of National Women Commission and Chief Guest of the event thanked both the presenters for their excellent facilitation. She reminded that the first presentation showcased global, national and regional scenario whereas the second one was mainly based on Nepal's local level and the efforts of MoFALD. She reiterated that the systems and mechanisms meant and made for women have many loopholes and drawbacks. Even the budget of MoWCSW and National Women Commission is not at all satisfactory.



We can see that most of the gender focal persons are also men who are not aware and sensible about the issues and problems of women, she said. For example, there is a migrant worker committee in the Ministry of Labor and Employment where National Women Commission is also a member, but they hardly invited us in any of their programmes, however after requesting time and again, they now invite us, she explained. She said that the implementation of Gender Responsive Budgeting in the local governments in Nepal is a landmark because there are so many other countries that have not even started it. Apart from this, she also said that women in Nepal still cannot leave everything and step out of home because we lack capacity and we have not been able to transform the deeply rooted patriarchal values and beliefs even at our homes and surroundings. When nothing is equal, how can the information level of women be equal to men, she questioned. She reflected on the bitter fact that even today, the women in Nepal need to ask their husbands what to cook. Being a woman from a Muslim community of terai, she said she had diverse experiences but due to time constraints she could not share as much as she wanted to. Finally, she thanked MuAN for bringing such an important issue and requested it to organize such interaction programmes regularly.

Mr. Dormani Poudel, President of MuAN thanked all the presenters, commentator and participants for their active engagement throughout the programme. He said that the activities we undertake should be action and result oriented and not just be limited to words. At last, he assured that MuAN, being a pioneer in local governance would always strive to organize such significant activities and programmes.

5. Conclusion

The efforts deployed in ensuring equitable representation for women in decision-making bodies absolutely assume that this would be an adequate mechanism to guarantee their participation in these institutions. Since, moreover, representation can be enhanced through legal and institutional means, such efforts have been mainly concerned with quotas and the design of electoral systems. It is tempting to assume that better representation will guarantee higher participation. However, the evidence clearly shows that even legally-mandated quotas and mechanisms ostensibly designed to enhance the representation of women can be easily undermined by elements of the institutional design itself; and that the higher numerical presence of women in representative bodies alone cannot ensure their more effective participation in these bodies.

Effective participation involves the creation of a political, social and cultural environment in which women acquire the awareness, information base and confidence to articulate their concerns, and an institutional environment that is receptive and responsive to such articulations. This arguably requires more committed and sustained initiatives by political parties and civil society organizations. In case of Nepal, the last constituent assembly has clearly shown that representation does not automatically result in meaningful participation. However, the long term experience has also shown that reservations during the last local elections, or recently in the civil service recruitment have led to considerable results.

Therefore, for women to become truly equal citizens a twofold strategy seems appropriate. First, by ensuring representation in all levels of state and secondly through empowerment by especially ensuring access to resources and education; within a governmental context that honors its legal obligations towards gender equity and social inclusion. Denying women and girls equality and fairness not only hinders them, but also the rest of society. Until women are given the same opportunities that men are, entire societies will be destined to perform below their true potentials.