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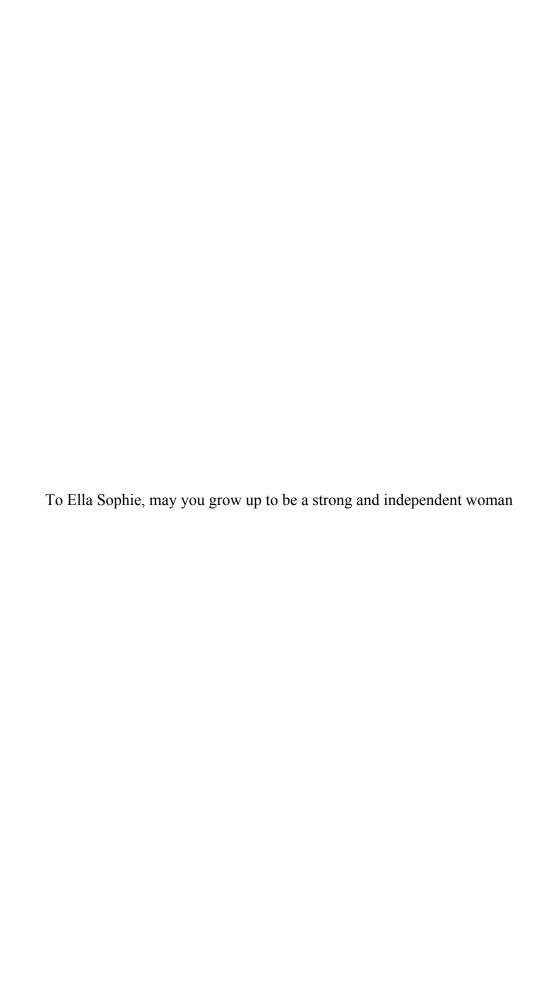
Declaration

I, Annelise Onsrud Mjøen, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature……………………………..
Date…………………………………

To Ella Sophie, may you grow up to be a strong and independent woman

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I would like to thank my friends and family for their patience and encouragement throughout the thesis writing process.

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Abstract

There is an understanding that statebuilding may offer important opportunities to strengthen women's rights, equality and participation. The objective of this study is to understand how gender roles affect statebuilding and how women's participation can enhance their rights and gender equality. This dissertation examines the effect that statebuilding has on women's rights and participation by examining the statebuilding efforts in South Sudan, Rwanda and Nepal. By examining these three cases, the study has looked at what has been done to include women in in the process of statebuilding and what implications this might have on women's lives. The study will also try to connect gender and statebuilding through different issues such as women's access to education, land as well as their participation in the formal processes of statebuilding.

The study has followed a literary approach that focuses on secondary sources and legal documents.

My findings indicate that the statebuilding efforts in South Sudan, Rwanda and Nepal resulted in a higher representation of women at local and decision-making levels. The findings also indicated that there are still many challenges that relates to women's rights, equality and participation, and that these challenges will not be solved unless there is more focus on the structural barriers that influence women. Amongst other, these structural barriers are customary laws, violence against women and women's access to education.

<u>Abbreviations</u>

CDR	the Coalition pour la Défense de la République
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPA	Comprehensive Peace Agreement
CPN-M	Communist Party of Nepal-Maoist
CSOs	Civil Society Organisations
EU	European Union
GoSS	Government of South Sudan
GoN	Government of Nepal
ICSS	Interim Constitution for South Sudan
IMF	International Monetary Fund
MRND	the Mouvement Révolutionnaire National pour le Développement
NC	Nepali Congress Party
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
RPF	Rwandan Patriotic Front
SSLM	The South Sudan Liberation Movement
SLM/A	Sudan Liberation Movement/Army
SPLM/A	Sudan Peoples Liberation Movement/Army
UN	United Nations
UNAMIR	the UN Assistance Mission for Rwanda
UNSCR	United Nations Security Council Resolution

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1. Introduction

Statebuilding operations can fundamentally transform power relations, political processes and the relationship between the state and its people. There is an understanding that statebuilding may offer important opportunities to strengthen women's rights, equality and participation. Despite of this, there are few women that have had the opportunity to participate in the statebuilding processes. By promoting gender equality in the core politics of statebuilding, women's rights and political and economical power may be strengthened. A result of this is that the process of statebuilding has profound implications for women's rights and their participation in the formal state.

Women are often more affected by extreme poverty and insecurity, weak state institutions and services, and dominance of informal power structures and in many of the countries that has experienced a need for statebuilding, traditional gender roles still exits. These countries are often characterized by high levels of gender inequality, and have restrictive social norms and attitudes that make it difficult for women to participate and have access to state and decision-making levels.

During the last years there has been an increased focus on these issues, and today the international community has committed itself to promote gender equality in fragile states;

"Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution" (S/RES/1325, 2000:1)

This increased attention shows that gender issues have shifted from being something a very few showed actual interest in, to becoming an important part of most debates and discussions on development (Smyth 2010:144).
In this research project I will study women's participation in statebuilding and how statebuilding can provide the different actors, namely states and international actors, an

opportunity to address deep-rooted gender inequalities. The research project will focus on the theoretical framework of statebuilding and women's participation by comparing different statebuilding efforts in South Sudan, Rwanda and Nepal and what these have done for women's rights and participation.

1.1 Motivation for the study

Although the international community and researches have started to focus more on the role of women and what effects women's participation has on statebuilding efforts, there is a lack of literature on how statebuilding affects gender and women in todays statebuilding efforts, and therefore it is vital that more research are focused on this. Through my masters degree study I have gained a deeper understanding of women and women's role, and how this is affected by the different norms, cultures and traditions that exist all over the world.

1.2 Problem statement

The processes of statebuilding have profound implications for women's rights and their participation in the formal state. My study will try to connect gender and statebuilding through different issues such as women's access to education, land and access and control over resources, as well as their participation in the formal processes of statebuilding.

1.3 Objective and research questions

Objective: To understand how gender roles affect statebuilding and how women's participation can enhance their rights and gender equality.

Research questions:
- To what extent are women able to be involved in local and state level government?
- What kind of challenges exists when it comes to including women?
- What is statebuilding?
- How does statebuilding affect gender roles?

- What is gender equality?

- What are the different power relations in a post-conflict setting?

- How do the different power relations influence women's rights and roles in a society?

- How were the statebuilding efforts conducted in Nepal, Rwanda and South Sudan?

- Was there a difference in how the conflicts ended and did this influence the post-conflict society?

1.4 Structure of the thesis

The thesis first starts with providing the reader with background information on the development of the statebuilding agenda as it relates to women's rights and participation. It includes a brief introduction on the different United Nations Security Council resolutions that deals with this issue, namely UNSCR 1325, 1889 and 2122. Chapter 3 is dedicated to the key concepts in the thesis and the definition of these. They key concepts used in this thesis are gender, gender equality, gender mainstreaming, statebuilding and peacebuilding. Chapter 4 is dedicated to an overview of the theories and approaches to statebuilding, and how these relate to questions about gender and statebuilding. These are Gramscian state theory, neoliberal approach, the institutional approach and approaches to statebuilding and gender. A chapter on methodology (chapter 5) follows chapter 4, where the research approach and the methods of collecting data are introduced as well as a discussion about the limitations of the thesis. Chapter 6 is dedicated to an overview of the different country cases that I have examined, and provides the background information that is necessary to understand the process of statebuilding that has occurred in the different countries. It also includes background information on women during the conflict. Chapter 7 include the findings for the research questions and a discussion of these. Finally, chapter 6 provides a conclusion based on the findings and the their analysis.

2. Background

There has been a gradual development of the global commitment to incorporate gender perspectives in peace and security issues. Long-term lobbying by women's and civil society organisations (CSOs) as well as the UN World Conferences on Women has contributed in moving this process forward. There are several events that are viewed as central in the development of the agenda.

In 1974 the UN General Assembly declared 1974 as the International Women's Year, and the firs World Conference on Women were held in Mexico City. As a result of this conference, the UN Decade for Women between 1976 and 1985 was established. During this period, issues like equality, development and peace were central themes (Mazurana et al 2005). It was also during this period that the General Assembly adopted the Convention of the Elimination of All Forms of Discrimination Against Women, CEDAW. CEDAW is often viewed as an international bill of rights for women that define what constitutes discrimination against women. It is also a part of an international legal framework that underwrite peace negotiations (Bell 2013). One of the aspects in CEDAW is that it provides the ' basis for realising equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life, including the right to vote and to stand for election, as well as education, health and employment' (UN Women, CEDAW). By ratifying or acceding to the convention, countries are legally bound to put its provisions into practice. The third World Conference in 1985 in Nairobi resulted in the Nairobi Forward-Looking Strategies for the Advancement of Women.

However, it was not until the Fourth World Conference on Women in Beijing in 1995, that the international global commitment to incorporate gender perspectives in peace and security issues took place. The conference resulted in the endorsement of gender mainstreaming as a global strategy for the promotion of gender equality (Mazurana et al 2005). The Conference also resulted in the Beijing Declaration and Platform for Action that recognises '12 different areas of concern that influenced women's advancement, such as armed conflict, power and decision-making '(Porter 2007, p.2). Furthermore, the Beijing conference influenced the international community to recommit to the issues of equality, development, human rights and peace.

Since the conference in Beijing, there has been an increased focus on women's participation in peacebuilding, or the lack of it. After an open discussion in the Security Council entitled 'Women, Peace and Security' on 24-25 October, 2000, the Security Council adopted resolution 1325 on women, peace and security.

2.1 Security Council Resolutions

The goal of UNSCR 1325 is to recognise women's roles and experience in armed conflicts, and that the participation of women in peace processes can contribute to the maintenance and promotion of international peace and security; *"Recognizing that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security"* (S/RES/1325, 2000:2). The resolution builds on earlier resolutions and conventions, in particular UNSCR 1261 (1999), UNSCR 1265 (1999), UNSCR 1296 (2000), UNSCR 1314 (2000), and relevant statements of its President (S/RES/1325, 2000, p.1) as well as the Beijing Declaration and Platform for Action.

Previously, the Security Council resolutions had treated women as victims of war, in need of protection. With UNSCR 1325 women were also recognised as 'agents in building peace and guaranteeing security ' (Pratt & Richter-Devroe 2011, p.490). It recognised the significant role women have played at grassroots level in rebuilding their communities in the post-conflict transition. The resolution calls for the need to increase women's representation at all levels of decision-making, in national, regional and international institutions. This is to ensure that both men and women are involved and participating in peace and security processes.

There are three issues that is a priority in UNSCR 1325; 'the representation of women in peace and security governance; the meaningful participation of women in peace and security governance; and the protection of women's rights and bodies in conflict and post-conflict situations' (Sheperd 2014, p.1). It calls upon local actors, member states, and the UN system itself, to adopt a gender perspective in peace operations, negotiations and agreement; *'calls on all actors involved, when negotiating and implementing peace agreements to adopt a gender perspective...'* (S/RES/1325, 2000, paragraph 8).

In this resolution, the Security Council expresses concerns that civilians, and especially women and children, are the ones that are most affected by armed conflict and therefore it also encourages that women and children must be protected according to humanitarian and human rights law during and after conflict. It stresses the necessity to uphold the laws and legal framework that exists for the protection of civilians in conflict situations, and to ensure that the actors responsible for crimes against humanity, genocide and war crimes, including sexual violence and other forms of violence, are persecuted. This marked a change, as sexual violence often had been viewed as a by-product of war, and not categorised as a weapon of war.

With UNSCR 1325, the Security Council provided a framework for women's role in the peace, security and conflict agenda. By emphasising the promotion and protection of women the Security Council has contributed in framing women's rights as a security matter. It has also increased awareness among international actors and opened up new spaces for dialogue (Hudson 2013).

There has however been a lot of critique of the 1325 resolution as well as critique of the whole 'Women, Peace and Security' agenda. The agenda has been criticised for 'lack of consistency, lack of concrete data, lack of political will and gender expertise' (Hudson 2013 p.1). In order to understand the difficulties in implementing the resolutions and identifying good practices it is essential to have enough data.

One critique is that the language of UNSCR 1325 promotes an essentialist and narrow view of women as 'communal peacemakers and mothers', and has framed women as 'naturally' contributing to conflict resolution and that all women share the same agenda (Hudson 2013). In this way it has not fully realised the diversity of women's priorities.

There have also been critiques that although UNSCR 1325 highlights the significance of women's agency in peace and security, it has failed to address the structural factors that may constrain women's participation. Sheperd argues that structural causes, such as poverty, that inhibit women from fully participating, are not fully explored and that in order to increase women's participation one needs to understand these structural causes (Sheperd in Pratt & Richter-Devroe 2011).

Since the adoption of UNSCR 1325 the Security Council has passed seven interrelated resolutions on the theme of 'Women, Peace and Security'. Security Council resolutions 1820, 1888, 1960 and 2106 is about 'the protection of women from sexualised violence in conflict, the creation of office of special representative of the secretary general on sexual violence in conflict, creation of UN Action, appointment of women's protection advisors (WPAs), development of conflict-related sexualised violence monitoring, analysis and reporting arrangements, integration of WPAs into field missions alongside gender advisors, and challenging impunity regarding and lack of accountability for conflict-related sexual violence' (Sheperd 2014, p.1).

The goal of UNSCR 1889 that were passed in 2009 is to strengthen the implementation and monitoring of 1325. A key issue in UNSCR 1889 is the need to increase participation of women in peace and security governance at all levels; '… *women's participation during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including by enhancing their engagement in political and economic decision-making at early stages of recovery processes* (S/RES/1889, 2009, p. 3). Another issue in the resolution is to create global indicators to map the implementation of UNSCR 1325 (Sheperd 2014). It also stresses the need for mainstreaming gender perspectives in all decision-making processes.

Security Council resolution 2122 were created with the sustained assistance and input from a variety of CSOs (Sheperd 2014). UNSCR 2122 is focused on the agency and meaningful inclusion of women in peace and security governance at every level. The resolution emphasises that '…*persisting barriers to full implementation of resolution 1325 (2000) will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making'* (S/RES/2122, 2013, p.1). The resolution further calls for more and meaningful civil society participation. This is a step forward, as UNSCR 1325 did not mention civil society at all. UNSCR 2122 recommends that civil society, including women's organisations interact with the security council more, and that mechanisms that promotes this be made available.

3.0 Conceptual framework

This section outline and define the key concepts used in the thesis.

In order to fully understand the research study the different concepts that are central to this thesis needs to be explained. These concepts are gender, gender equality, statebuilding and peacebuilding. When discussing issues as statebuilding and the empowerment of women it is also necessary to include the perspectives of men. This is due to the effect that statebuilding has on a society as a whole, not just women, and because there is a need to see the different roles and rights that men and women have in the specific contexts and societies.

Gender refers to the socially constructed characteristics of men and women. The different characteristics define which norms to follow and which roles that we have. They are constantly changing and evolving, and vary from society to society. Men and women are biological different but we are taught how to behave and which norms and roles that is suitable or not. Gender determines what is expected of us, what is allowed and what is valued in women and men in a given context. This is not something that is inherent within us, it is society that defines and decides which roles that we should have.

Gender equality refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys. The goal of gender equality is not to make men and women become the same, but to ensure that the rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality is not be mistaken with *gender equity* which refer to the fair and just treatment of women and men. Gender equity acknowledges that women and men have different needs and power based on their experiences and that these differences should be identified and addressed in a fair and just manner.

An important aspect of gender equality is to determine what kind of strategy to use in order to achieve this. *Gender mainstreaming* is one of these strategies. According to Hudson gender mainstreaming requires that there must be a gender perspective at all levels of decision-making, that the needs of women and girls must be taken into account, and that there is an equal participation of men and women in the maintenance and promotion of peace and security (Hudson 2010, p.44). In other words, gender mainstreaming is a strategy for promoting and achieving gender equality.

Women's empowerment is another term that is important to have in mind when discussing issues of women's participation in statebuilding efforts. The empowerment approach seeks to identify the "capacity of women to increase their own self-reliance and internal strength" (Moser 1989:1815). Women have the right to make their own choices and to influence the direction that change might take. According to Moser the empowerment approach "seeks to empower women through the redistribution of power within, as well as between societies" (Moser 1989:1815).

Statebuilding as defined by the OECD is 'an endogenous process to enhance capacity, institutions and legitimacy of the state driven by state-society relations. Positive statebuilding processes involve reciprocal relations between a state that delivers services for its people and social and political groups who constructively engage with their state' (Haider, 2014, p.4). Statebuilding is a long-term and political process that is concerned with developing an effective government based on law and general consent, and the allocation of power and resources (Castillejo 2013, p.29). Another definition of statebuilding is that statebuilding is the construction of legitimate, effective governmental institutions (Paris & Sisk, 2007). There are many different international organisations involved with post-conflict reconstruction, like the United Nations, the World Bank, the International Monetary Fund, and the Organisation for Economic Cooperation and Development. What these organisations have in common is that they all place great emphasis on the building of 'governance capacity' in developing countries (Paris & Sisk 2007), in other words, statebuilding consists of building effective, legitimate governmental institutions so that the war-to-peace transition is sustainable.

Statebuilding is a highly technical process that consists of many different processes like, political settlement, political governance, security and the rule of law, citizen voice and participation and the informal nature of power (Castillejo 2013). It has the capacity to 'transform power relations, political processes and the relationship between the state and citizens' (Castillejo 2011, p.1).

It is important to include a definition of what a state is in order to fully comprehend the idea of statebuilding. Without understanding what it is you want to build or rebuild, it is difficult to figure out how to do it and what kind of aspects to include. States are 'a set of reasonably stable institutions capable of regulating the societies and territories they govern, extracting the resources needed to sustain themselves and providing services to their populations' (Jones

2013, p.70). Lee Jones argues that there is an alternative perspective to define states, namely that 'states are an expression of power, not the result of rational design but the outcome of compromises struck between social forces' (Jones 2013, p.71). This perspective will be further analysed in the section about theories of statebuilding.

Peacebuilding as defined by the United Nations involves 'range of measures targeted to reduce the risk of lapsing or relapsing into conflict, to strengthen national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development (Haider 2014, p.4). Peacebuilding is a particular set of assumptions on how to best establish a durable peace within countries that has experienced conflict and violence and is therefore a post-conflict enterprise. Peacebuilding happens at all stage of a conflict, as it contributes to the creation and development of policies and programmes. It includes both formal processes, such as conflict resolution, peace negotiations, as well informal processes that are conducted at the local levels. The main goal of peacebuilding operations is to identify and support structures that will strengthen and solidify peace in the aftermath of civil strife (Paris 2004, p.18). The process of peacebuilding has gone through many changes, most of them happened during the 1990s with the end of the cold war and the conflicts that followed it. Due to this the United Nations became more involved with peacebuilding operations as well as peacekeeping missions.

The definition provided by the United Nations is just one of many definitions but as the UN was and has been highly involved in the three conflicts that are the main focus of this thesis it is important to include their definition. Other organisations that are involved in peacebuilding are the Organisation for Economic Co-operation and Development (OECD), the European Union, the International Monetary Fund (IMF) and the World Bank. There is however important to remember that these are just some of the organisations involved in peace and statebuilding.

4.0 Theoretical framework

In this section of the thesis there will be a discussion about different approaches to statebuilding and how they relate to the questions about gender and statebuilding.

4.1 Gramscian state theory

Today there are many different theories and approaches on statebuilding. All of them have their own ideas on how to best achieve their goal of building a stable and sustainable state, which often contradicts each other. One of these theories is Gramscian state theory. Gramscian state theory is based upon the belief that in order to build stable states it is important to have a deep understanding of what states are, how they are transformed and what factors that has lead to stability and fragility previously. Lee Jones argues in his article *'State theory and statebuilding'* that most of the approaches on statebuilding today operates with theoretical assumptions about these question without a complete understanding of them (Jones 2013). He further argues that the main approaches on statebuilding neglects the historical and sociological dimensions of state formation in the past and by doing this fail to understand that states have been formed by compromises struck between the different societal actors with power during that time: '*The state is not just a collection of institutions but expression of power; not the result of rational design but the outcome of compromises struck between social forces' (*Jones 2013, p.71). Gramscian state theory states that there have been different types of statebuilding efforts at different historical occasions. During the cold war the leading states, namely the US and the Soviet Union were mainly occupied with creating allies and were therefore more concerned with this than with the actual statebuilding process. After the cold war, the world saw many new states and conflicts, and it became more important to export the ideas of 'the western peaceful democracies'. The main focal point became about how one could transform the desired attributes of the western states in post-conflict environments.

The neoliberal and institutional approach, two of the approaches discussed, are more concerned with building institutions and the technical aspects of statebuilding, without taking into account the importance of social and political forces in the specific context in question. In these perspectives states are institutional entities that is tasked with regulating markets and societies (Jones 2013). In order to achieve this, statebuilding efforts are concerned with

establishing a rule of law, building capacity establishing a market-based economy and good governance. Both of these perspectives view statebuilding as a 'process of constructing institutions in opposition to the society they must govern' (Jones 2013, p.73). Thus, they fail to see that it is just not stable institutions and good governance that creates a stable and functioning state, but also a functioning civil society with a focus on building a strong socio-political bloc. Therefore statebuilding is a process of constructing institutions in opposition to the society they must govern. Instead of seeing what states have been and how they came into being, they construct boundaries between the state and society and focus on establishing state institutions that are, or should be, separated from society. In the neoliberal approach citizens' welfare and security are enhanced by strong institutions that are capable of dominating the territory, involve itself in society and control the unruly elements. In this sense it is the state that is strong on its own, not in relation with society.

In this perspective social conflict over power and resources has formed states into what they are today. Statebuilding is a conflict-ridden process in which many different social actors are involved and are inherently difficult and often violent. This is not just true for the states that have gone through statebuilding processes today, but also for the democracies in the western world that much of the theory on statebuilding is based on. Therefore, in order to create stable states and state institutions, actors involved in the process has to be focused on establishing a settlement among the dominant social and political forces in the country in question. By doing this, you ensure that the institutions that are established meet their interests and that they have an interest in maintaining them rather than transforming or overthrowing them. The state will in this perspective be most powerful and stable when it involves the social forces within its territory. But as Chandler argues, *'there is a tendency to separate statebuilding from the process of domestic politics in the state intervened in'* (Chandler 2007, p.81). This means that in many statebuilding projects, international administrations and interveners have excluded the local actors in the making and implementation of different policies.

But what about societies where traditional gender roles still exist? In these societies it is difficult to include women in processes that occurs outside of the home, and therefore they may not be part of the dominant social and political coalitions in the country that shape which institutions that emerged and how they are utilised? According to Jessop, states are more open to some agendas than others, and therefore have an inherent strategic selectivity (Jones

2013, p.75). This can be coalitions that share some of the same interests that the state apparatus sees as important. States are the focal point of much political struggle because they play a key role in structuring access to power and resources and they reflect the historical struggle between different social forces (Jones 2013). Even though international actors hope that they can design and construct rational institutions in post-conflict environments, there is a big chance that this may not happen due to the forces in a society that may have their own ideas and agendas on how they want the state to develop. It is however, important to have in mind that if one of the fractions in society manages to mould the state apparatus in their own interests without including other groups, these other groups may resist the emergence of state institutions and capacities that can damage their own interest. Jones argues that if this happens, the state that has been established may not be more than a shadow state, with institutions that only exist on paper and does not provide its population with the security and welfare that is important for them (Jones 2013). To avoid this, it is vital that compromises are struck between various elements in society.

The main idea in this perspective is that states are formed by history and a long battle for hegemony and the interests of the different social groups that exists. It is impossible to avoid social conflict from state-formation processes or to avoid the domination of social forces (Jones 2013, p.85). For statebuilding to succeed, domestic actors must focus on creating a relationship between the different coalitions that has the capacity to forge a stable and viable state. This is not something that will happen over night, it is a long-term process which local actors has to be in charge of.

4.2 Neoliberal approach to statebuilding / neoliberal institutionalism

One of the most mainstream approaches to statebuilding is a neoliberal approach. This approach is based upon the liberal peace theory that states that democratic forms of government are more peaceful and that 'democratisation and marketization foster peace in countries just emerging from civil wars' (Paris, 2004), therefore statebuilding should focus on building democratic states. This democratic state is a state with liberties, rights and possibilities, and in order to achieve this, institutions that create and maintain these rights and freedoms has to be established. It is based upon the belief that in order for a state to be legitimate it has to be organised around liberal-democratic principles. A state is legitimate

when there is an acceptance of its rule, by its citizens and by the international community. This acceptance, especially from the international community, centres on liberal principles of democracy and market. The idea is that war-shattered states can be transformed into stable market democracies. States are in this perspective 'institutional ensembles tasked with appropriately regulating markets and societies' (Jones 2013, p.72).

There is no blueprint or map on how to conduct statebuilding activities but many of these efforts have been influenced by the liberal values that many of the countries in the world adhere to. The goal of these activities is 'to create a state defined by the rule of law, markets and democracy' (Barnett 2006, p.88). Even though there is no exact blueprint or guidelines, there are certain components and aspects that are a part of achieving this liberal-democratic state. These are a political reform, constitutional change, economy reform, security sector reform and capacity building.

The outcome of statebuilding is entirely dependent on the terms of the political settlement. The political settlement forms the base of the state, and represents 'how the balance of power between elite groups is settled through agreement around the rules of political engagement' (OECD 2011, p.30). A vital aspect of democracy and legitimacy is elections. It is recognised that fair and free elections are a part of the democratic state. Therefore parliamentary elections are a vital part of statebuilding efforts. It is a way of ensuring that the whole society feels included in the process, which in turn contributes to the states legitimacy. It is important that this is an inclusive process in order for it to be successful. By building inclusive coalitions that is based on trust and social cohesion, the state-society relation that provides the foundation for the state is strong, trustworthy and legitimate (Knopf 2013). This reduces violence and instability at the same time as it contributes to development and growth. The international donors in this process can champion inclusiveness, but if the participants at the negotiation table are not willing to adhere to this it is difficult for the donors to do something about it.

For the state to be strong it has to strong institutional checks and balances, such as electoral management bodies, legislatures, courts, political parties, independent media, a functioning civil society, and a professional security sector. This all relates to the states ability to function and provide its citizens with basic services and provide for their security. These systems and institutions have to be accountable in order for them to provide an institutional reform, which

is very often necessary in a post-conflict setting. The basic concept of a constitution is that it it's the formal rules for how the state will function, the rule of law. Therefore, a constitutional change is an important aspect of the neoliberal approach. A constitutional reform provides accountability for the state. It should include the rights of the individuals, and secure that the people and especially the government is governed by the law, and not by its own individual interests.

The security sector also needs to be reformed after a conflict. This relates to communities security need that is based on both the security and justice sector. After conflict, these areas needs to be reformed so that they can function properly and contribute to the security and social cohesion of the country. The core security actors are the armed forces, police, border guards, customs, immigration and intelligence and security forces as well as the justice and law enforcements institutions. The OECD states in its *OECD DAC Handbook on Security Sector Reform* that 'security from disorder, crime and violence is fundamental for reducing poverty… and for sustainable economical, social and political development' (OECD 2007, p.20), and that the 'the overall objective of international support to security system reform processes is to increase the ability of partner countries to meet the range of security and justice challenges they face, "in a manner consistent with democratic norms and sound principles of governance and the rule of law".(OECD 2007, p.21). As a result of this the army needs to be reformed and demilitarised. This also needs to happen with the forces of the rebel group. The army, or other forces, are often the source of insecurity for the community, as they often are untrained and illiterate. Within the justice sector, fair and transparent justice institutions that can either supplement or replace the customary institutions in the countries that often are not accessible for everyone in society.

The neoliberal approach is also concerned with good governance, meaning the responsibility of the government to provide its citizens with basic services and security, establish institutions that are participatory, accountable, transparent, effective, efficient and responsive. Within this perspective, a state that has weak governance, inappropriate policies and inefficient institutions is a fragile state (Jones 2013). Therefore, statebuilding efforts should be concerned with measures that provide good governance. One of these measures is to establish efficient public administration that is capable of managing citizens' expectations. Corruption is often a major problem in many of the countries that are in a post-conflict

setting, and statebuilding efforts should therefore concentrate on anti-corruption efforts and transparency.

The economical aspect of the neoliberal approach to statebuilding is focused on a marketization of the country, in other words a movement towards a market-oriented economic model. This economical realm includes '…measures aimed at minimising government intrusion in the economy, and maximising the freedom for private investors, producers and consumers to pursue their respective economic interests' (Paris 2004, p.5). It is based upon the idea that peace and development is an outcome of the free market. Countries in a post-conflict setting are recommended to accept a market-based model, in order to receive loans and help from both the IMF and the World Bank. This can be done by establishing more open financial markets, and encouraging private owned businesses, and securing property rights.

4.3 Institutional approach

The institutional approach views statebuilding as a process of constructing and strengthening institutions that is necessary in establishing a strong and effective state. It is influenced by Weberian sociology concerning the state and legitimacy and is focused on the capabilities of institutions to secure the states grip on society. Weber's definition of the state is that it is 'a human community that successfully claims the monopoly of the legitimate use of physical force within a given territory (Weber 1948, p.28 in Lemay-Hébert 2013,p.4). This definition forms the basis for the institutional approach, which is that statebuilding efforts have to focus on the administrative capabilities of the state and the ability of the state institutions to secure its power and its citizens. Statebuilding in this perspective involves 'strengthening institutions to restore their capacity to dominate their territories, 'penetrate' their societies and subdue unruly elements, restoring their absolute supremacy in order to enhance citizens' security and welfare' (Jones 2013, p.73). The strength of the state is equated with its institutions, and therefore the collapse of the state is understood in terms of the collapse of these institutions (Lemay-Hébert 2013). The institutional perspective then view state failure as under-development. In other words, the state fails because it does not have the institutions that are necessary to keep society in check.

The strength of the state is related to the capabilities of its institutions ability to secure its grip on society. This is done through providing the citizens with public political goods that secure the states legitimacy. These goods may be related to a transparent equitable political process, education, medical and health care and security issues. Thus, statebuilding is defined in a more technical and apolitical term, which deals with the reconstruction of the state instead engaging with society and the cohesion between the state and society.

Statebuilding efforts that are influenced by this perspective then form a distinction between the state and the society. Unlike the statebuilding perspective influenced by Gramscian state theory, which view state-society relations and social-cohesion as the founding blocks of the state, the institutional approach believes in the idea that the strength of the state is not related to society, in other words, either the state is strong or society is strong. Thus, 'state institutions are, or should be, autonomous from society, a supreme authority with a capacity to dominate populations in line with their monopoly over the legitimate use of force' (Jones 2013, p.73). Statebuilding efforts should therefore focus on the capabilities of the state institutions and develop good administrative processes.

There are many different views on the role the international community should have in these operations. Should they use a light footprint approach or should they focus on the theory of more is better. The light footprint approach is about allowing the local political, social and economic life to decide and control over the process of reconstructing the state. The more is better approach is the opposite of this; the idea is that the reconstruction of a post-conflict state can only be achieved through long-term efforts by external donors.

The institutional approach and the neoliberal approach are both concerned with building strong institutions but the institutional approach believes that this has to be done before the liberalisation processes. Paris argues that in order for statebuilding efforts and the transition to be successful, statebuilding operations should be focused on 'construction the foundations of effective political and economic institutions before the introduction of electoral democracy and market-oriented adjustment policies' (Paris 2004, p.179). This is a strategy of institutionalisation before liberalisation. Political stability and the establishment of effective administration are vital in the post-conflict period. Paris further argues that it is not until a working and effective governmental authority is established that statebuilding operations should focus on democratic and market-oriented reforms. There are several elements on how

to achieve this; postponing elections until moderate political parties have been create; designing electoral rules to ensure that the process is participatory and transparent; encouraging the development of civil-society organisation; promoting economic reforms that moderate societal tensions; developing effective security institutions and a professional neutral bureaucracy (Paris 2004, p.188). All of these aspects will contribute to the establishment of the institutions that are necessary for a state to be strong, effective and efficient.

4.4 Statebuilding and gender

International statebuilding efforts and theory has in largely been blind to gender questions, and it is not until the latest decade or so that this has changed. There are many different reasons to why there has been a lack of women in peace and statebuilding efforts. In many of the countries that has experienced a need for statebuilding efforts traditional gender roles still exist and these countries are often characterised by high levels of gender inequality. Women are the ones that take care of the home and the family while the male is considered the head of the household. These restrictive social norms and attitudes make it difficult for women to participate, as well as it is difficult for women to have access to the state and decision-making levels. There has however been, an increase on the attention on gender issues.

Out of the 24 major peace negotiations since 1992, 2,5 % of signatories, 3,2 % of mediators, 5,5 % of witnesses and 7,6 % of negotiators were women (UNIFEM Report 2010, p.3). This shows that although there has been an increased in the attention of these issues, there are still a long way to go for women to be involved in formal peace negotiations and statebuilding efforts. It is however, important to remember that although women often do not participate in the formal processes, they are often more involved at the informal and local level. This does however not make up for the fact that women are underrepresented at the peace negotiations, where crucial decisions about post-conflict recovery are made.

Many of the different processes of statebuilding can provide an opportunity to address gender inequalities, but if this is to happen, women has to be involved in the decision-making processes that determine the statebuilding agenda. But as Castillejo argues, women's ability to influence statebuilding processes are limited by structural barriers and opposition from

elites within the country (Castillejo 2011). Gender has mostly been sidelined as special projects, instead of being treated as a political issue that has to be integrated into the central statebuilding frameworks. An important question to ask then is how the international community, and the local actors, can better integrate gender into its statebuilding support and the promotion of women at all levels? And what role do women play in statebuilding?

Castillejo argues that gender has to be integrated into the core politics of statebuilding: political settlement negotiation, democratisation, civil society participation and engagement with informal power (Castillejo 2012, NOREF report).

The renegotiation of the political settlement is an important aspect of statebuilding models. The political settlement is where the framework for statebuilding is written, peace agreements are outlined as well as a new constitution is drafted. The OECD defines political settlement as an 'agreement on the rules of the game, power distribution and the political processes through which state and society are connected' (Castillejo 2011, p.2). The participants of these formal negotiations are almost always the elite in the countries, as they are the ones with the power to threaten the security of the state. Women are most often not part of the elite and therefore are not included at the negotiation table. This contradicts the international commitment to the 1325 resolution on women, peace and security. One explanation on this is that the international community has limited influence on who sits at the negotiation table, and there might be a fear of disrupting the fragile political settlement.

If women are not included at this level, they are most likely not able to influence what direction the new state might take. There might also be meaningful formal power changes, but in spite of this the old informal 'rules of the game' may prevail. If this is the case, then it does not matter for women and other groups in society that is not part of the elite that the formal rules have changed. During the conflict women often take over the roles of the men in the household and community. In some cases women have also joined the fighting. During this period women are the ones that are a part of public life, and the power relations in society will change because of this. However, after the fighting stops, society often transform back into the traditional gender roles that existed before, and women loose the power that they gained during the conflict. The culture and customary traditions of the society also play a role in women's participation. In many countries it is the old chiefs or customary institutions,

which are involved in the formal politics. Women are not a part of these institutions and these might view women's participation as a threat to traditions or themselves.

Democratisation and electoral reform processes are consequences of post-conflict settlements. In these discussions the international community strongly promotes the adoption of parliamentary quotas for women to increase their political participation, even though they are often more concerned with the technical aspects of it rather than the political ones. According to Castillejo, it appears that women also have been successful in influencing these processes even if they have initially been excluded from the formal negotiations. As a result of this some of these countries have high levels of female representation. But quotas does not always result in more gender sensitive polices and substantial influence. There are many reasons for this, one of them being that even though there are increased numbers of women in legislature, they are not often in the decision-making roles. There is also evidence that the women elected through these systems does not advocate gender issues or engage with women's civil society (Castillejo 2013). This might be because the women elected are socially conservative concerned with traditional values and norms, or that they are afraid of challenging their party and party leaders who are mostly male. It is also important to remember that women elected to public office do not necessarily share the same political agenda or prioritise gender issues, as is the case with men as well, it is not necessary to share the same agendas or interests of all men to be elected. Furthermore, women might face social stigma for advocating these issues, and women candidates may be particular targets for political violence, or in many cases it is difficult for women to take part in networks that are male and elite-dominated (O'Conner 2011). Without acknowledging and dealing with these challenges women's equal participation will be difficult to achieve.

Economic opportunities for women in a post-conflict setting are shaped by the culture and tradition in a society, as well as their access to education and economic resources like land. Education has normally been reserved for men, and the few women who are part of the elite. Due to this there are high levels of illiteracy in the female population of many countries. Without a proper education it may be difficult for women to fully engage in the economic and politic opportunities that often arise in a post-conflict setting. Access to resources like land is also an important part of this. This also relates to the social mobilisation of women and the different women's groups in countries. Women who are a part of the elite most often lead the organisations that are involved in the processes of statebuilding, and therefore the

international community and local negotiators fail to include the groups that are at the grass-root level. How can one then expect women to participate if there is no real opportunity for them to do so?

During the political settlement a new post-conflict constitution are often written. This is an opportunity for society to enhance women's rights. However, there are often a gap between the constitution and national laws and justice institutions. These are often based on customary laws and tradition that are still highly valued in society and where women's rights are not included.

5.0 Method

Method tells us how to approach a subject, and how we should proceed in order to gain new knowledge. It is a way of solving the problems that we want to figure out. A method is then any kind of process that serves the purpose of solving problems and gaining new knowledge.

5.1 Research approach

This thesis has been conducted with a literary approach. This approach does not have a certain kind of method like interview, observation or questionnaire. The method of this approach is instead about the process of how the research was conducted (Dalland 2012).

When I started researching for this thesis the first thing I did was to formulate a problem statement that consisted of the elements I wanted to study. This is important to do, so that one has an understanding of what it is that you want to find out, before you decide on how to do it. Initially, the idea was to research the statebuilding operations that took place in South Sudan after the country became independent. As a result of not being able to travel to South Sudan due to the outbreak of conflict in the country, the research project had to change direction. Instead of only analysing the statebuilding efforts that had taken place in South Sudan, I decided to analyse the different statebuilding operations in South Sudan, Rwanda and Nepal with regards to women's participation. One way of doing this is by comparing and contrasting the different cases and figuring out if there are similarities between them or not, and how these similarities or differences affected women's rights and participation.

After I had formulated the problem statement and decided on which cases the thesis would discuss, the objective and research questions had to be formulated. The objective forms a basis for what it is that you want to do, and is clearly derived from the problem statement. The research questions are clear questions that crystalizes what you want to know.

These choices that I made at the beginning of the project, helped me to create a plan on how I would proceed in writing the thesis.

5.2 Method of data collection

A literary approach is based on prior knowledge and therefore the process of searching for relevant literature is a vital part.

By deciding and formulating the problem statement, the objective and the research questions before I started to search for literature, I was able to have a clear and concise idea about what kind of sources I would need and how I could find them. This also contributed to making the process of literature search more efficient. When doing literature search it is important to first have an idea about what it is that you want to find. By extracting words and questions from your problem statement, objective and research questions you can create search terms that will help you find information. I started out with using search words as gender and statebuilding, statebuilding in post-conflict situations and women's participation. This helped me get an idea about what kind of information that existed on the subject of my thesis. I also searched for relevant information with regards to the specific country cases that I was examining.

In the beginning I searched for journal articles, books and policy papers related to the subject of the thesis. I also used a kind of snowball sampling when finding new literature, by looking at the text that I had found and what kind of literature that were used in these. By doing this I was able to find information that I did not find in my initial search. I continued to search for new relevant literature as the study went on. I found that there are many articles that relates to the subject of women and peacebuilding and women and statebuilding.

As a researcher it is important to be aware of your own values, and how these values influence your understanding of theories and concepts, therefore it is important to be aware that the articles, books and policy papers that might be used as sources in the paper, also will subconsciously be coloured by this. I have made an effort to be aware of this, and choose sources that are from different points of view.

The sources that I have used in this paper can broadly be divided into four categories. The first one is the theories on statebuilding. The theories on statebuilding have been used in order to understand statebuilding and what it is. They have provided me with a deep understanding of the different types of approaches one can take to statebuilding. In order to

understand and analyse women's participation in statebuilding on has to first understand the subject of statebuilding.

The second category is gender and statebuilding. The literature in this category is centred on how women can be included and how this has been done before, if it has been done. This includes articles and books that focus on women in conflict, gender and statebuilding as well as statistics on women's participation in peace negotiations.

The third category can be defined as country cases. This includes literature that has provided me with an historical background on the conflicts in Rwanda, Nepal and South Sudan. This is directly linked to the category of theories on statebuilding. In order to understand the different statebuilding operations that have taken place in the different countries, one has to understand how the conflict ended and what kind of conflict it was.

The fourth category is the legal documents. The sources in this category are the peace agreements on the conflicts in Nepal and South Sudan, the constitution of the countries and the Security Council resolutions that pertain to women's rights, women's participation and statebuilding ('Women, Peace and Security'). I have also looked at legal frameworks, like the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW.

5.3 Limitations and challenges

The primary limitation is that the thesis is based on secondary sources. If I had conducted my own research in the countries in question I believe that I may have gotten a more in-depth analysis on women's participation in statebuilding efforts. I believe that when you travel to a country, talk to the people living there, and experience the culture and traditions yourself, you may get a deeper understanding of the situation and recognize the challenges facing, in this case, the women living there.

As mentioned in part 4.2 it is important as a researcher to be aware of your own values and how these values influence your understanding of theories and concepts, and that secondary sources may be coloured by this as well. I have tried to be aware of this as much as possible,

but my view will in the end be coloured by my experiences as a woman that believes in the equality of women and that all women should have the right to participate.

6.0 Study area

This section will give an historical background on the conflicts in Rwanda, Nepal and South Sudan.

6.1 South Sudan

South Sudan is a small country in the east-central Africa. It is a landlocked country that is bordered by the Republic of Sudan, Ethiopia, Kenya, Uganda, the Democratic Republic of Congo and the Central Africa Republic. It has a population of about 11,7 million people (World Bank 2014).

On 9 July 2011 the independent state of South Sudan was established. This was an outcome of the 2005 peace agreement between the SPLM/A and the government of Sudan that ended one of Africa's longest and brutal civil wars. The struggle for independence started with Sudan's independence from Great Britain and Egypt in 1956 and ended with the January 2011 referendum to secede from Sudan.

6.1.1 Historical background

Independence and the first civil war

Great Britain colonialized Sudan in 1899, but it was not until 1916 when they took control over the Darfur province that they controlled the whole territory of Sudan. Great Britain and Egypt controlled Sudan under a joint-rule were Egypt administered the territory with the help of local Muslim leaders in the north through a system of indirect rule (Young 2012), the south however continued to be ruled by local tribes and traditional structures. The British favouritism of certain tribes created a sophisticated and politically active community in the north while the communities in the south were almost completely neglected. In the northern territories the British developed infrastructure and an educational system, which produced a class of tenant farmers, industrial and transport workers (Young 2012). In the southern parts of Sudan the British only focused on security issues, and as a consequence the south received nothing in development assistance. An outcome of this was that there was very little

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infrastructure that was developed and there was no educational system (ICE case studies 1997).

In order to have control over the whole territory and maintain security the British introduced 'closed districts'. In this way the south was administered as virtually a separate state from the north. The 'closed districts' meant that northern merchants and others could not travel to the south. This divide contributed to the belief that the north and south were two different countries, and it created a separate southern identity from the north. Unlike the people in the north, where most were Muslim, the people in the south were mostly Christian or they believed in traditional religions. These different belief systems also contributed to the fostering of separate identities.

Due to pressure from within Sudan and from Egypt as well, Britain and Egypt signed a treaty in 1954 guaranteeing Sudanese independence from 1. January 1956 (Bubenzer & Stern 2011). During the process of decolonisation, northerners filled most administrative posts and in this way received most of the power as well. In the 1953 elections to establish the independent parliament, southerners were excluded from 'actively participating in the decision-making with regard to the future administration of the country' (Bubenzer & Stern 2011, p.xv). The majority of the people in Sudan lived under conditions of poverty and there were fierce competition over social and material resources. Due to this it was essential to have control of the state power in order to have access to welfare (Young 2012, p.3-4). This power was based around an elite in the capitol of Khartoum that controlled everything for their own benefits as well as that of the northern population. Because of this many in the south felt that they were just replacing one colonial authority for another (Young 2012), and it lead to more frustration amongst the people in the south, and was a motivating factor behind the rebellion that started the first civil war in 1955.

The mutiny started in a military garrison in Torit, but it soon spread to other garrisons across the South. The civil war that broke out between the north and the south was a result of the southerners' fears that the north would dominate the new independent state. The rebellion transformed itself into the Anya-Nya movement whose main focus was to separate the two regions and establish the state of South Sudan. The Anya-Nya movement was the military wing of the South Sudan Liberation Movement.

The first civil war of Sudan became very costly both in lives and resources, and in 1972 it ended with the Addis Ababa agreement. The agreement came into being after an extensive peace process led by the World Council of Churches, the Sudan council of Churches and the African Council of Churches (Bubenzer & Stern 2011), and was signed by the SSLM and the military leader of Sudan, General Ghaffar El Nimieri. The agreement gave the South regional autonomy, and the autonomous administration that came into place governed within borderlines determined by the British, and what later became the independent state of South Sudan (Biel in Bereketeab 2012).

The second civil war

After the Addis Ababa agreement peace lasted for eleven years, until 1983 when war broke out again after President Nimieri's government failed to honour key elements in the agreement. He feared that the south would be an obstacle to the islamization of Sudan, and therefore he attempted to weaken and fragment the region. The south was divided into three administrative regions, Islamic Sharia law was imposed on the whole country, Arabic was made the official language in the south and the borders were changed (Bereketeab 2012, Young 2012). The redrawing of borders was a result of the discovery of oil in Bentiu in the south in 1978, which the government in Khartoum wanted control over. In the end, it was the oil industry that made the independence of South Sudan possible (Young 2012), as was it was and still is a very important economic resource for the south.

The second civil war, which started with army units rebelling in Bor, Upper Nile, became known as the Anya-Nya Two and focused on building a 'New Sudan'. The new struggle for liberation was led by the SPLM/A that fought for 'self-determination of the whole country' (Bereketeab 2012, p.10) and the idea of 'New Sudan'. Dr. John Garang, a colonel in the Sudanese army, established the SPLM/A in 1983. He was originally sent by the Sudanese government and army to stop the rebellion but he decided instead to join it. The idea behind 'New Sudan' was self-determination for the whole people; the uniting of all of Sudan. They also wanted to get rid of the government in Khartoum, which they believed had influenced the country in a negative way since independence (Bereketeab 2012, p.10). Under Garang's leadership the SPLM/A fought for a united Sudan, but there were other people in the movement that wanted to move away from the notion of 'New Sudan' and establish their own country in the south. Some of these people broke out from the movement and established

their own groups as well. However, the SPLM/A continued to work for unity until the death of John Garang in 2005.

As in the first civil war, marginalisation of the southern regions and exploitation by the government, were important underlying causes that fuelled the second civil war. Religion, culture and ethnicity also played a crucial role in both the first and second civil war. The discovery of oil in the end of the 1970s and early 1980s were also important factors in the conflict. Unlike the first civil war, the second civil war is characterised by its regional alliances and cross-border movements of armed groups. The governments in Ethiopia, Eritrea, Uganda and the US were some of the external actors involved. Some of these provided, amongst other things, money, locations for training camps for the SPLA and weapons. In this way the second civil war in Sudan involved its neighbours and became a much more regionalised conflict than the first. The discovery of oil also played a important role; as the oil was discovered the US position against the SPLM/A changed. This was most likely due to the possibilities that oil brings with it, like production and export (Bereketeab 2012).

In 2005, after thirty months of negotiations between the government in Khartoum and the SPLM/A, the Comprehensive Peace Agreement (CPA) was signed and the second civil war was over. Among the main resolutions of the CPA was the division of Sudan into to separate parts, where the ten southern states of Sudan were put under administration of the SPLM. The SPLM would administer the region by establishing a government of South Sudan (GoSS). Another term of the agreement was that the south would be autonomous for six years, (from 2005 to 2011), and this was to be followed by a referendum on independence. During this period the government of South Sudan would join together with the government in Khartoum to create a government of unity, where the president of South Sudan would also be the vice president in Sudan. Other terms dealt with the issues of where the border should be if the south became independent, and the equal distribution of oil revenues.

On 9 January 2011 the referendum took place, and with more than 99 per cent of the votes in favour of secession, the independent state of South Sudan was established on 9 July 2011.

6.1.2 Women during the conflict

Many women joined the liberation struggle during the civil war in Sudan. Their roles have largely been 'unrecognised and undocumented' (Bubenzer & Orly 2011, p. xii). Women had to take on new roles and responsibilities for their families as the men joined the army. Many women also joined the liberation struggle. They were combatants and acted as teachers, nurses and farmers. Women were also the victims of violence, and experienced rape, abduction, sexual slavery and labour exploitation by both sides. There were also rising levels of domestic violence and an increase in child marriages, as many were poor and needed the cattle or money that the marriage would bring.

The majority of women that joined the liberation struggle took on supporting roles, like carrying supplies, cooking and caring for soldiers, and logistical and administrative support. There were however some female fighters. In 1984 the SPLA formed a female-only battalion called Kateeba Baanat (Bubenzer & Orly 2011). The battalion was trained in Ethiopia. However, the battalion were only involved in one attack, which failed. After this they were given the task of supporting the fighting troops, supplying ammunition and treating the wounded. Several other female battalions were established, but they were given logistical and administrative roles.

6.1.3 The Comprehensive Peace Agreement

The Comprehensive Peace Agreement is a set of agreements between the Government of Sudan and the SPLM/A. The goal of the CPS was to end the second Sudanese civil war, develop democratic governance throughout the country and the sharing of the oil revenues. It was to form the basis of a framework for the governance of the country, with a joint government between the north and the south. Amongst its principles was to address the root causes of the conflict and the equality, respect and justice for all citizens of Sudan. The CPA mostly dealt with issues of power sharing between the two parts of the country, wealth sharing and the security of the state and its people.

Although women did play a part in the conflict in Sudan, they were not active participants in the peace negotiations. However, women did take part in the various rounds of negotiations

that led up the CPA, but the few women that were a part of the SPLM delegation reported that 'they often were co-opted on short notice and ignored' (UN Women 2012, p.8). A UN report on women's participation in peace negotiations states that there were '0 per cent women signatories to the agreement, 9 per cent women witnesses and 0 per cent women lead mediators (UN Women 2012).

One of the most important outcomes of the CPA was the division of Sudan into two separate entities, where the ten southern states of Sudan were put under administration of the SPLM/A. The goal of this process was, as it is stated in the agreement that the two administrations would join together and create a government of unity with democratic principles that would work together to govern the country and create conditions so that the unity of the territory would be attractive. Article 1.2 in Part A in the CPA states that the '*people of South Sudan have the right to control and govern affairs in their region, and participate equitable in the National Government'* (CPA 2005). There would be an interim period of six years, and after this period there would be a referendum on the secession of the southern territory where the people of South Sudan will vote on unity or secession.

Even though the CPA did address the civil, political, economic and social rights of the people of Sudan, the agreement has been criticised for in many ways being gender blind. It did not address the 'structural injustice in the country in an inclusive manner' (Bennet et al. 2010 p.121). The discussions around the sharing of power and wealth were largely centred on the political forces within the country and regional interests. The issue of gender inequality was in this way not viewed as a security matter, and the role that women may have in conflict, and post-conflict situations were not addressed.

6.2 Nepal

Nepal is a landlocked country that lies between China in the north and India in the south, west and east. It has a population of about twenty seven million people (World Bank 2013). Nepal is roughly divided into three geographical regions; the Himalayan range, valleys and hills, and the Terai belt (Sharma 2006). Most of the economic activities in Nepal are located in the Terai belt, which has highly fertile land that is suitable for commercial agriculture.

In May 2008 a federal democratic republic was established in Nepal. This was the culmination of a 10 year long civil war that started in 1996 and ended with a peace agreement between the Maoist insurgents and the government in 2006.

6.2.1 Historical background

Nepal, unlike many other countries in South Asia, was never under colonial rule. Nepal was instead ruled by monarchs from 1768, when the country was unified, to 1846 when the powerful Rana family seized the power from the royal family. The Rana family ruled Nepal for 104 years until 1950. The Rana family established a hereditary line of powerful prime ministers and took away the Kings political power. They ruled the country as they themselves wished, and did not consider its people. During the last years of the Rana rule the prime minister attempted to establish a written constitution in order to calm the criticisms of there rule from new pro-democracy groups (Thapa & Sharma 2009). This attempt however failed and in 1951 King Tribhuvan returned from India to rule Nepal together with a government consisting of the newly formed political party Nepali Congress Party (NC). However, the King failed to hold promised elections to a Constituent Assembly, which contradicted the Interim Government of Nepal Act in 1951 that ended the Rana rule, and he also amended the act so that an absolute monarchy was again in control of the country.

In 1955 King Mahendra succeeded King Tribhuvan and in 1959 he issued the Constitution of the Kingdom of Nepal. During this time a multiparty political system emerged and gave the people of Nepal, for the first time, an opportunity to contribute to the building of a modern democratic Nepal. The first parliamentary elections were held in 1959 and nine political parties participated, with the NC party winning an overwhelming majority. The Communist Party of Nepal also emerged as a major political party. However, in 1960 King Mahendra

dissolved parliament, dismissed the cabinet and ended the multi party system. He instead introduced a single party system, known as the Panchayat System and all the executive power was given to the King. In the Panchayat system, villages became self-governing through a chosen group of elders (Thapa & Sharma 2009). As all political activity was banned, the political parties went underground.

In 1979 student unrest forced King Birendra, the son of late King Mahendra, to introduce some political reforms, but the Panchayat regime continued until 1990 when political agitation gave way to political transformation. The popular movement was called Jana Andolan I and was led by the NC and United Left Front (ULF), along with a range of communist factions and was committed to restoring multi party politics. As a response to this the King introduced a new constitution in 1991, which gave executive power to the democratically elected government and the king became a constitutional monarch. The king was now head of state, while the prime minister was head of government. The new constitution also provided for basic human rights. Despite these changes, the state and bureaucratic power remained with a small elite, composed of ethnic groups that only made up less than 30 per cent of the population. The remainder ethnic groups were excluded from power (Thapa & Sharma 2009).

By the mid 1990s there was rising levels of corruption, and an increase in poverty and inequality in Nepal. This combined with political instability, weak governance and bitter intra-inter-party fighting among the leaders provided for a fertile ground for civil war. In an effort to attract more foreign investment the government deregulated the economy and several companies and businesses were privatised. This led to an increase in the rural-urban inequality as most companies as most businesses were located in the more urban areas of Nepal.

A "war of liberation" erupted with the launch of the janayuddha (people's war) on February 13 1996 by the CPN-M. The civil war started in the three western hill districts of Rolpa, Rukum and Jajarkot (Thapa & Sharma). Politically, the CPN-M wanted to establish a secular, federal, communist state, which would rule through a Constituent Assembly. The agenda of the Maoist party was to end the feudal monarchy, nationalise state resources and the redistribution of wealth and land to all the people of Nepal. Due to the high levels of inequality between the rural and urban areas of Nepal, the Maoist party had significant

support in the rural and remote areas, especially amongst the younger people, who joined the fight against the political system and economical policy.

The Maoist party submitted a 40-point agenda to the prime minister that had three key demands – people-centred government, a self-reliant economy and nationhood. It called for and end to 'the special privileges of the king and the royal family, it sought and end to social and political inequalities, ethnic/cast disparities and discriminations against minorities and disadvantage groups' (Thapa & Sharma 2009). The civil war in Nepal was, unlike many other civil wars, an internal political conflict, in which both sides fought to control state power. There was not a threat to the state itself, because none of the parties to the conflict wanted to change the border or the population structure. The people's war in Nepal was underpinned by poverty, inequality and discrimination (Aguirre & Pietropaoli 2008).

In June 2001 King Birendra and his immediate family were killed and the kings younger brother, Gyanendra, ascended the throne. The new king promised to build a meaningful democracy and restore peace to the country. However, the people of Nepal were critical to his rule due to his extensive business interests, authoritarian inclinations and he showed little interest in the welfare of the people of Nepal. When he ascended the throne, he alienated the political parties that were committed to a constitutional monarchy, and as a consequence they grew closer with the anti-monarchist Communist Party of Nepal-Maoist (CPN-M). Furthermore, he centralised all power, made himself head of state, head of government and supreme commander of the army (Thapa & Sharma 2009). Due to his actions, factions within the CPN-M resolved their differences and the CPN-M became a united party, as well as the seven political parties that were represented in the dissolved parliament formed the Seven Party Alliance (SPA). The SPA was formed to coordinate the fight for a return to democracy. The SPA and the CPN-M joined together, and in just 19 days, between April 6 and April 24 2006 the royal regime collapsed. The popular movement of Jana Andolan II brought down the royal regime through mass protest and political action.

Later in 2006, peace negotiations between the CPN-M and the government finally resulted in a peace agreement and in November 2006 the agreement was signed. In January 2007 an interim constitution was drafted. However, the Maoist continued to press for the abolition of the monarchy and in December 2007 the interim coalition partners were forced to support a legislative resolution initiated by the CPN-M, which would transform Nepal into a federal

democratic republic. In May 2008 the king abdicated and the monarchy was abolished and elections to the constituent assembly were held on 10 April 2008.

6.2.2 Women during the conflict

The conflict in Nepal contributed to a change in the traditional gender roles. Women started to work outside of the home and became active in the public sphere. They took over as the heads of households, responsible for earning a livelihood, and challenged authorities. This is a change that is common in all conflicts, as men take up arms and participate in the war; women have to take over their roles and responsibilities.

But what was also the case in Nepal was that many women joined the ranks of the People's Liberation Army (Aguirre & Pietropaoli 2008). Many of the women that joined, were young and from poor, marginalised castes and ethnic groups as well as rural areas. The political wing of the Maoists, released a memorandum that demanded that the 'patriarchal exploitation, and discrimination women should be stopped' and that 'the daughter should be allowed access to paternal property (Aguirre & Pietropaoli 2008, p.360) This fight for social injustices attracted many women, as they believed that the fight for democratic rights and social and economic injustices also should include women's rights (Aguirre & Pietropaoli 2008, p.360).

There were many human rights abuses in the conflict in Nepal, and both men and women were victims of this. Women were victims of rape and other sexual abuses and many died, were injured or became homeless.

6.2.3 The Comprehensive Peace Agreement

The conflict in Nepal was dominated by concerns over economic and social injustice, and this influenced the Comprehensive Peace Agreement as it addressed a 'wide range of human rights' (Aguirre & Pietropaoli 2008, p.372). This is evident in the text of the preamble, which states that it pledges to '*forward-looking, restructuring of the state by resolving the prevailing problems related to class, ethnicity, regional and gender differences*' (CPA 2006, preamble). The CPA 'paved the way for a process of institutional reform to 'build a new Nepal' and manage arms through UN assistance' (Rasaratnam & Malagodi 2012, p.318). The

CPA deals with issues such as the political, economic and social transformation and conflict management, management of the army and arms of both the Maoist army and the Nepali army and compliance to human rights, fundamental rights and humanitarian law.

Even though the women in Nepal were active participants in the conflict women were mostly excluded from the peace negotiations. A UN report on women's participation in peace negotiations states that there were '0 per cent women signatories to the agreement, 0 per cent women witnesses and 0 per cent women in the negotiating teams' (UN Women 2012). Although women were excluded from the peace negotiations, women's rights and participation is dealt with in the CPA.

There are some articles that directly deal with issues regarding women and other groups in society. One of these are article 3.5 that states that *'in order to end discriminations based on class, ethnicity, language, gender, culture, religion and region and to address the problems of women, Dalit, indigenous people, ethnic minorities (Janajatis), Terai communities (Madheshis), oppressed, neglected and minority communities and the backward areas by deconstructing the current centralised and unitary structure, the state shall be restructured in an inclusive, democratic and forward looking manner'* (CPA 2006, article 3.5). Article 7 addresses the full array of civil and political rights, and economic and social rights. These rights are important when discussing women's rights, and therefore it is vital that they were included in the comprehensive peace agreement.

6.3 Rwanda

Rwanda is a small landlocked country that is situated in east-central Africa and is surrounded by Tanzania, Uganda, Burundi and The Democratic Republic of Congo. It has a population of about 12,1 million people (World Bank 2014). In 1962 the territory that is today known as Rwanda was separated from Burundi and became an independent state.

6.3.1 Historical background

Originally the region consisted of a number of small kingdoms and these kingdoms were often at war with each other. Before the colonisation of the region by Germany and later on

Belgium, it consisted of three main ethnic groups, Tutsi, Hutu and Twa. Due to integration the different groups shared many of the same characteristics, like language and belief. The Tutsi immigrated to the region from the north during the fifteenth and sixteenth century (Uvin 1998, p.14) and consisted of mainly cattle herders. The Hutu, who were agriculturalist and made up the vast majority of the population (Prunier 1995), had on the other hand immigrated to the region centuries earlier and. In the central part of the region the different kingdoms were mainly Tutsi dominated, while the kingdoms in the northwest were Hutu. One of these central Tutsi kingdoms, the Nyiginya Kingdom, slowly expanded its reach and eventually controlled a territory that is the same territory of Rwanda today (Uvin 1998). The kingdoms in the northwest resisted aggression from the Nyiginya Kingdom and it was not until the colonial period that the territories were united.

In the 1880s Rwanda, along with Tanzania and Burundi, were colonised by Germany. The German colonial rule supported the central kingdom and ruled Rwanda by delegating power to the local Tutsi chiefs. During this period the central Tutsi kingdom's control over the territory increased, and the small kingdoms in the northwest were annexed and the land brought under monarchical rule (Uvin 1998, p.16). This was achieved with the help of the German colonial rulers.

In 1916, during World War I, Belgian forces took control over the region and replaced the German colonial rule with its own. Belgium ruled Rwanda with the help of the local king and Tutsi chiefs. Like the Germans before them, the Belgians favoured the Tutsi and believed that Hutu and Tutsi were different races, with the Tutsi being more intelligent, more reliable and hardworking (Uvin 1998, p.16). Because of this, the Tutsi elite received almost all of the new privileges that emerged with the Belgians and access to education; jobs in the administration and the army were also reserved for the Tutsi elite (Uvin 1998, p.17). As a result of this belief the Belgians introduced identification papers that identified ones ethnicity in 1931, which only furthered the division between the people of Rwanda, and contributed to a hierarchy in which the Tutsi were at the top and the Hutu and Twa population were at the bottom.

In the late 1950s and early 1960s two important events changed the Rwandan society. There were many cases of localised anti-Tutsi violence and hundreds were killed and many fled the country. The Belgian officials were under a lot of pressure from both the international society and from Hutus within the country to change the countries ruling structures. There was also

pressure from part of the Tutsi establishment. As a result of this, the Belgian administration and religious authority, who had had a firm grounding in Rwandan society since the 1930s, switched their favour to the Hutu, out of fear from the much more radical Tutsi elite. The Hutus that now gained power were mostly a part of a small group of catholic educated intellectuals. In 1960 to 1961 there were legislative elections where an anti-Tutsi party won, and the monarchy was replaced by a presidential regime. After little preparation, Belgium transferred power and sovereignty to local authorities on 1.july 1962. Even though the power was now in the hands of the Hutu government, the life of the normal Hutu peasants were unchanged, they were still powerless and poor (Uvin 1998).

The Tutsi, who had lost their power and privilege, resisted the Hutu rule, which in turn provoked repression and violent attacks by the Hutu government against the Tutsi population. This resulted in the emigration of many Tutsis from Rwanda to neighbouring countries, like Uganda and Burundi. In 1973 Juvénal Habyarimana, a Hutu, took power in a military coup. During the years up until the civil war of the 1990s the pro-Hutu discrimination continued, but there were less violence against the Tutsi.

In 1990, the Tutsi established an armed wing of the Tutsi organisation Rwandan Patriotic Front (RPF). This armed wing, together with other exiles, invaded Rwanda in October 1990 with the goal of overthrowing the Hutu government (Paris 2004). The Rwandan government forces fought this invasion back, and due to this the RPF changed strategy from open fighting to more guerrilla tactics. The fighting continued until 1992, although it became more sporadic, when a ceasefire agreement between the RPF and the Hutu government was reached. On August 1993, after a year of negotiations between the two parties, a comprehensive peace accord was signed in Arusha, Tanzania. The Arusha Accords provided for the creation if a transitional government in which the Tutsi and the Hutus would share power, the integration of the two armies, the return of refugees (Paris 2004). The principal purpose of the accords was to create a participatory, multiparty democratic state. There had been pressure from foreign donors and internal opposition to liberalise the country's political system and hold democratic elections. From 1975, after the military coup, and until 1990, the president's political party, the Mouvement Révolutionnaire National pour le Développement (MRND), was the only legal party. The MRND was controlled by the president's relatives and close political allies, that were Hutus and mostly from the president's home region in the

northwest of Rwanda. There were many internal conflicts because of this, as Hutus from other parts of the country wanted to take part in the political life in Rwanda.

In October 1993, two months after the signing of the Arusha Accords, the UN Assistance Mission for Rwanda (UNAMIR) was approved by the United Nations to oversee the implementation of the comprehensive peace accords, and oversee the demilitarisation of the two armies. UNAMIR was fully deployed in Rwanda by the end February 1994 (Paris 2004). However, tensions were increasing in the regime, as some opposed the peace process. In 1992 a new Hutu-based political party was formed, the Coalition pour la Défense de la République (CDR), that had an anti-Tutsi platform. Ordinary Hutus were trained and pushed into self-defence units that would protect them against the return of Tutsi refugee, and as some say, in 'preparation for possible attacks upon Tutsi civilians' (Paris 2004, p.72). The CDR spread its Hutu supremacy to the population through a private radio station called Radio-Télévision Libres des Milles Collines (RTLM). The violent attacks on Tutsi that had decreased during the 1970s and 1980s were now becoming more frequent.

The conflict erupted again on April 6, 1994, when President Habyarimana died after his plane was shot down by a missile near the Kigali airport. In the period shortly after the plane crash, the members of the Presidential Guard conducted a series of political assassinations that targeted Hutu and Tutsi politicians, activists, journalists and clerics who had supported the implementation of the Arusha Accords (Paris 2004). Soon after this, members of local militia and ordinary Hutu peasants began to kill Tutsi civilians throughout the country. The Hutus that were seen as supporting the Tutsi were also targeted. There were efforts at trying to reinforce the UNAMIR but the international community showed a lack of interests, and therefore almost all of UNAMIR forces were given orders from the UN to leave Kigali, leaving behind only 450 soldiers who were unable to help stop the violence. Therefore, the responsibility to stop the massacres was left to the RPF who resumed their military operations. During the three-month period that the genocide lasted, somewhere between five hundred thousand and one million Rwandan Tutsis and Hutus were killed, and many more were displaced from their homes. The attacks were in the beginning planned and orchestrated by members of the regimes political, economic and military elite, which consisted of members of the president's political party (Paris 2004). The attacks and genocide became less organised as they went on as ordinary Hutu villagers were influenced to take part in the

attacks by government controlled radio stations that continued to spread hate rhetoric about the Tutsi population.

The genocide and conflict finally ended in April 1994 when the RPF gained control of most of the country's territory, and subsequent drove the Hutu-extremist government, militias and army into exile, along with approximately two million civilians (Burnet 2008).

6.3.2 Women during the conflict

Unlike MRND and other political parties in Rwanda, the RPF mainstreamed women early in 1990 in both its political and armed wings. Many of the leaders in the RPF had been exiled in Uganda, and were influenced by the Ugandan politics of women's rights and inclusion. During the three-month period that the genocide lasted Tutsi and moderate Hutu men were murdered while the women were subjected to grave sexual assault, torture and rape. Many women also suffered as sexual slaves, and were sexually mutilated. Sexual violence was a huge part of the conflict, with both men and women being victims to it. Rape and other forms of sexual violence are used as a weapon in conflict, as a strategy to cause damage and instill fear. Both the killing and the sexual attacks on women during the genocide were encouraged as a way of destroying the Tutsi group. Many women were killed immediately after they were raped, but many also survived.

There have also been reports on women participating in the genocide itself. Women in leadership roles played a particular important role in the planning of the genocide (Hogg 2010). There have been claims that the wife of President Habyarimana was central in the planning and execution of the genocide (Hogg, 2010)

Human Rights Watch estimated that in the immediate aftermath of the genocide 70 per cent of the population in Rwanda were female (Human Rights Watch 1996). Due to this many women and children were left to their own to rebuild their lives as many had lost their husbands and family; many of them were killed, were in prison or had fled the country. This led to a change in gender roles, as women had to adopt new roles and assume the responsibility that previously belonged to the men.

7.0 Discussion

The Rwandan conflict ended because one party to the conflict was victorious over the other. The other two conflicts discussed in this paper did not end because of this; they were a result of a negotiated peace process that ended with a comprehensive peace agreement. Lyons argues that 'all post-conflict outcomes are shaped by the dynamics of war and the type of war termination' (Lyons 2013, p.315), and therefore the process of statebuilding in Rwanda have been somewhat different from the processes in South Sudan and Nepal. In cases like Rwanda, where one party is victorious, the victorious party can transform themselves on their own terms, rather than from the context of negotiated settlement. The roles that the international community play may also be more limited than the cases where a peace process occurred. In Rwanda, there was and still is today, a deep mistrust of the international community and especially the United Nations, United States and France, for their failure to stop the genocide.

In South Sudan, statebuilding took a neoliberal approach. After the signing of the CPA in 2005, the interim Government of South Sudan (GoSS) had to start at the beginning and build almost all institutions and administrative structures of government necessary to stabilise the state (Knopf 2013). In 2011, when the country became independent, they had managed to establish a transitional constitution, an executive office, a legislative assembly, a judicial system and an army and police force (Knopf 2013). This was all done with international support. The capacity of the state is has therefore been limited, and the country still suffers from a very small, educated class, minimal infrastructure and most of the economic activity comes from oil production and agriculture.

In Nepal, statebuilding also took a neoliberal approach. The signing of the CPA was followed by a constitutional process (Rasaratnam & Malagodi 2012). In Nepal, there has been a range of international actors and agencies that has supported the process of establishing a stable and inclusive state, with democratic institutions and market-economy. The different agencies involved in statebuilding in Nepal has worked to 'empower civil society, support spaces for economic regeneration and strengthen the security forces (Rasaratnam & Malagodi 2012, p.302). In January 2007, the interim constitution of Nepal was adopted and the Maoist delegates joined the Interim Legislature and the Cabinet. This was followed by a peaceful election on 10 April 2008.

In all of the three countries studied in this thesis, women's role changed as a result of the different conflicts. In all three countries women had to start working outside of the home, they took over as the heads of the households and some also joined the struggle. In Rwanda, Human Rights Watch estimated that women headed approximately 50 per cent of the households in Rwanda at the beginning of the post-conflict period (Human Rights Watch 1996). Although the conflicts brought about changes in traditional gender roles, both South Sudan and Nepal are still patriarchal societies with customary laws and traditions that contribute to the discrimination of women and inequality. In patriarchal societies the males hold the primary power both in the public arena and in the family. There are still many challenges that directly relates to women's participation. Some of these are; high levels of illiteracy, child marriages, arranged marriages, access to basic services like education and health and the negative labelling of women that are politically active.

The women's movement in Rwanda has played a very active role in initiating and mowing forward with gender issues and policies. The growth of women's organisations in Rwanda can be explained by the key contributions they received through international aid. They also received technical assistance. Even though they received significant contributions, the Rwandan women's movement in the mid-to-late 1990s continued to be driven by local agendas and did not let their international partners drive their work plans (Burnet 2008). The women's organisations in Rwanda also provided the people with basic services, like food, clothing and shelter, as well as support and counselling to the survivors immediately after the war (Debusscher & Ansoms 2013). By providing these services, the organisations filled a void in society, and this contributed to the importance of these social organisations. In this way they gained a leading role in rebuilding society, and helping women rebuild their own lives.

There has also been an increase in women's CSOs in South Sudan since the end of the civil war and the establishment of the new state. Some of these CSOs has received donor funding that has provided them with resources, training and networking opportunities (Castillejo 2011). There are however concerns that many of these CSOs are being led by elite women that do not share a connection with the grassroots communities.

In pre-colonial Rwanda it was the men that dominated much of the social, economic and political life. It was prohibited for women to own land or inherit it, and they were

discouraged from voicing their opinions. This continued in the post-colonial period as well, although there were some women that held key political positions before the genocide, like Agathe Uwilingiyimana who was appointed prime minister of Rwanda in July 1993. It was however not until after the genocide that the rights and equality of women were a part of the political agenda. From the beginning, the RPF demonstrated that gender equality; women's rights and women's participation were important issues. They have taken several steps to ensure this; they have appointed women to important political and juridical positions. They have also mainstreamed women within the party. In the national legislature, there are a fixed number of seats that is reserved for women (Burnet 2008). Furthermore, the RPF created the Ministry of Gender, Family and Social affairs, which has now been reorganised as the Ministry of Gender and Family Promotion and placed within the Prime Ministers office (Debusscher & Ansoms 2013).

There have been several changes in legislation that enhances women's rights in Rwanda. One of these is the "Inheritance Law". This new legislation made it 'legal for women to inherit property, gave women full legal rights to enter into contracts, seeks paid employment, own property in their own names and separately from their husbands, and open bank accounts on their own without authorisation from either their husbands or fathers' (Burnet 2008, p.376). The new law also gave girls equal rights with boys in matters of inheritance.

The new constitution of Rwanda was approved by a national referendum in 2003. The constitution clearly states that the government of Rwanda commits itself to ensuring women's rights and equality under the law. In the preamble to the constitution it is written that the people of Rwanda is 'committed to ensuring equal rights between Rwandans and between women and men without prejudice to the principles of gender equality and complementarity in national development (Constitution of Rwanda, preamble). It further states that 'equality of all Rwandans and between women and men reflected by ensuring that women are granted at least thirty per cent of posts in decision making organs' (Constitution of Rwanda 2003, Article 9.4). It also states that 'all Rwandan citizens of both sexes who fulfil the requirements provided for by the law have the right to vote and to be elected' (Constitution of Rwanda 2003, Article 8). These are just some of the articles in the constitution that deals with the issue of ensuring women's rights. As a result of this commitment in the constitution the RPF once again demonstrated their commitment to gender equality, women's rights and women's participation.

The constitution of South Sudan also recognises women's rights, like the right to equal pay for equal work, the right to participate equally with men in public life and the right to property and to share the estate of a deceased husband. The government further commits itself to 'enact laws to combat harmful customs and traditions which undermine the dignity and status of women, and provide maternity and child care' (Transitional Constitution of South Sudan 2011). Nonetheless, the transitional constitution also recognises customary law, in which women and girls gain access to property through their fathers or husbands. This practice is discriminatory to all women and girls. In the transitional constitution of South Sudan, the government has also committed itself to ensuring women's political participation through a quota system of 25 per cent representation for women at executive and legislative levels. Women tried to get this included in the 2005 CPA as well, but were not successful until the interim constitution (Castillejo, 2011).

Women's participation in political and decision-making structures has overall been increasing in Nepal as well. Women make up 29,55 per cent of the seats in Nepal's Constituent Assembly (Inter Parliamentary Union 2015) after the election in 2013. There are 601 seats in the Constituent Assembly and there are currently 177 seats that are taken by women. This shows that the government of Nepal has committed itself to increase women's participation.

Although there are laws that protect women and girls many are not aware of these, especially in the rural areas. As a result of this it is difficult to change discriminatory social and cultural practices that still exist. In South Sudan there are high levels of illiteracy and there is still a lack of educational opportunities, even more so know that conflict has erupted again.

A challenge for women's participation is the practice of child marriages. This practice is still a big part of south Sudanese society. After the girl is married she usually has to stop going to school and take on the new roles and responsibilities of taking care of her husband and house. In a country that has high levels of illiteracy this does not have a positive effect. There are girls as young as 12 years old that is being married off. This is also a big problem in Nepal. Child marriages, despite being illegal, are still being practiced in Nepal today, as well as the practice of arranged marriages.

There are also high levels of violence against women and girls in Nepal. These are incidents like domestic violence, rape and trafficking. It has been reported that there is a rising level of

incidents especially against women from marginalised groups, such as single women and widows. There are also high levels of violence against women in South Sudan, like domestic violence and sexual violence. The country has not yet managed to establish institutions that provide the people with security, especially now that the country has fallen apart.

The UN report on women's rights in Nepal, states there are evidence that gender equality is often limited to policy papers, and is often not translated into a real change for women (UN Women 2014). This is due, according to many civil society organisations, to 'Nepal's traditional feudal mentality and patriarchal society' (UN Women 2014). Because of this traditional mentality, there is a risk that women will fall back to their previous roles (before the conflict) associated with discrimination and inequality. Another issue for women in Nepal today is their access to economic resources and economic empowerment. Women are often part of the unpaid labour force, and they do not have equal access as to employment, benefits and security (Aguirre & Pietropaoli 2008, p.360).

As of 2015 women make up 63,7 per cent of the seats in the lower house, the chamber of deputies, which makes Rwanda one of the few countries in the world with a female majority in a national legislative chamber (Inter Parliamentary Union 2015). In the upper house, the senate, women make up 38,46 per cent of the seats, 8 per cent more than the mandatory 30 per cent (Inter Parliamentary Union 2015). Nonetheless, there have been concerns about the actual significance of women's high levels of representation in parliament and other governmental institutions in Rwanda, due to the increasingly authoritarian nature of the state since 1994 (Debusscher & Ansoms 2013).

8.0 Conclusion

Although the UN and international community have put gender issues to the top of the agenda, there is still a long way to go before statebuilding processes can truly offer changes that will impact women's participation. The increased attention on gender issues related to peace and security has, in the countries focused on in this study, resulted in a higher representation of women at local and decision-making levels. It is important that the changes that do happen as a result of statebuilding is not just on paper, but translates into real changes for women. If not, women risk falling back into the roles they had before the conflict. In Rwanda women make up 63,7 per cent of the seats in the lower house, and 38,46 per cent of the seats in the upper house and in Nepal women make up 29, 55 per cent of the seats in the Constituent Assembly. South Sudan has also committed itself to a quota of 25 per cent women at executive and legislative levels, but due to civil war in the country at the writing of this thesis, it is difficult to analyse if this has resulted in real change.

There are still many challenges that relates to women's participation. In order to change this, there needs to be a bigger focus on the structural barriers that prevent women from participating. One of these structural barriers is women's access to education. In South Sudan there are high levels of illiteracy, which in turn influences how many women that are actually able to take part in the politic life. Another important structural barrier is customary law. These laws are often discriminatory in nature

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