Taking Stock Update:
Afghan Women and Girls Seven Years On

WOMANKIND Worldwide’s vision is of a just, equitable and peaceful world, in which women are equal partners with men in determining the values, direction and governance of their societies, for the benefit of us all.
About WOMANKIND Worldwide

WOMANKIND Worldwide is a UK charity dedicated to improving lives and promoting women’s rights across the world. We work in long-term partnerships with around 60 community groups in 15 developing countries.

WOMANKIND listens to its partners and is guided by women themselves and what they want to change in the world.

We aim to provide our partners with new skills, knowledge, contacts and experience which enable them to become ever more effective and ambitious organisations for change. WOMANKIND ensures careful evaluation of all our projects, and shares what is learned with other partners and policymakers. This means our grassroots projects are linked into the bigger picture and women’s voices are heard by governments and international bodies.

WOMANKIND Worldwide has three strategic aims:
1. To advance women’s wellbeing through increasing political and civil participation
2. To reduce violence against women
3. To inform and influence policy and practice at local, regional, national and international levels.

WOMANKIND Worldwide’s work in Afghanistan

WOMANKIND Worldwide has been working on women’s issues in Afghanistan since 2003, following the events of 11 September 2001, the subsequent war in Afghanistan and a sense of the urgent need to address women’s human rights at the first stage of the reconstruction process. We currently provide technical and financial support to three partner organisations in the country including the Afghan Women’s Network (AWN), the Afghan Women’s Resource Centre (AWRC) and the Afghan Women’s Educational Centre (AWEC). We focus on promoting women’s equal participation in governance, building awareness among civil society and policymakers of women’s human rights, as well as providing educational, health, community and psycho-social support to those women affected by violence and conflict.

For more information please visit:
WOMANKIND Worldwide: www.womankind.org.uk/afghanistan.html
Afghan Women’s Educational Centre: www.awec.info/
Afghan Women’s Network: www.afghanwomensnetwork.org/

Or contact Kathryn Lockett at WOMANKIND Worldwide: kathryn@womankind.org.uk
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WOMANKIND Worldwide are extremely grateful to our partners in Afghanistan for their input into this report, and to others who provided important information and insights:

Hassan Ali, Deputy Director, Shuhada Organisation
Neematullah Afghanabadi, National Islamic Society of Afghan Youth
Samira Aslamzada, Afghan Women’s Resource Centre
Mohammad Eshaq Faizi, Global Rights
Jared Ferrie, Institute for War and Peace Reporting
Palwasha Kakar, Deputy Minister, Ministry of Women’s Affairs
Aleena Khan, Afghan Women’s Educational Centre
Marina Naeem, WOMANKIND Worldwide Local Coordinator
Maryam Rahmani, Afghan Women’s Resource Centre
Rahimullah Samandar, Afghanistan Independent Association of Journalists
Rosemary Stasek, Director, A Little Help
Leeda Yaqoobi, Afghan Women’s Network

Special thanks to Lauryn Gates for her assistance in researching and writing this report:

Lauryn Gates is an award-winning social activist, media commentator and independent consultant who has advocated for the rights of Afghan women since 1996. She is a board member of Canadian Women for Women in Afghanistan, formerly managed the CIDA-funded Women’s Rights in Afghanistan Fund, and has worked with a variety of rights-based organisations in Afghanistan. She is based in Vancouver and travels to Central Asia and the Middle East frequently.

Editors

Ceri Hayes, Senior Programmes and Policy Manager, WOMANKIND Worldwide
Kathryn Lockett, Programme and Policy Manager for South Asia, WOMANKIND Worldwide

Glossary

ACBAR Agency Coordinating Body for Afghan Relief
ANCB Afghan NGO Coordination Bureau
AIHRC Afghan Independent Human Rights Commission
ANDS Afghanistan National Development Strategy
ANSO Afghanistan NGO Security Office
AWEC Afghan Women’s Educational Centre
AWRC Afghan Women’s Resource Centre
CEDAW Convention on the Elimination of All Forms of Discrimination Against Women
CDC Community Development Council
CRD Convention on the Rights of the Child
DDR Disarmament, demobilisation and reintegration processes
DFID UK Department for International Development
DoWA Department of Women’s Affairs (provincial MoWA units)
EU European Union
FRU Family Response Unit
GA Government of Afghanistan
IDP internally displaced person
ILF International Legal Foundation
INGO International non-governmental organisation
IOM International Organisation for Migration
ISAF International Security Assistance Force in Afghanistan
LAA Legal Aid Afghanistan
MDGs Millennium Development Goals
MPH Ministry of Public Health
MoWA Ministry of Women’s Affairs
NATO North Atlantic Treaty Organisation
NGO Non-governmental organisation
PRT Provincial reconstruction teams
PSA Public service announcement
TKG The Killid Group
UNESCO United Nations Educational, Scientific and Cultural Organisation
UNFEM United Nations Fund for Women
UNFPA United Nations Population Fund
UNICEF United Nations Children’s Fund
USAID United States Agency for International Development
USIP United States Institute for Peace
VAW Violence against women
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VAW Violence against women
Taking Stock — Afghan Women and Girls Seven Years On

began in 2002.

NOTE ON REPORT METHODOLOGY

This is the fourth edition of WOMANKIND Worldwide’s Taking Stock — Afghan Women and Girls, a series that began in 2002. WOMANKIND interviewed people from women’s rights organisations throughout Afghanistan and asked them: What recent events have affected the status of Afghan women? What should be prioritised in the struggle to improve women’s rights — and what’s been significant for you this year? We also spoke to officials from the Ministry of Women’s Affairs, the Ministry of Education and others working with the Government of Afghanistan, as well as specialist Kabul-based consultants, researchers and organisation staff.

The authors have been fortunate to be able to rely on the experience of WOMANKIND’s three project partners, the Afghan Women’s Education Centre (AWEC), the Afghan Women’s Network (AWN) and the Afghan Women’s Resource Centre (AWRC). The authors have also incorporated some of the stories, findings and good practice from a recent evaluation of WOMANKIND’s work in Afghanistan (June-July 2007). In some case studies, names have been changed to protect identities.

Taking Stock — Afghan Women and Girls Seven Years On emphasises these gaps or areas of weakness that limit or thwart the chances to protect and promote women’s human rights — but it also highlights the strength and achievements of Afghan women by sharing important successes and changes.

Finally, throughout the report WOMANKIND ties the assessments of each area for women’s rights to existing commitments and legal obligations on the part of Afghanistan and the international community — ensuring that it is a useful tool for anyone who wants to understand or explain the shortfalls on promises made for Afghanistan’s reconstruction and peacebuilding efforts in relation to women’s human rights.

In Afghanistan, seven years after the fall of the misogynist Taliban regime, Afghanistan is still one of the most dangerous places in the world to be a woman. It has the highest maternal mortality rate in the world, one of the highest rates of domestic violence and is perhaps the only country where suicide rates are higher among women than men.

It is a place where women set themselves on fire to escape brutality, where girls as young as eight years old are married to elderly men and where 60 per cent of marriages are forced. Women and girls still have minimal protection from violence, their basic needs are still not being met and international aid frequently falls to address women’s most urgent priorities in judicial reform, health, employment and education.

Although there have certainly been advances in women’s human rights, not least as a result of work by WOMANKIND and its partners, the progress towards protecting women and girls and including them in the country’s social, civil and political life has been unacceptably slow and characterised by a pattern of trial and error, rather than considered, needs-based planning and responsive action.

Whilst critical groundwork has been laid in the initiation of legal reform and the creation of institutions mandated to protect women’s human rights, a framework alone is not enough. Realising women’s human rights will require enforcement of the relevant laws — and further prolonged and ever more challenging environment.

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In addition to supporting civil society, detailed recommendations in this report outline an urgent need to tackle violence against women, improve women’s access to health and education, advance family law, increase women’s access to public space, prevent trafficking, improve strategies to address women’s security and enforce women’s human rights.

Several years into this large-scale International Intervention, we urgently need to ensure the necessary reforms, capacity and institutions are in place to guarantee women the rights promised to them in Afghanistan’s new constitution.

WOMANKIND is demanding urgent action and a much greater commitment on the part of the international community, the Afghan government and mainstream civil society towards the promotion and protection of Afghan women’s rights.

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9. Ensure funding and capacity building for gender equality
10. Address women’s security as an urgent priority

Summary

“The failure of state institutions to protect women’s human rights, to ensure abusers are brought to justice and provide redress points to official apathy towards, and at times blatant sanctioning of violence against women.”


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The fall of the Taliban government in late 2001 ended Afghanistan's extreme isolation from the world. The world's attention turned towards a new regime and the austere and puritanical edicts under which women had lived for five years provoked international condemnation. Public pressure in the West helped underline that securing women's human rights became an auxiliary goal of the intervention, at least in the rhetoric of policymakers.

A large international development community remains in Kabul. It consists of diplomatic missions and national development agencies, contracting companies, international non-governmental organisations (INGOs), think tanks, researchers and watchdogs, backed by millions of dollars of funding. However, only a slow trickle of funds has reached women's rights organisations. Although many bilateral donors, such as the UK Department for International Development (DFID), included support to women and girls as keystones of their contributions to Afghanistan's reconstruction and development agenda, the shift amongst donors towards channelling funding directly to the Afghan government has relied upon the administration's political will and capacity to make women's human rights a priority.

In addition, co-ordinating the various development 'actors' has been challenging in terms of information-sharing, avoidance of duplication and overlap, and gaps left in assistance needed for women and girls. Whilst support has now begun to systematically extend beyond Kabul to women in the provinces, the deterioration in security has further exacerbated the challenge of providing services where they are most required.

Alongside development and reconstruction actors, Afghanistan's international presence also includes the International Security Assistance Force (ISAF), staffed by forces from member countries of the North Atlantic Treaty Organisation (NATO), NATO forces, as well as US coalition forces fighting in eastern Afghanistan, fighting against remnants of the Taliban who continue to carry out attacks, primarily in the east and south of the country. The number and severity of attacks increased in 2007, and major cities are increasingly targeted by suicide bombers.

The security situation varies significantly from region to region. Nonetheless, the prevailing insecurity restricts women's full and equal participation in every aspect of development, from public and cultural life to politics and the economy.

And yet despite this bleak present, Afghan women are faring better than in a recent, more dismal past. Taking and listening to Afghan women about their perceptions of the many changes taking place around them and asking what they want for their future has revealed that most believe women's human rights have improved somewhat. Some surveys have also shown changing perceptions about women's roles and increased acceptance of women in politics or women in education, for instance.

Pivotal events have proven that women's human rights are not an afterthought to state building, but a crucial part of the foundation of any successful peacebuilding process. The Afghan Government and various donors have signed up to a National Action Plan for Women. Improving gender equity was one of the main Afghan Millennium Development Goals. The advocacy work of the Afghan women's movement quashed the return of the Department for the Prevention of Vice and the Promotion of Virtue in 2006, a government unit from the era of the Taliban which would have almost certainly been used to suppress the rights women have fought so hard for since 2001.

In Afghanistan's international development and peacebuilding community there is indeed the sense that women's human rights are on the agenda. This is thanks to the hard work of Afghan women's organisations, international partners and other institutions, which have recognised that gender equality and peace go hand-in-hand. However, the work must not stop; in fact, it has only just begun. Post-conflict situation brings into sharp relief the impact of war on women, while it simultaneously creates openings for a shake-up of the status quo and space for women to challenge and push back the injustices they have contended with before and during the years of conflict.

The Resolution also recognises the importance of women's place at the decision-making table and their positive contribution to conflict prevention, conflict resolution and to the promotion of peace. While never explicitly referenced, its provisions are reflected in the international community's commitment to visualise what women's human rights are on the agenda. This is thanks to the hard work of Afghan women's organisations, international partners and other institutions, which have recognised that gender equality and peace go hand-in-hand. However, the work must not stop; in fact, it has only just begun. Post-conflict situation brings into sharp relief the impact of war on women, while it simultaneously creates openings for a shake-up of the status quo and space for women to challenge and push back the injustices they have contended with before and during the years of conflict.

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In Afghanistan's international development and peacebuilding community there is indeed the sense that women's human rights are on the agenda. This is thanks to the hard work of Afghan women's organisations, international partners and other institutions, which have recognised that gender equality and peace go hand-in-hand. However, the work must not stop; in fact, it has only just begun. Post-conflict situation brings into sharp relief the impact of war on women, while it simultaneously creates openings for a shake-up of the status quo and space for women to challenge and push back the injustices they have contended with before and during the years of conflict.
Background

The fall of the Taliban government in late 2001 ended Afghanistan’s extreme isolation from the world. The world’s attention turned towards a new regime and the austere and puritanical edicts under which women had lived for five years provoked international condemnation. Public pressure in the West helped ensure that securing women’s human rights became an auxiliary goal of the intervention, at least in the rhetoric of policymakers.

A large international development community remains in Kabul. It consists of diplomatic missions and national development agencies, contracting companies, international non-governmental organisations (INGOs), think tanks, researchers and watchdogs, backed by millions of dollars of funding. However, only a slow trickle of funds has reached women’s rights organisations. Although many bilateral donors, such as the UK Department for International Development (DFID), included support to women and girls as keystones of their contributions to Afghanistan’s reconstruction and development agenda, the shift amongst donors towards providing services where they are most required.

Alongside development and reconstruction actors, Afghanistan’s international presence also includes the International Security Assistance Force (ISAF), staffed by forces from member countries of the North Atlantic Treaty Organisation (NATO). NATO forces, as well as US coalition forces fighting in eastern Afghanistan, are fighting against remnants of the Taliban who continue to carry out attacks, primarily in the east and south of the country. The number and severity of attacks increased in 2007, and major cities are increasingly targeted by suicide bombers.

The security situation varies significantly from region to region. Nonetheless, the prevailing insecurity restricts women’s full and equal participation in every aspect of development, from public and cultural life to politics and the economy.

Frameworks are not enough

‘this is the paradox of women in Afghanistan... They now have a say and a position under the country’s constitution. But they have to work in an atmosphere of fear and intimidation.’

Blowsaw (June 20, 2007).

Since 2001, women continue to be murdered without justice sought in their name. The storing to death of a woman in Badakhshan in 2005, the killing of several female journalists in 2006 and 2007, the rape and murder of female aid workers, attacks on women election workers and the murder of the head of the Department of Women’s Affairs in Kundahar in 2006 have all been documented. Women are equally at risk in their own homes, where they experience physical abuse by their husbands and in-laws, rape, psychological abuse and forced prostitution.

In Parwan province, there was a family where a young girl was exchanged in marriage with her brother’s wife, a traditional means of resolving disputes or binding families together for reconciliation known as baad or baadal. Not long after her marriage, 13 year-old Gulnaz became pregnant; however, her in-laws, who were married at the same time, had in the meantime given birth to three children. Gulnaz’s husband and mother-in-law began to shout at her regularly, demanding to know why she was not producing more children. The psychological abuse soon turned to physical abuse, and that abuse become gradually more severe and brutal. One day, Gulnaz’s mother-in-law and husband locked her in the home’s cellar and set it on fire. They subsequently brought Gulnaz to the hospital, where she died. Neither was prosecuted or punished in any way for the girl’s murder.

And yet despite this bleak present, Afghan women are faring better than in a recent, more dismal past. Taking and listening to Afghan women about their perceptions of the many changes taking place around them and asking what they want for their future has revealed that most believe women’s human rights have improved somewhat. Some surveys have also shown changing perceptions about women’s roles and increased acceptance of women in politics or women in education, for instance.

Since the fall of the Taliban in late 2001, a new government has been established, co-existing with a large international presence aimed at stabilising and rebuilding Afghanistan. This presence includes the United Nations, donor governments‘ diplomatic missions, the ISAF and INGOs. How have these actors responded to the overwhelming challenges facing women? What progress has been made? Which urgent
CONFLICT IN AFGHANISTAN: AFFECTING WOMEN IN SPECIFIC WAYS

In Afghanistan the signing of the Afghanistan Compact in January 2006, with an emphasis on promoting women’s equal citizenship under the law (Article 22) and gender equality in economic and social development. Despite these milestone developments, women’s participation in the country’s development agenda is still limited. In addition, cultural norms in the country can limit women’s participation in peace negotiations, as they are often excluded from peace negotiations and meetings for necessary troop deployments. Many NGOs and INGOs are unable to work in insecure areas without an international security presence, and without continued funding from their home governments. Considering that the resources available for Afghanistan’s reconstruction and stability are not unlimited, and that the international assistance mission in Afghanistan is not a permanent feature, it is paramount importance to ensure assistance is needs-based through consultation with the population and with women’s organisations.

Pragmatic development

Afghan women are used as the barometer to measure social change in Afghanistan.’

In 2006, WOMANKIND reported its concern with the short-term perspective of donors and with their oxymoron of the ‘short workshop’ to build capacity within the women’s movement. Although still a concern, the urgent need now is for International aid to be oriented towards ensuring access to basic services, such as to primary healthcare, education, livelihood opportunities, clean water and infrastructure for communities. WOMANKIND’s research has found that insecurity and underdevelopment present one of the greatest threats to women in Afghanistan. In addition to the provision of services for women and girls, ensuring their involvement, representation and participation in the civil, political, judicial and social life of the country is also crucial for Afghanistan’s long-term development. The urgency of ensuring legal provisions and empowering women and girls is growing — particularly as many donors do not have indefinite commitments in Afghanistan and as many of the largest aid agencies are only committed up to 2011 or 2012.

We don’t know how long NATO will continue to support the International Security Assistance Mission (ISAF) in Afghanistan, as member countries have not been forthcoming in meeting calls for necessary troop deployments. Many NGOs and INGOs are unable to work in insecure areas without an international security presence, and without continued funding from their home governments. Considering that the resources available for Afghanistan’s reconstruction and stability are not unlimited, and that the international assistance mission in Afghanistan is not a permanent feature, it is paramount importance to ensure assistance is needs-based through consultation with the population and with women’s organisations.

WOMANKIND provides computer access and training for women and girls at their centre in Kabul.

THE CRUCIAL ROLE OF CIVIL SOCIETY IN DEVELOPMENT

‘Just at a time when many national donors as well as private funders are beginning to reduce funding to programmes for women or scale back operations in favour of direct bilateral assistance, there are fewer and fewer sources of funds available for women’s rights work specifically. This is unrealistic...


Women’s organisations provide a multitude of services, which would otherwise be unavailable in many areas. NGOs on independent gifts’ schools, income-generation programmes, radio stations, healthcare training and legal aid clinics. These organisations are often the only place women can go for support, education, protection or shelter or to escape violence, forced marriage and other threats.

In many parts of Afghanistan, the government has minimal reach and women’s access to essential services such as healthcare, clean water, education and jobs training are extremely limited. In addition, cultural norms in the country can limit women’s participation in peace negotiations. In these circumstances, women’s organisations play a crucial role in filling these gaps.

Yet during the last ten years, women’s organisations across the globe have seen a reduction in their funding — creating obstacles both to the delivery of long-term programmes and their organisational sustainability. Furthermore, new trends in aid and in particular the move towards donors channelling their funds directly through governments — known as direct support — have not yet been able to address gender inequality and women’s empowerment. In Afghanistan, where women’s organisations receive little or any support from the government and where women’s issues are often sidelined in national development plans and poverty-reduction strategies, they remain reliant on support from international donor organisations to continue their activities.

Women’s rights NGOs in the country are playing a pivotal role in promoting women’s rights within an extremely conservative, traditional and male-dominated government — as well as ensuring civil society is consulted on policy and governance issues. There is a real need therefore to ensure that women’s organisations in Afghanistan have continued access to long-term resources — both financial and technical — to ensure their continued growth, development and capacity to provide services to women and girls who are otherwise outside the reach of government.
CONFLICT IN AFGHANISTAN: AFFECTING WOMEN IN SPECIFIC WAYS

In Afghanistan, UN Security Council Resolution 1325 represents a commitment on the part of the State of Afghanistan and the United Nations that women’s rights and gender-related activities can use as a reference point in assessing progress to date. It is a tool for accountability that obliges the Afghan government, UN agencies and the international community in Afghanistan to answer for failures to protect women and girls, ensure their participation in peace processes, and promote their fundamental human rights.

Medir Goodall on the implementation of 1325 in Afghanistan (2007).

In 2007, the armed conflict between the Taliban and the government of Afghanistan reached the highest recorded intensity level since 2001. At least 5,800 battle-related deaths were recorded, the vast majority of these Taliban casualties. Afghanistan lost approximately 900 policemen in the fighting, and over 200 international troops were also killed in action. Civilian deaths from January to August 2007 alone numbered over 2,000, with new record high alarming levels according to the United Nations’ top human rights officer.

As with other conflict situations, deteriorating security concerns remain unaddressed and what needs to be done?

Progress towards protecting women’s human rights has been unacceptably slow and characterised by a pattern of trial and error, compromise, donor directions, and a lack of responsive action. Nevertheless, an important legal and governance foundation has been laid to help secure women’s human rights, which include to date:

- The establishment of a Ministry for Women’s Affairs (MoWA) and the Afghan Independent Human Rights Commission (AIHRC), which has a Women’s Rights Department;
- The creation of a new constitution, which makes women and men equal citizens under the law (Article 22) and which women participated in drafting and approving at the Constitutional Loya Jirga (grand council) or ‘grand assembly’ of 2003-2004;
- Participation of women in the country’s first ever direct presidential election in 2004, as voters and with the right to run as presidential candidates;
- The Afghan National Development Strategy (ANDS) and the signing of the Afghan National Compact in January 2006, with ANDS making gender equity one of its eight pillars and including women’s participation and development as goals mainstreamed throughout the plan;
- The formation of a new parliament that has a 25 per cent quota for the election of women members of parliament;
- The introduction of a new marriage contract, which contains provisions for the protection of women’s human rights amidst ongoing legal reform efforts in the country;
- Gender focal points within some ministries; and
- Proposed legislation that criminalises violence against women, which was in the drafting stage at the time of writing.

Such steps show that the Afghan government and its international allies have followed through to some extent on the promise of making gender equality a pillar of the development agenda in Afghanistan. Despite these milestone events, however, tangible change for ordinary women across most of the country remains too distant.

Pragmatic development

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In 2006, WOMANKIND reported its concern with the short-term perspective of donors and with their oxeruse of the ‘short workshop’ to build capacity within the women’s movement.

Although still a concern, the urgent need now is for international aid to be orientated towards ensuring access to basic services, such as to primary healthcare, education, livelihood opportunities, clean water and infrastructure for communities. WOMANKIND’s research has found that insecurity and underdevelopment present one of the greatest threats to women in Afghanistan.

In addition to the provision of services for women and girls, ensuring their involvement, representation and participation in the civil, political, judicial and social lives of the country is also crucial for Afghanistan’s long-term development. The urgency of ensuring that both reaches and empowers women and girls is growing — particularly as many donors do not have indefinite commitments in Afghanistan and as many of the largest aid agencies are only committed up to 2011 or 2012.

We don’t know how long NATO will continue to support the International Security Assistance Mission (ISAF) in Afghanistan, as member countries have not been forthcoming in meeting calls for necessary troop deployments. Afghanistan, as member countries have not been forthcoming in meeting calls for necessary troop deployments. Many NGOs and INGOs are unable to work in insecure areas without an international security presence, and without continual funding from their home governments. Considering that the resources available for Afghanistan’s reconstruction and stabilisation are not unlimited, and that the international assistance mission in Afghanistan is not a permanent feature, it is paramount important to ensure assistance is needs-based through consultation with the population and with women’s organisations.

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TAKING STOCK UPDATE | AFGHAN WOMEN AND GIRLS SEVEN YEARS ON

Human security

‘Afghan women are neither secure nor safe... the status of Afghan women is as precarious as the stability of their country’s transition to peace.’

The human security approach places human beings at the centre, and makes achieving freedom from want and fear the objectives of ‘security’, as opposed to achieving military or political objectives alone.

Human security for not only women and girls, but indeed for the country at large depends on a substantial expansion in access to basic services — and on the creation of opportunities for women in education and to earn money. Women’s empowerment leads to economic development, healthier families and other benefits for families and communities. Women remain on the margins of higher education; without more opportunities for them, Afghanistan will never achieve its ambitious development objectives.

There is a dearth of vocational training opportunities for women; they also need the training and resources necessary to work in agriculture and maximise their earnings. Outside the large cities, women are noticeably absent from public life. They should be taking part in all aspects of the cultural life of their communities, from sport and artistic pursuits, to making the most of safe public spaces. Afghan women constitute more than half of Afghan society. It is only fair that they have an equal right with men to shape the society they are a part of — and to contribute to their country’s social, cultural, religious, economic, and political environment. Such equality is also a fundamental, basic human right guaranteed by international law.

Rule of law

‘If you look at Afghanistan’s constitution, Afghanistan’s new constitution, it guarantees women and men equal rights as citizens. The problem is in the practice of those laws, is in the actual interpretation of those laws. Institutional justice mechanisms must expand their outreach right up to the village level.’
Dwyer (August 2006).

Another area of grave concern remains the lack of rule of law, with its severe consequences for women’s lives. Reinforced by 30 years of war regimes, Afghanistan’s law fails to reflect well entrenched, localised systems of customary law based on tribal tradition, particular and politicised interpretations of sharia law, local political interests and cultural norms. Customary law varies from province to province in Afghanistan but, for the most part, it is characterised by deeply patriarchal values and attitudes towards women, and is bolstered by the minimal reach of the central government into the provinces. While significant strides have been made in introducing legislation and institutions that include provisions and protections for women’s human rights, such protections are still rarely enforced.

WOMEN IN PRISON

Twenty-year-old Aasma was forcibly married to an elderly man in her village. Her husband beat her regularly from the start. Aasma fled Iran, where they were refugees, and made her way to a women’s shelter in Afghanistan. She spent the next six months here, until her husband’s uncle said she could stay with him and would be safe.

Some months later, Aasma’s husband came for her. The physical abuse resumed and Aasma was soon hospitalised. On her recovery, she demanded a divorce in the family court. Her husband told the court that he would only agree to this divorce if Aasma paid him 100,000 Afghani — which she could not afford, and accused her of cheating on him. Despite consistently denying this accusation and the lack of any evidence, Aasma spent the next two years in prison.

Aasma was eventually referred to the provincial Department of Women Affairs. The DoWA sent her back to the women’s shelter, where she stayed four months before being referred back to the DoWA. Unwilling with conditions, she fled — but a representative returned her to the criminal court. For the past two years Aasma has been imprisoned, while a local women’s advocacy group try to find her a lawyer. Aasma’s case is typical of women who attempt to seek the protection of state services, and who go through the courts — rather than obtaining justice, they are further victimised.

AWRC — FINDING FRAMEWORKS FOR RIGHTS

‘The Women’s Rights in Islam trainings have been most useful for me. While my situation remains very difficult, I now know that men and women are equal and I can use information I have learned to explain to my rights to members of my community and can share this with other women.’
Training beneficiary, AWRC, Kabul.

Afghan women activists have been skilfully negotiating the many overlapping environments they occupy: a Muslim-majority country, a heritage of tribal organisation and tradition, the experience of war and ongoing instability and increasing international links with the global women’s movement — something evidenced by WOMANKIND’s partner organisation, the Afghan Women’s Resource Centre (AWRC).

Founded in 1989 to involve Afghan women at all levels in building peace and security in their country, AWRC programmes are designed to improve access for Afghan women to security, education, employment and healthcare. The organisation’s projects include education and literacy training, income generation and skills development, as well as training for basic health services both in Afghan refugee camps near Peshawar and throughout rural and urban centres in Afghanistan. Over the past 18 years, AWRC has built up extensive experience in community development. It empowers the most vulnerable women with culturally appropriate education, skills and training to become active and self-reliant members of their families and communities. AWRC enables women to demand their rights by making reference to the rights afforded to women in

Islam, as well as to their human rights guaranteed by international law, to which their government is a party. Women point to the Qur’an, the hadiths and to comparative Islamic jurisprudence to highlight the protections their faith is supposed to give to Muslim women, such as inheritance and property rights. Afghan Women community leaders also have a sophisticated understanding of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other human-rights instruments. They bring these frameworks together in articulating to their government, the international community and to women and men in their communities why they have the right to equality.

Women such as Suna (above) come to the AWRC Centre in Kabul for literacy and rights education, as well as for the social support she receives when attending classes — meeting other women and sharing similar problems and issues. After attending the Women in Islam training provided by AWRC, she encouraged other women from her community to come and find out about their rights. ‘We didn’t know we had the right to come out of homes, or that we have money, divorce and inheritance entitlements,’ she said. ‘Before we just didn’t know that men and women’s rights are equal and that we are entitled to come to the centre and that all women are entitled to access education. Even though women are illiterate, they shouldn’t all be at home,’ she said. They can produce embroidery and use their other talents. With AWRC’s help, women from Suna’s community now have access to these opportunities for the first time.'
Human security

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THE PRACTICE OF BAAD

Rahiana is a 25-year-old woman living with her two children in a district of Kabul. She left a forced marriage, having been a victim of baad (the exchange of girls or women in marriage as compensation) in a rural area. A village elder had asked her husband to divorce Rahiana and then exchange a young woman for his wife. Rahiana had already given birth to a daughter and was six months pregnant. She already had three children from her first marriage. Rahiana fled when her husband told her that he would only agree to the divorce if she exchanged a young woman as a baad. She left the village and went to a women’s shelter run by a local NGO.

Rule of Law

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Another area of grave concern remains the lack of rule of law, with its severe consequences for women’s lives. Reinforced by 30-years of war, violence, Afghanistan plans to work to well-entrenched, localised systems of customary law based on tribal tradition, particular and politicised interpretations of sharia law, local political interests and cultural norms. Customary law varies from province to province in Afghanistan but, for the most part, it is characterised by deeply patriarchal values and attitudes towards women, and is bolstered by the minimal reach of the central government into the provinces. While significant strides have been made in introducing legislation and institutions that include provisions and protections for women’s human rights, such protections are still rarely enforced.

WOMEN IN PRISON

Twenty-two-year-old Asma was forcibly married to an elderly man in her village. Her husband beat her regularly from the start. Asma fled Iran, where they were refugees, and made her way to a women’s shelter inside Afghanistan. She spent the next six months here, until her husband’s uncle said she could stay with him and would be safe.

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Insecurity ‘The people who did this are murderers. They have to pay for the blood of their victims, the blood of the poor children who died. There was another child, a little girl, who died that day. People told me her intestines were on the street. Who will answer for this?’ Leila, who lost her child in a suicide attack perpetrated by the Taliban in March 2006. From interview with Human Rights Watch.

Insecurity continues to be the number one concern of the Afghan Women interviewed for this report — as it was in 2006. Between 2006 and 2007, the Taliban increased their attacks, killing more civilians than in any previous year14. Including women and girls, and instilling widespread fear. Many attacks were unprovoked and intentionally targeted civilians15. From January to August 2007 alone, an estimated 3,000 civilians died in the Afghanistan conflict16. Insecurity pervades every aspect of women’s lives and affects their participation in the economy, in politics, in cultural life and their access to education, healthcare and government services. People are fearful and disconsolate — and tensions run high, impeding efforts at state building and political reconciliation. Insecurity is the greatest barrier to development in Afghanistan, and it is taking its toll on women.

Conclusion Critical groundwork has been laid in the initiation of legal reform and the creation of institutions mandated to protect women’s human rights. However, a framework alone is not enough. Realising women’s human rights will require enforcement of the laws, which at present exist on paper only. Translating good intentions and public assertions from national leaders which demonstrate a commitment of political will and the necessary resources to back that will. It also demands co-ordination among stakeholders, long-term visions and strategies, and consistent public assertions from national leaders which demonstrate that women’s human rights were not merely a convenient prong to sell a large-scale, resource-consuming intervention to Afghan citizens and Western publics, but a legitimate, genuine and realisable call to action.

The following recommendations are the minimum that must be accomplished if the ambitious goals of the Afghanistan National Development Strategy (ANDS) are to be met. ANDS promises women’s education, political participation and economic development — and attempts to bring gender equality into all of Afghanistan’s development plans.

WOMANKIND’s 50 Recommendations

**Tackle violence against women**

1. Long-term, in-depth qualitative research on domestic violence, as perpetrated by parents, husbands, in-laws or other family members, is needed to better understand the nature and causes of abuse, the conditions that perpetuate it and what can be done to stop it.

2. Domestic violence and rape must be explicitly criminalised as a priority need in Afghanistan’s ongoing legal reform by the Ministry of Justice and by the Afghan parliament, and the legislation currently under development dealing with violence against women should be expedited to come before parliament and enacted as soon as possible.

3. Perpetrators of rape and other forms of sexual violence against women committed during the conflict must be brought to justice, as part of transitional justice initiatives accounting for the crimes committed in Afghanistan’s recent wars. In relation to this, President Hamid Karzai should under no circumstances sign the proposed revised Amnest Bill already approved by the Afghan parliament, which would grant immunity to perpetrators of war crimes from the last 30 years of wars in Afghanistan, and which would deny the right of victims to seek justice; nor should any such bills which may come before parliament in the future be signed.

4. All reported cases of violence against women, including domestic violence, must be prosecuted by the criminal courts in every district.

5. The Ministry of the Interior must prioritise the establishment of forensic-analysis laboratories in Afghanistan for police use — and must provide training on forensic analysis and evidence collection to investigators in police forces around the country.

6. The Ministry of Health must work with international partners to establish a training facility for doctors and nurses to be trained in recognising, treating and reporting cases of domestic violence. All medical personnel should undergo sensitisation training in domestic violence.

7. The Afghan Ministry of Information should organise a public-information campaign incorporating messages opposing violence against women displayed on billboards in cities, and clips prepared for broadcast on the radio.

8. Donors and International organisations in Afghanistan should support programmes working with religious leaders and community elders to condemn and prevent violence against women.

9. Sexual health education in the school system should be introduced and accompanied with sensitisation programmes on gender-based violence to change attitudes surrounding violence against women.

10. International organisations and donor governments should support the Ministry of Women’s Affairs (MoWA) or experienced Independent women’s organisations to open an adequate number of women’s shelters in the provinces; these should have the facilities to meet survivors’ psychological, physical and emotional health needs — and should provide them with viable educational, life skills and livelihood opportunities for independent living.
Insecurity
‘The people who did this are murderers. They have to pay for the blood of their victims, the blood of the poor children who died. There was another child, a little girl, who died that day. People told me her intestines were on the street. Who will answer for this?’
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Insecurity continues to be the number one concern of the Afghan Women interviewed for this report – as it was in 2006. Between 2006 and 2007, the Taliban increased their attacks, killing more civilians than in any previous year[10], including women and girls, and instilling widespread fear. Many attacks were unprovoked and intentionally targeted civilians[16]. From January to August 2007 alone, an estimated 3,000 civilians died in the Afghanistan conflict[17]. Insecurity pervades every aspect of women’s lives, affecting their participation in the economy, in politics, in cultural life and their access to education, healthcare and government services. People are fearful and disorientated — and tensions run high, impeding efforts at state building and political reconciliation. Insecurity is the greatest barrier to development in Afghanistan, and it is killing its toll on women.

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2. Domestic violence and rape must be explicitly criminalised as a priority need in Afghanistan’s ongoing legal reform by the Ministry of Justice and by the Afghan parliament, and the legislation currently under development dealing with violence against women should be expedited to come before parliament and enacted as soon as possible.

3. Perpetrators of rape and other forms of sexual violence against women committed during the conflict must be brought to justice, as part of transitional justice initiatives accounting for the crimes committed in Afghanistan’s recent wars. In relation to this, President Hamid Karzai should under no circumstances sign the proposed revised Amnesty Bill already approved by the Afghan parliament, which would grant immunity to perpetrators of war crimes from the last 30 years of wars in Afghanistan, and which would deny the right of victims to seek justice; nor should any such bills which may come before parliament in the future be signed.

4. All reported cases of violence against women, including domestic violence, must be prosecuted in the criminal courts in every district.

5. The Ministry of the Interior must prioritise the establishment of forensic-analysis laboratories in Afghanistan for police use — and must provide training on forensic analysis and evidence collection to investigations offices in police forces around the country.

6. The Ministry of Health must work with international partners to establish a training facility for doctors and nurses to be trained in recognising, treating and reporting cases of domestic violence. All medical personnel should undergo sensitisation training in domestic violence.

7. The Afghan Ministry of Information should organise a public-education campaign incorporating messages opposing violence against women displayed on billboards in cities, and clips prepared for broadcast on the radio.

8. Donors and International organisations in Afghanistan should support programmes working with religious leaders and community elders to condemn and prevent violence against women.

9. Sexual health education in the school system should be introduced and accompanied with sensitisation programmes on gender-based violence to change attitudes surrounding violence against women.

10. International organisations and donor governments should support the Ministry of Women’s Affairs (MoWA) or experienced Independent women’s organisations to open an adequate number of women’s shelters in the provinces; these should have the facilities to meet survivors’ psychological, physical and emotional health needs — and should provide them with vital educational, life skills and livelihood opportunities for independent living.

**Conclusion**

Critical groundwork has been laid in the initiation of legal reform and a reorganisation of institutions mandated to protect women’s human rights. However, a framework alone is not enough. Realising women’s human rights will require enforcement of the laws, which at present exist on paper only. Translating good intentions and de jure rights (rights based on law) into real, meaningful changes for women demands a commitment of political will and the necessary resources to back that will. It also demands co-ordination among stakeholders, long-term visions and strategies, and consistent public assertions from national leaders which demonstrate that women’s human rights were not merely a convenient public assertions from national leaders which demonstrate enforcement of the laws, which at present exist on paper only.

Women’s organisations, including AWN, have played a key role in drafting new legislation against VAW to be put before Afghanistan’s parliament. AWN and other organisations have also produced the first CEDAW Alternative Report by NGOs. The Convention on the Elimination of Discrimination Against Women (CEDAW) is the principal international legal instrument setting out government commitments to promote women’s human rights. Shadow and Alternative reports provide NGOs with an opportunity to highlight gaps in their government’s implementation of CEDAW, a crucial first step in monitoring the Afghan government’s commitment to gender equality. Local women’s organisations and AWN continue to raise awareness of VAW, monitoring cases and supporting survivors all year round. Organisations use awareness-raising materials, such as posters, (see two examples, left) to highlight the detrimental effect of forced and early marriage, sexual harassment, domestic violence and related issues and to facilitate discussion. In so doing, WOMANKIND’s partner organisations further the understanding of VAW within communities, the many forms it can take, the detrimental effect violence has on the wellbeing of families and communities, and women’s fundamental human right to freedom from violence. Women’s NGOs also form local women’s groups, which act as community watchtowers, offering support and solidarity to women suffering from violence and helping them take their cases to the relevant authorities. They also work directly with families to mediate cases and put pressure on perpetrators to stop their abuse.

NGO posters and other awareness-raising materials sensitise communities to the detrimental effects of issues such as forced marriage, sexual harassment and domestic violence.
mariyam's husband lost interest in maryam. maryam used to live with her four children in the chilsiton. maryam's children were no longer responsible for her. maryam's husband has been persuaded to return to take maryam and their children back with him to sheberghan and attacks by insurgents. the practical needs of women and girls should be prioritised, and women must be involved at all levels of decision making in ngos and inagos. decisions about aid should be based on community-level consultations and needs assessments by donors and project implementers that attempt to involve women from all strata of society and to prioritise resources and ensure more balanced spending by both region and sector.

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24 all agencies should adopt a policy of substantially increasing or introducing direct funding support to afghan women's community-based organisations to empower them to control the resources they need to pursue gender equality and social change. these organisations should be approached as partners and leaders in project design, management and implementation in collaboration with donors and international partners. such an approach can save on costly bureaucracy.

25 international support to afghan women must be distributed in a geographically balanced way, concentrating on areas where little aid has been directed, particularly rural areas. where communities are too small for large programmes to operate, the feasibility of middle-scale initiatives (for example, libraries, healthcare clinics and legal-awareness seminars) should be explored.

in course design and content and teaching methods – and should be provided with up-to-date textbooks. support the women's movement

improve access to public health services

11 training more female medical personnel must be a serious priority for the ministry of public health and international partners and donors, so that women can get medical treatment given cultural norms restricting or banning treatment by male doctors.

advance family law relating to marriage

13 the ministry of justice should move forward with the new nikahnama (marriage contract), which gives substantial protection to women's human rights in marriage – and the government must ensure sustained commitment, resources and the timely enforcement of the nikahnama throughout every district of the country.

15 the afghan cabinet led by hamid karzai must prioritise the creation of a standard, enforceable system of registration for marriages, divorces, births and deaths. this is a critical component of enforcing laws against child marriage, and protecting women's human rights to divorce, and other rights. establishing such a system at the district level could be done through existing community institutions, such as mosques, whereby mullahs would be made registrars.

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21 lecturers in the faculty of law at kabul university and in other universities around the country must be better trained and equipped.

home-based education for women and girls, provided by awirc, raises literacy levels and awareness of human-rights issues – and promotes the involvement of young adults in civil and political life.


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23. Projects designed and implemented by INGOs, donors or Afghan NGOs with the aim of changing gender inequalities and entrenching women’s human rights can widen their impact by also targeting men. Projects should recruit and encourage men as participants, leaders and facilitators in order to carry out male-focused outreach on issues such as violence against women and women’s right to education. Gender-focused projects can draw on successful models in the region, such as India, where there has been modest success in mobilising men against violence against women and making men team members in efforts to gain rights for women. The practical needs of women and girls should be better trained in course design and content and teaching methods – and should be provided with up-to-date teaching materials.

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WOMEN’S HEALTH IN AFGHANISTAN 16

- Life expectancy: 47 years
- Total population with adequate sanitation facilities: 34%
- Total population with access to improved drinking water: 39%
- Contraceptive prevalence: 10%
- Antenatal care coverage: 10%
- Skilled attendant at birth: 54%
- Maternal mortality ratio: 1,600 per 100,000 live births
- Lifetime risk of maternal death: 1 in 10

POLYSAMY AND WIFE MAINTENANCE

Maryam used to live with her four children in the Childston community of Kabul province. Her husband has three other wives, and he lives with them in Shibarghan province. After Maryam’s husband left her and his family, she and her children have been living in a small room with their elderly parents. Her husband has refused to provide for her or her children. Maryam was in a state of constant anxiety and distress, as she was unable to secure basic necessities or provide for their education. She has been relying on the support of her parents and other family members.

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21. Lecturers in the Faculty of Law at Kabul University and in other universities around the country must be better trained in appropriate training in civil law and international law, and prioritise resources and ensure more balanced spending by both region and sector.

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28 The Afghan government and the International community must continue to provide opportunities, as standard, for women’s organisations to participate meaningfully in consultations and in leadership positions during key political, peace and development events and planning, such as national development strategies, international donor conferences, national or international conferences, or for consultations and proposals concerned with transitional justice, among others.

Increase women’s access to public space
29 Donors should work with the Ministry of Culture and Information to establish public outreach programmes for women, which encourage literacy opportunities for those who do not have access to formal education — and to reinforce literacy for girls or women who are already studying. Donors must work with the Ministry of Youth and Culture to invest in public libraries that can be made accessible to women and girls and include female-only spaces where women can safely meet, study, read and hold social and educational activities.

30 Provincial governments should designate land in each province for women’s parks. Districts should provide land and resources for women’s community gardens. Female police protection should be provided to ensure the security of such areas for women.

31 Athletics as a subject at both the primary and secondary levels should extend to schools beyond Kabul and should be introduced and fully funded to all girls’ schools in the provinces by the Ministry of Education.

Prevent the trafficking of women and girls
32 The government, through the Ministry of Justice, should enact an anti-trafficking law without further delay and should take action against complicit government officials through the Ministry of the Interior.

33 The Ministry of the Interior should also take measures to cut the internal trafficking of women for commercial sexual exploitation and slavery, including bonded labour.

34 Priority should be given to expanding protection and rehabilitation services for survivors of trafficking. The government and the International Organisation for Migration (IOM) should work with experienced Afghan women’s organisations to open shelters, emergency hotlines, information centres, legal clinics and other services where they are most needed.

35 Afghanistan has no formal mechanism to refer trafficking victims to the limited protection services that do exist — such as the shelter in Kabul being developed by the IOM — and no formal victim identification system. A trafficking referral system should be immediately established by the Government of Afghanistan in co-operation with relevant organisations.

Enforce women’s human rights
36 Donors should support women’s organisations and the Afghan Independent Human Rights Commission (AIHRC) to expand monitoring activities to all corners of the country — and to establish and manage comprehensive reporting systems to document abuses against women’s human rights and to support survivors in seeking justice through the legal system.

37 Awareness of legal rights can be raised by the Ministry of Justice through radio, television, the distribution of flyers or ‘right letters’ in public spaces, through mosques and through the establishment of legal resource centres in the provinces and associated mobile units for rural areas. The Ministry should contract local organisations to establish these services.

38 The Ministry of the Interior should create more incentives for the recruitment and retention of police officers, both female and male. In particular, the Afghan government and donors should work together to increase the salaries of the police, offer other incentives, continue to improve training and work to reduce corruption among the police.

39 In addition to the human rights training offered to police recruits, they should receive gender-sensitivity training incorporating awareness of domestic and international laws protecting women — and of protocols for responding to the different crimes committed against women. Human rights and gender-sensitivity training in the police force must also be followed up with enforced policies and protocols to respect women’s human rights, so that the principles taught in training are reflected in practice.

40 The Ministry of the Interior should open additional Family Response Units (FRUs) — which focus on resolving cases of domestic violence — in police stations across the country, particularly in the south. The existing 13 FRUs must be better publicised to women through collaboration with local women’s organisations, Departments of Women’s Affairs (DoWAs; provincial units of the MoWAN), shelters and health clinics, and additional funding should be provided by international donors.

Ensure funding and capacity-building for gender equality
41 Bilateral and multilateral donors should provide funding to Afghan organisations that have a proven record in working on gender issues, as well as their ability to work with community leaders, Afghan women’s organisations are best placed to identify the priority needs of women and girls, to design strategies which work in the contexts they know best and to effectively engage with all stakeholders on relevant issues. Through such engagement, they are able to make lasting change happen.

42 Where Western INGOs or contracting companies are the direct recipients of grants, the contract conditions under which they are funded should be made explicit and technical assistance opportunities to Afghan institutions, including women’s organisations.

43 As far as possible, donor governments, INGOs and private donors should make multiyear commitments to allow for longer-term programmes and future planning on the part of civil society grantees. Bilateral and multilateral donors should also prioritise the allocation of direct funding to Afghan institutions and organisations, including women’s organisations, as opposed to bilateral organisations with large bureaucracies or foreign contractors. Measures to address corruption in the government must also be introduced at the same time if aid going through the Afghan government is to be rendered more effective.

44 Donors must focus on ameliorating the capacity of the Afghan government to effectively spend its budget, prioritise, address and monitor human rights abuses; build infrastructure; and provide essential services to its population. Donors must work with each ministry to introduce or improve existing communications to the public and to improve social accountability; for example, in terms of communicating change to citizens, informing them of pending reforms, seeking their input to government initiatives, demonstrating results achieved and, consequently, showing that the government cares about the people.

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Ensure funding and capacity-building for gender equality
41 The Government of Afghanistan and the international community must work to ensure that Afghan NGOs are supported to secure independent funding and that the government is able to leverage additional funds from donors to ensure that women’s work receives adequate funding.

42 Where Western NGOs or contracting companies are the direct recipients of grants, the contract conditions of donors should require partnerships with local organisations to ensure Afghan civil society’s access to resources and to provide capacity-building and technical assistance opportunities to Afghan institutions, including women’s organisations.

43 As far as possible, donor governments, NGOs and private donors should make multi-year commitments to allow for longer-term programmes and future planning on the part of civil-society grantees. Bilateral and multilateral donors should also prioritise the allocation of direct funding to Afghan institutions and organisations, including women’s organisations, as opposed to multilateral organisations with large bureaucracies or foreign contractors. Measures to address corruption in the government must also be introduced at the same time if aid going through the Afghan government is to be rendered more effective.

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46 A more efficient and less controversial use of NATO-staffed provisional reconstruction teams (PRTs) would re-orient Afghan civil society’s access to resources and to provide capacity-building and technical assistance opportunities to Afghan institutions, including women’s organisations.

There are many smart, strong women in every village who would like a chance to help their communities. All over Afghanistan those who try hard enough have found women who are willing to come forward and take their place in the development process.”

Counterrupt (2006), p.11

WOMANKIND’s partners rely on their solid reputations, firm rooting in communities and their access to the women within those communities to do much of their groundbreaking work. AWC has developed its own unique Community Entry Strategy, which takes into account the reluctance of men from religious and conservative communities, in both urban and rural areas; AWRC conducts comprehensive needs assessments before designing a project, taking with all community members to ascertain need and prioritise how resources will be used; and AWV works with a diversity of community members, engaging men and women, youth and poorer women as volunteers, staff and beneficiaries.

Due to their in-depth consultation with communities, their access to women and girls, their experience of working on women’s issues, as well as their positions as community leaders, Afghan women’s organisations are best placed to identify the priority needs of women and girls, to design strategies which work in the contexts they know best and to effectively engage with all stakeholders on relevant issues. Through such well-embedded engagement they are able to make lasting change happen.

CREATING SAFE SPACES — MARINING SERVICES ACCESSIBLE TO WOMEN

Initially, men did not allow women to come to the workshops, but later people were seeing the community and did the workshops so that men could listen from the window. Then they became interested and allowed the women to come for training. Now the husbands told the mullahs, who asked for more workshops for their wives.’

AWEC Trainer, Mazar-e-Sharif

WOMANKIND partner organisations in Afghanistan, AWC, AMWA and AWEU, understand the critical importance of creating a safe and secure environment for women to participate in activities and to take advantage of various services.

Each organisation uses its local knowledge to give attention to issues such as: Are women’s centres in central, accessible areas for women? Are they located in safe neighbourhoods? Many project sites have exclusively female staff, which helps women—who are often unaccustomed to being around men outside of their family—feel comfortable and to respond to concerns women or their families may have about their reputations if they associate with unrelated men. Centres frequently include facilities that make them accessible to women with family responsibilities, such as childcare, or literacy classes at times when women are not required at home. AWC and AMWA, on the other hand, work to go out to remote villages and hold workshops, such as literacy classes, on site in a venue trusted by the community, such as a local mosque.

Working through local women’s NGOs is social, ensuring responsive programming, community participation and local ownership of development projects. This contributes towards both positive short-term impact and long-term sustainability in efforts to strengthen women’s human rights.
the Afghan government to deliver services and contributing strategic technical assistance and knowledge transfer in government departments, particularly at the sub-national level.

Address women’s security as an urgent priority

47 The Nato-led ISAF should develop specific strategies for the improved protection of women from sexual violence, help women gain access to water, healthcare and markets—and should create the necessary conditions so that they can participate safely in the public and political life of the country. If they are to be used, moves should be made to ensure the good practice of PRTs, including recognizing the role of local women community-based groups and consulting with them in relation to gender mainstreaming within development projects; increasing the number of women represented in PRTs so that they can interact with local women; and prioritising establishing women at risk of abuse or injustice by working with and supporting local NGOs, maintaining lists of services to make referring for women at risk and supporting such services where possible.

48 There needs to be a clear and consistent gender focus throughout the work of PRTs, one which adequately recognises that women are amongst the most vulnerable in times of insecurity, but are also key actors for efforts at prevention and mitigation.

49 NATO should continue to exercise the almost care to prevent all civilian casualties and should continuously strive to improve tactics with the aim of protecting civilians, including women and children.

50 Afghanistan and its international backers, and in particular the US and UK governments, must continue to explore alternative responses to poppy production besides demobilisation and eradication, which has had enormous detrimental consequences for security in 2007.

Summary Research findings

The tables below provide a summary of the report findings and highlight the main improvements and challenges for women and girls in Afghanistan. Legal provisions, recent improvements, main areas of concern and challenges are covered under each of the following four sections — I. Violence against women, 2. Women’s civil and political rights, 3. Women’s social and economic status; and 4. The international community support to and policy on Afghan women.

1 VIOLENCE AGAINST WOMEN

‘Gender-based violence is considered a private matter rather than a social problem and the act of violence against women is considered the legitimate right of men. People have lived with this attitude for years.’


The iniquitous laws and procedures prevailing in Afghanistan have a material impact on the ability of women to access legal remedies and challenge the many forms of violence against women. The high incidence of violence against women is sometimes attributed to problems of poverty and ignorance, but the root causes of violence against women in Afghanistan lie with the historical and cultural context in which it occurs. As noted in the Special Rapporteur’s report on Afghanistan, “the Afghan government has taken some steps to address the problem. But the strong resistance it encounters from within society and from women’s advocates to change the system is clear evidence of the challenges it faces”.

Unfortunately, the Afghan government has failed to make progress on women’s status. In 2007, the government produced a new draft of the Afghan Penal Code, which included some improvements, such as introducing criminalisation of domestic violence. However, this new code is unlikely to be ratified due to lack of involvement of women, and the lack of strong enforcement mechanisms.

Women in Afghanistan continue to face many challenges, including violence, discrimination, and lack of access to justice. The Afghan government needs to take decisive action to address these issues and ensure that women have equal rights and opportunities. There is a urgent need to increase women’s and girls’ access to safe social spaces, cultural activities and community support networks. There is also a need for the Afghan government to promote gender equality and empower women to take an active role in society.

Legal provisions

Article 24, 54 (ch. II) Constitution of Afghanistan  
Afghan Code of Civil Procedures (1976)  
Afghan Law on the Organisation and Jurisdiction of the Courts (1967)  
UN Declaration on the Elimination of Violence Against Women  
Afghanistan Compact, section on Governance  
Rule of Law and Human Rights (p. 3 & Annex I, p.7 on Benchmarks)  
International Covenant on Civil and Political Rights, article 7  
UN Convention Against Torture  

Recent Improvements

- Documenting cases of violence against women has been introduced, first by the AHIWC.  
- Following release of the United Nations Fund for Women (UNIFEM) report (2006) on violence against women in Afghanistan, a process was initiated to co-ordinate and standardise the collection of data from cases of violence against women reported to the AHIWC, Ministry of Women’s Affairs and other government offices.  
- The International Human Rights organisation Global Witness undertook the first large scale sample size survey on domestic violence in 2006, surveying 4,700 households in 16 provinces.  
- The Inter-Ministerial Task Force to Eliminate Violence Against Women (established in 2005 by presidential decree following pressure from women’s organisations) continues to meet, though specific results are not known.  
- A new shelter has opened in Mazar-i-Sharif, the first in the north region. At present, an estimated 8,10 shelters operate in the country (four in Kabul, one in Herat, one in Balkh and two in central Afghanistan).  
- A ‘Together We Can’ campaign was launched in December 2007, with a media campaign on domestic violence throughout 2006 (see section II (f) below).  
- Early research tells us that violence against women in the country is of astronomical proportions, despite suspicions of higher under-reporting, particularly in cases of sexual violence, VAW in Afghanistan is perhaps the highest in the world. A place with the least services for victims, VAW affects a clear majority (87.2%) of women in all parts of the country. Abuse includes physical, sexual and psychological forms, as well as forced marriages.  
- Domestic violence is often severe and may be better defined as torture. A small sampling of the cases recently reported to international organisations include: burning, pulling hair until scalp is removed, attacks with scalding water, gang rapes by family members, sexual penetration with sharp objects, cutting, breaking bones, tying women up with chains or ropes and keeping them detained in dark rooms or basements for prolonged periods.  
- Honour crimes are known to occur, but are shrouded in secrecy. The AHIWC documented a rise in honour killings in 2006. There has been no known Afghan government initiatives to address the problem, other than condemnation following high-profile cases.

Main areas of concern

- Reforms and enforcing laws to protect women from violence have made slow progress in the legal reform agenda. The legal reform necessary to clearly criminalise domestic violence and rape has also been slow to materialise.  
- Existing laws that could be used to prosecute perpetrators of domestic violence are rarely applied in Kabul, and are almost never applied in the provinces. This deters victims from reporting crimes, offering impunity to abusers while victims remain in danger.  
- Enforcement mechanisms are extremely weak. Police are insensitive to violence against women as a crime and are not equipped with the tools to handle reported cases effectively. There is no capacity for forensic analysis laboratories, nor equipment to collect evidence such as cameras and plastic bags. Most importantly, there are no clear procedures in place to standardise the police response to domestic violence or any form of violence against women.  
- As yet, no one has been brought to justice for acts of violence, including sexual violence, committed against women as war crimes or in the context of conflict, prior to 2007. A proposed amnesty bill, which has passed both houses of parliament and is awaiting presidential approval, threatens to forever stifle any chance for victims to seek justice and redress for such crimes.
Address women’s security as an urgent priority

47. The NATO-led ISAF should develop specific strategies for the improved protection of women from sexual violence, help women gain access to water, healthcare and markets—and should create the necessary conditions so that they can participate safely in the public and political life of the country. If they are to be used, moves should be made to ensure the good practice of PRTs, including recognising the role of local community-based groups and consulting with them in relation to gender mainstreaming within development projects; increasing the number of women represented in PRTs so that they can interact with local women; and prioritising assisting women at risk of abuse or injury by working with and supporting local NGOs, maintaining lists of services to make referrals for women at risk and supporting such services where possible.

48. There needs to be a clear and consistent gender focus throughout the work of PRTs, one which adequately recognises that women are amongst the most vulnerable in times of insecurity, but are also key actors for efforts at prevention and mitigation.

49. NATO should continue to exercise the utmost care to prevent all civilian casualties and should continuously strive to improve tactics with the aim of protecting women and children.

50. Afghanistan and its international backers, and in particular the US and UK governments, must continue to explore alternative responses to poppy production besidescrop eradication, which has had enormous detrimental consequences for security in 2007.

Summary Research findings

The tables below provide a summary of the report findings and highlight the main improvements and challenges for women and girls in Afghanistan. Legal provisions, recent improvements, main areas of concern and challenges: human security, rule of law and the impact of violent conflict.

Legal provisions

- Article 24, 54 (ch. II) Constitution of Afghanistan
- Afghan Code of Civil Procedures (1976)
- Afghan Law on the Organisation and Jurisdiction of the Courts (1967)
- UN Declaration on the Elimination of Violence Against Women
- UN Convention Against Torture
- US and UK governments
- NATO-led ISAF
- Afghan Women's Development Organisation
- Afghan Women's Network
- Khilafat Group
- AIHRC
- UNIFEM
- Global Rights

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- Following release of the United Nations Fund for Women (UNIFEM) report (2006) on violence against women in Afghanistan, a process was initiated to coordinate and standardise the collection of data from cases of violence against women reported to the AIHRC, Ministry of other government offices.
- The International human rights organisation Global Rights undertook the first large sample size survey on domestic violence in 2006, surveying 4,700 households in 16 provinces.
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- A new shelter has opened in Mazari-Sharif, the first in the northern region. At present, an estimated 8-10 shelters operate in the country (four in Kabul, one in Herat, one in Babil and two in central Afghanistan).
- The Afghan government has introduced a bill, which has passed both houses of parliament and is awaiting presidential approval, to reform and enforce the penal code to make it more sensitive to violence against women.
- A 2007 Amnesty International report found no evidence of forced marriages.
- A 2007 report by the AIHRC documented a rise in honour killings in 2006. There has been no known Afghan government initiative to address the problem, other than condemnation following high-profile cases.

Main areas of concern

- Early research tells us that violence against women in the country is of astronomical proportions, despite high under-reporting, particularly for sexual violence. VAW in Afghanistan is perhaps the highest in the world, a place with the least services for victims. VAW affects a clear majority (87.2%) of women in all parts of the country. Abuse includes physical, sexual and psychological forms, as well as forced marriages.
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There is an urgent need to increase women’s and girls’ access to safe social spaces, cultural activities and community support networks.

 SELF-IMMOLATION AND FORCED MARRIAGE

Dr Gulaim Mohammed, a surgeon at Nangarhar Hospital in eastern Afghanistan, received a patient from Laghman District with severe burns covering 75 per cent of her body. The young woman, Naghmeh, was in a critical condition. Following emergency surgery, Dr Mohammad realised that this was no accident. When he started to talk to the girl she explained that her father sent her on vacation to Kabul, to stay in her sister’s house. When Naghmeh returned home, she discovered that her father had engaged her to an elderly man. Meanwhile, in Kabul she had already fallen in love with her cousin, who was not wealthy. The girl talked to her father to try to convince him to end the engagement he had made, but her efforts were useless. Her father had taken money from the old man and had already spent it. In Naghmeh’s desperation, she set herself on fire—a disturbingly common trend in Afghanistan known as self-immolation.

Naghmeh’s condition remained critical and despite the doctors’ best efforts, she eventually died a slow, agonizing death. The old man demanded her father’s second daughter in marriage. Naghmeh’s father initially conceded, as he couldn’t give the money back. However, the local committee of volunteers against violence against women (NVW), managed by the Afghan Women’s Network, has held several meetings with the girl’s father and her fiancé in an effort to prevent this forced marriage. At the time of writing, the old man has agreed he will instead accept repayment of the money, within one year.

Legal provisions

- Article 24, 54 (ch. II) Constitution of Afghanistan
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- UN Declaration on the Elimination of Violence Against Women
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There is an urgent need to increase women’s and girls’ access to safe social spaces, cultural activities and community support networks.
### a) Domestic abuse

- There are insufficient efforts targeting men for prevention education, awareness, counselling and other interventions against domestic violence. The main perpetrators of abuse, working with men and boys, is an integral component of the social change needed to stop domestic violence.
- Women (mothers-in-law and other female in-law) are often responsible for violence against other women in the family. One study found that 30% of domestic abuse was perpetrated by female household members.
- Interventions, prevention programmes and other responses aimed at eradicating domestic violence must recognize this in their design, and seek to understand how abuse by women can be prevented and justice sought.

### b) Violence in the community

- The AIHRC has made Q/AUN The National Action Plan Q/ as the main pillar of its objectives and focus. Q/Article 54, (ch. II)
- Afghan Law on the Organisation and Jurisdiction of the Courts (1967)
- An interministerial task force on VAW, established in 2003 under the leadership of MoWA, is no longer active.
- A UNIFEM study carried out in 2006 found that 9% of violence against women was committed by members of the community, includingelders, mullahs, neighbours, co-workers,
- UNIFEM and Afghan Women’s Network (MoWA) are working with men and perpetrators of abuse, seeking to understand how violence against other women was committed.
- There have been insufficient public education campaigns aimed to prevent it (through use of radio or billboards, for example).
- There has been no prosecution to date for the murder of Amina, a 27-year-old woman stoned to death in Badakshan in May 2005 by members of her family and the community following the ruling of a local shura council.
- Women continue to be prosecuted for zina (sex outside of marriage) when reporting cases of rape, thus deterring them from coming forward. This also further maintains the shame associated with rape.
- In 2006, there were at least 850 cases in which insurgent attacks caused civilian deaths or injury. These attacks—bombings, shootings, kidnappings, executions and other violence—deliberately targeted and killed a conservative estimate of at least 569 Afghan civilians, including women and girls. In 2005, 823 Afghans were killed in suicide bombings.

### Legal provisions

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Legal provisions[19] Recent improvements Main areas of concern Challenges: human security, rule of law and the impact of violent conflict

### a) Domestic abuse

- There are insufficient efforts targeting men for prevention education, awareness, counselling and other interventions against domestic violence. As the main perpetrators of abuse, working with men and boys is an integral component of the social change needed to stop domestic violence.
- Women (mothers-in-law and other female in-laws) are often responsible for violence against other women in the family. One study found that 30% of domestic abuse was perpetrated by female household members[20]. Interventions, prevention programmes and other responses aimed at eradicating domestic violence must recognise this in their design, and seek to understand how abuse by women can be prevented and justice sought.

### b) Violence in the community

- As of 2004, the European Union (EU) has been funding the Killid Media Group to raise awareness on VAW through media channels.
- The National Action Plan on Women includes VAW as the main pillar of its objectives and focus. The AHFRC has made violence against women a cornerstone of its programming, collecting:
- An inter-ministerial task force on VAW, established in 2003 under the leadership of MoWA with UNHRC is no longer active[21].
- A UNFEM study carried out in 2006 found that 9% of violence against women was committed by members of the community, including elders, mullahs, neighbours, co-workers, friends, cousins of neighbours, strangers, and armed gunmen and commanders.
- Violence against women continues to be surrounded by stigma and silence. There have been sufficient public education campaigns denouncing violence and aiming to prevent it (through use of radio or billboards, for example).
- There has been no prosecution to date for the murder of Armina, a 29-year-old woman stoned to death in Baddakhan in May 2005 by members of her family and the community following the ruling of a local shura council.
- Women continue to be prosecuted for zina (sex outside of marriage). When reporting cases of rape, thus deterring them from coming forward, this also further maintains the shame associated with rape.
- In 2006, there were at least 350 cases in which insurgent attacks caused civilian deaths or injury. These attacks – bombings, shootings, kidnapping, executions and other violence – deliberately targeted and killed a conservative estimate of at least 669 Afghan civilians[22].

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<td>UN Declaration on the Elimination of Violence Against Women</td>
<td>Statistics and raising awareness on the issue for the first time in Afghan history.</td>
<td>Friends, cousins of neighbours, strangers, and armed gunmen and commanders.</td>
<td>Women who report violence to police are at risk of imprisonment, further abuse by police or of being returned to unsafe, violent homes.</td>
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<td>UN Convention Against Torture</td>
<td>Convention on the Elimination of Discrimination Against Women</td>
<td>Violence against women continues to be surrounded by stigma and silence.</td>
<td>Weak capacity at the local level and lack of sensitivity training on VAW mean that police are often part of the problem, rather than providing help.</td>
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<tr>
<td>Declaration of Human Rights, article 6, paras. 1 &amp; 7</td>
<td>Afghanistan's criminal law contains provisions which criminalise harmful practices and violence against women[23]. While seldom enforced, they still provide an important legal framework to build upon, to advocate for better protection of women.</td>
<td>Afghan women continue to feel at risk or marginalised in high profile positions in the government or in NGOs.</td>
<td>Women who work outside the home, particularly those in conservative local militia groups.</td>
</tr>
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<td>Afghanistan Compact, section on Governance, Rule of Law and Human Rights (p.3 &amp; Annex L, p.7 on Afghanisation)</td>
<td>A law against violence against women is currently being drafted by the AHFRC, UNFEM and Afghan Women’s Network (AWN) under the co-ordination of the MoWA.</td>
<td>MoWA has been active in giving seminars on VAW across the country, as well as communicating messages against VAW through media, giving seminars on VAW.</td>
</tr>
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Legal provisions

- Article 54, (ch. II) Constitution of Afghanistan
- UN Convention on the Rights of the Child (CRC)
- Afghanistan Compact
- Rule of Law and Rights of the Child (CRC)
- Courts (1967)
- Jurisdiction of the Organisation and Afghanistan Law on the Procedures (1976)
- Afghanistan Constitution of Article 54, (ch. II)
- human rights.

Recent improvements

- Benchmarks

Main areas of concern

- Enforcement and education which to advocate for law provides a basis from seldom enforced, existing are being maltreated. While rights in the family, such as protect women's human protect women's rights in marriage.
- While no decrease in cases of self-immolation can be reported, the issue became a public concern for the first time when several organisations began work on it.
- The president's office has publicly condemned VAW and child marriage, but has not issued an official decree against child marriage despite calls from women's organisations. Save the Children, MoWA and ANAW conducted an awareness campaign on child marriage in Kabul schools. This could be a useful model for rural areas, where child marriage is more prevalent.

Challenges: human security, rule of law and the impact of violent conflict

- There is a lack of clarity in the current civil law (1976) around forced marriage for girls under 18 years. A new law should be introduced which unequivocally outlines all forms of forced marriage for women of all ages, including child marriage and marriages by exchange. At least 60% of marriages in Afghanistan are forced (as distinct from arranged) according to AIHRD estimate.[25] Plans to establish a registration process for marriages and divorces in 2005 have yet to be implemented. Such registration, and that of births and deaths, is needed to enforce women's human rights.
- For example, birth registration would confirm whether a bride is of legal marriage age. Currently, women are not provided with a marriage contract or certificate and are unaware of their rights within marriage under Afghan law.
- A 2005 survey found that 70% of men and 85% of women are unaware of rights afforded to women in family as regards family law.[26] Little effort has been made by the Ministry of Justice to increase legal awareness among citizens.
- Child marriage, the worse form of forced marriage, continues
- Currently, there is one family court in Afghanistan, located in Kabul; this inaccessible to women living elsewhere. Insincerely and cultural restrictions against unaccompanied travel prevent women from the provinces accessing the family court. No other family courts have been established since the fall of the Taliban, indicating little commitment to protecting women's human rights in family law.
- Informal justice, or customary law, largely regulates marriage practice and disputes; such decisions are rarely favourable to women or girls.
- Mahr (bride price) is still widely exchanged in marriages, making them a primary economic transaction. There has been no enforced legal sanction against the practice to date. On the other hand, under Afghan law, brides are entitled to mahr (a payment from the husband's family to the bride directly, consisting of money, property or valuable items). However, mahr is rarely paid to women and most women are not aware of their right to mahr[28].
- The lack of rule of law and power held by local strongmen (usually military commanders) contributes to the prevalence of forced marriages, as girls are often forced to marry against their will at the command of a local militant or warlord who holds power and influence in the community.
- Girls are routinely arrested for "running away" or eloping with a partner of their own choice, which is not against Afghan law. These girls often remain in police custody for prolonged periods, because of the danger they face if they return to their families. This situation is not sustainable and points to the urgent need for shelters and rehabilitation centres for women who cannot live with their families or in marriage partners.

- Afghan civil law contains numerous provisions that protect women's human rights in the family, such as their right to divorce if they are being maltreated. While seldom enforced, existing law provides a basis from which to advocate for enforcement and education about women's human rights.
- The new nikahnama (marriage contract) contains progressive provisions to protect women's rights in marriage.
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- The president's office has publicly condemned VAW and child marriage, but has not issued an official decree against child marriage despite calls from women's organisations. Save the Children, MoWA and ANAW conducted an awareness campaign on child marriage in Kabul schools. This could be a useful model for rural areas, where child marriage is more prevalent.
c) Child marriage and forced marriage

Article 54, (ch. II)
Constitution of Afghanistan

Afghan Code of Civil Procedures (1976)

Afghan Law on the Organisation and Jurisdiction of the Courts (1967)

UN Convention on the Rights of the Child (CRD)

Afghanistan Compact, September
Rule of Law and Human Rights (p.3 & Annex I, p.7 on Benchmarks)

International Covenant on Civil and Political Rights, articles 8, 9, 23 & 24

The president's office has publicly condemned VAW and child marriage,25 but has not issued an official decree against child marriage despite calls from women's organisations, such as the Children, MENA, and AHW conducted an awareness campaign on child marriage in Kabul schools. This could be a useful model for rural areas, where child marriage is more prevalent.

• Afghan civil law contains numerous provisions that protect women's human rights in the family, such as their right to divorce if they are being maltreated. While seldom enforced, existing law provides a basis from which to advocate for enforcement and education about women's human rights.
• The new nikahnamah (marriage contract) contains progressive provisions to protect women's rights in marriage.
• While no decrease in cases of self-immolation can be reported, the issue became a public concern for the first time when several organisations began work on it26; the president's office has publicly condemned VAW and child marriage, but has not issued an official decree against child marriage despite calls from women's organisations, such as the Children, MENA, and AHW conducted an awareness campaign on child marriage in Kabul schools. This could be a useful model for rural areas, where child marriage is more prevalent.

• There is a lack of clarity in the current civil law code (1976) around forced marriage for girls under 18 years. A new law should be introduced which unequivocally outlaws all forms of forced marriage for women of all ages, including child marriage and marriages by exchange. At least 60% of marriages in Afghanistan are forced (as distinct from arranged) according to AHRF estimate.27
• Plans to establish a registration process for marriages and divorces in 2005 have yet to be implemented. Such registration, and that of births and deaths, is needed to enforce women's human rights. For example, birth registration would help confirm whether a bride is of legal marriage age. Currently, women are not provided with a marriage contract or certificate and are unaware of their rights within marriage under Afghan law. A 2005 survey found that 70% of men and 85% of women are unaware of the rights afforded to them as regards family law.28 Little effort has been made by the Ministry of Justice to increase legal awareness among citizens.
• Child marriage, the worse form of forced marriage, continues.

• Currently, there is one family court in Afghanistan, located in Kabul; this inaccessible to women living elsewhere. Insecurely and cultural restrictions against unaccompanied travel prevent women from the provinces accessing the family court. No other family courts have been established since the fall of the Taliban, indicating little commitment to protecting women's human rights in family law.
• Informal justice, or customary law, largely regulates marriage practice and disputes; such decisions are rarely favourable to women or girls.
• Mahr (bride price) is still widely exchanged in marriages, making them legally binding. While Afghan law requires mahr (a payment from the husband's family to the bride) to be exchanged, and marriages by exchange. At least 60% of marriages in Afghanistan are forced (as distinct from arranged) according to AHRF estimate. Plans to establish a registration process for marriages and divorces in 2005 have yet to be implemented. Such registration, and that of births and deaths, is needed to enforce women's human rights. For example, birth registration would help confirm whether a bride is of legal marriage age. Currently, women are not provided with a marriage contract or certificate and are unaware of their rights within marriage under Afghan law. A 2005 survey found that 70% of men and 85% of women are unaware of the rights afforded to them as regards family law. Little effort has been made by the Ministry of Justice to increase legal awareness among citizens.
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### Legal provisions

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#### d) Trafficking, forced prostitution and abduction
- UN Resolution on Eliminating Demand for Trafficked Women and Girls for All Forms of Exploitation (2005)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000)
- UN Resolution on the Elimination of Violence Against Women
- International Covenant on Civil and Political Rights, article 8
- UN Resolution 1325 on Women, Peace and Security

- The Government of Afghanistan (GoA) provided land to the International Organization of Migration (IOM) for the construction of a shelter for trafficking victims.
- There were some arrests, prosecutions and convictions of traffickers during 2007.
- The GoA repatriated 400 child trafficking survivors from Saudi Arabia, Oman, Pakistan and Zimbabwe.

- Trafficking of women and girls in Afghanistan is an issue that has yet to be taken up robustly by the international community or Afghan government. Women and girls are trafficked internally within the country as well as to Iran, Pakistan and Saudi Arabia for forced marriage, forced labour and commercial sexual exploitation.
- Further, there are trafficked women in Afghanistan from Tajikistan, China and Iran working as prostitutes.
- Afghan children, including girls, are also trafficked internally and to Iran, Pakistan, Saudi Arabia, Oman and Zimbabwe.
- Afghanistan has no formal mechanism to refer trafficking survivors to protection services operated by independent or government agencies, and no formal victim identification system.
- Survivors of trafficking are frequently punished by being imprisoned for prostitution or zina, and children are incarcerated rather than rehabilitated and reunited with their families.
- Despite the GoA and UNICEF campaign on trafficking, further public awareness efforts on the part of both the government and local or international NGOs are still needed throughout the country.

#### e) Rape and sexual violence
- Article 54, (s. 8) Constitution of Afghanistan
- UN Declaration on the Elimination of Violence Against Women
- UN Convention Against Torture
- Afghanistan Compact, section on Governance, Rule of Law and Human Rights (p. 3 & Annex L.7 on Benchmarks)
- United Nations Security Council Resolution 1325 on Women and Peace and Security
- International Covenant on Civil and Political Rights, article 6, paras.1 & 7

- The GoA has yet to enact a comprehensive anti-trafficking law and needs to increase law enforcement against internal trafficking, particularly of girls under age 18 for forced prostitution, forced marriage and slavery.
- During 2007, there was no clear progress on anti-trafficking law enforcement.
- Trafficking in women continued to rise, in part due to insecurity, porous borders, economic insecurity and the still penivease lack of rule of law.
- Corruption among border guards continues to facilitate trafficking in women, and it is suspected that there is systematic complicity with traffickers among border and highway police in particular.

- In 2007, UNIFEM launched the Supporting Women’s Engagement in Peace-Building and Preventing Sexual Violence in Conflict: Community-based Approaches project, to be implemented in selected communities in Panwan and Nangarhar.

- Insecurity increases women’s vulnerability to sexual violence and the threat decreases their mobility, economic activities and participation in public life.
- Sexual violence in Afghanistan is often perpetrated by men affiliated to private militia factions under the authority of warlords. The impunity warlords enjoy and the fear they exercise over communities greatly exacerbates the occurrence of sexual violence and the extremely low rate of rape reporting and prosecutions.
- Women who report rape to authorities further endanger themselves and risk being tried under customary law and imprisoned for crimes of zina, sexual intercourse outside of marriage or being burned.
- Sexual abuse has been reported as taking place in custody and in women’s prisons, mostly recently in the Pul-i-Charkhi women’s prison in Kabul.

- There remains a severe lack of responsive programming for survivors of sexual violence, such as trauma counselling and medical treatment, as well as the capacity for forensic analysis to provide evidence confirming a rape has occurred. The healthcare sector has little to no capacity, particularly outside of Kabul, to respond to patients who have experienced sexual violence and medical personnel are often insensitive to victims.
- The social stigma and shame surrounding human sexuality in Afghanistan contributes to the lack of reporting crimes of sexual violence, and prevents victims from seeking physical or psychological treatment. Stigma and silence also limit prevention efforts, when sexual abuse, assault
**d) Trafficking, forced prostitution and abduction**

- The Government of Afghanistan (GoA) provided land to the International Organisation of Migration (IOM) for the construction of a shelter for trafficking victims.
- There were some arrests, prosecutions and convictions of traffickers during 2007-2008.
- The GoA repatriated 400 child trafficking survivors from Saudi Arabia, Oman, Pakistan and Zimbabwe by facilitating family reunification and providing shelter for the children in existing juvenile centres or orphanages, as well as medical care and educational services.
- The Ministry of Labour and Social Affairs and the United Nations Children’s Fund (UNICEF) launched a broad public awareness campaign to educate the public on the dangers of trafficking and resources for assistance.
- The GoA has had an Anti-Trafficking Task Force in place since 2003.
- A pilot programme has been launched to monitor evidence of trafficking into or out of Afghanistan at two sites along the Afghan-Pakistan and Afghan-Afghan borders.
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**UN Resolution on Eliminating Demand for Trafficked Women and Girls for All Forms of Exploitation (2005)**


**Article 54, (ch. II)**

**International Covenant on Civil and Political Rights, article 8**

**UN Resolution 1325 on Women and Peace, article B**

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- International Covenant on Civil and Political Rights, article 6, para 1 & 7
- UNFEM’s newly established database to track violence against women will also track reported cases of sexual violence.
- In 2007 UNFEM launched the Supporting Women’s Engagement in Peace-Building and Preventing Sexual Violence in Conflict Community-led Approaches project, to be implemented in selected communities in Panjshir and Nangarhar.
- Sexual violence continues to be pervasive in Afghanistan.
- A study carried out by UNFEM in 2006 found that sexual violence constituted 45.4% of the types of violence perpetrated by family members. This study also found that rape and abduction were the most often reported forms of violence perpetrated by members of the community against women (45.9%).
- There remains a severe lack of responsive programming for survivors of sexual violence, such as trauma counseling and medical treatment, as well as the capacity for forensic analysis to provide evidence confirming a rape has occurred. The healthcare sector has little to no capacity, particularly outside of Kabul, to respond to patients who have experienced sexual violence and medical personnel are often insensitive to victims.
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**Legal provisions**

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**Challenges: human security, rule of law and the impact of violent conflict**
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EARLY MARRIAGE

Razia is a 16-year-old girl living in an impoverished district of Kabul with her elderly father, who mends shoes for a living. She is the only daughter of a poor and underprivileged family. When Razia was 10 years old, her father married her to a 60-year-old man, a Taliban soldier, in exchange for a sum of money. In her short life, Razia has known little beyond the extreme cruelty of her husband, who disliked her from the start. She could not cope with the responsibility of managing a household as a child, and was frequently abused physically by her husband as a result. He also denied her the right to visit her family or leave the home. After two years, Razia had not become pregnant: her husband decided she was infertile and set about finding himself another wife who was more to his liking and able to have children.

Razia’s abuse and experience as a child bride have left her so traumatised she is unable to live her life normally and happily. At 16, she lives with her family again and is trying to get a divorce. She recently graduated from one of AWRC’s Chilsitoon Centre literacy classes.

INVESTING IN THE FUTURE – ENGAGING WITH YOUNG WOMEN

The biggest change is that they have the courage to talk to people, speak publicly in front of others. They have new ideas and can express their ideas. They can convince others.

Family of AWN Youth Committee member, Peshawar.

Afghanistan has been at war since the Soviet invasion of 1979. Young people in the country have grown up amidst conflict and instability, and many have never known peace. WOMANKIND’s partner, the Afghan Women’s Network (AWN), has made engaging with youth a pillar of its women’s human-rights work. Youth is an area with little support from the international donor community, but it has important potential to lay a foundation for peace and sustainable development in Afghanistan.

AWN works with youth through their Youth Committees, by partnering with schools and teachers, holding workshops and offering educational opportunities to young women in Kabul, Jalalabad and Peshawar. Young people play an important role in AWN’s work — as staff, volunteers, committee members and community mobilisers.

As a Youth Committee leader from Kabul who learned about politics, environmental awareness and gender at AWN, Mayhan, 17 (above) now works to share her knowledge with her family and her community. ‘Now I understand how women and girls can work amongst the community’, she says, ‘Now it’s our turn to find the real differences amongst the girls and boys and why there are these differences, such as families not allowing their girls to go to school’.

Enabling young women to participate in the development process offers tangible results. ‘We can make everyone aware of gender equality by giving information’, Mayhan explains. ‘Whilst there are many problems in Afghanistan, I think it’s going to get better, because we youth are working to change society.’

WOMEN’S POLITICAL PARTICIPATION IN AFGHANISTAN

- Last parliamentary election: 18 September 2005
- Voter turn-out in 2005: 50%
- Female voter registration in 2005: +40%[51]
- Quota for female parliamentarians: 25%
- Seats held by women in Lower House (Wolesi Jirga) out of total of 249: 28%
- Seats held by women in House of Elders (Meshrano Jirga) out of a total of 102: 23%
Legal provisions

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Sexual abuse is epidemic within families, in both birth households and marriage households, where child brides may be victimised by multiple family members. The context of marriage can lead to a higher likelihood that sexual abuse will occur.

The MoWA has done little to address baad, but has approached religious leaders asking them to condemn the practice publicly in mosques.

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LEGAL PROVISIONS

- Legal provisions
- Recent improvements
- Main areas of concern
- Challenges: human security, rule of law and the impact of violent conflict

SEXUAL ABUSE

- Sexual abuse is epidemic within families, in both birth households and marriage households, where child brides may be victimised by multiple family members.
- The context of marriage can lead to a higher likelihood that sexual abuse will occur.
- In particular, forced marriages, marriages by baad (when brides are exchanged to settle a dispute) and child marriages lead to higher rates of sexual violence within marriages.

TAKE NOTE

- To date, the MoWA has done little to address baad, but has approached religious leaders asking them to condemn the practice publicly in mosques.

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### 2 WOMEN'S CIVIL AND POLITICAL RIGHTS

By excluding 50 per cent of the population from decision-making positions, Afghanistan is undermining its ability to capitalise on the full potential of its society. (Coleman and Hunt, 2006).

#### Legal provisions

- **Constitution of Afghanistan, article 47 (ch. 4) on Culture**
- **International Covenant on Economic, Social and Cultural Rights, articles 2, 3 & 15**

#### Recent Improvements

- The Afghan Women’s Network manages girls’ programmes specifically targeted at women. Girls’ schools in the provinces are less likely to have athletics as a subject.
- Kabul University has a Fine Arts Faculty, though it is unknown whether there are any female students.
- The Afghan Women’s Network manages girls’ programmes and courses such as karate for girls.

#### Main areas of concern

- Public spaces, recreation and women’s cultural participation
- Women’s political participation

#### Challenges: human security, rule of law and the impact of violent conflict

- In his 2006 nominations to the Supreme Court, President Karzai did not nominate a single woman candidate, and currently there are no women

### a) Public spaces, recreation and women’s cultural participation

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<td><strong>Constitution of Afghanistan, article 47 (ch. 4) on Culture</strong></td>
<td>- The Aga Khan Foundation has prioritised the development or restoration of heritage sites in its programming in Afghanistan, including a US$5 million restoration of the Bagh-e-Babur garden (a large park, historical site and open public space).</td>
<td>- Public spaces, recreation and cultural activities for women remain one of the weakest areas of donor support in Afghanistan. Yet, Afghan women’s organisations interviewed for this research consistently identified the need for public space and recreation, in particular sports activities, as priorities for improving women’s status and well-being.</td>
<td>- Women’s mobility and participation in public is restricted due to lack of protection from security threats.</td>
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<td><strong>International Covenant on Economic, Social and Cultural Rights, articles 2, 3 &amp; 15</strong></td>
<td>- The Noor Education Centre, an Afghan NGO, has opened several small neighbourhood libraries for girls.</td>
<td>- Few public spaces exist for women outside of the home and market and few recreational activities are accessible to women (sports, parks, organised social events). This is a result of both restrictive social norms as well as insecurity, and affects women’s social integration, access to information and quality of life.</td>
<td>- Insecurity has led to widespread, constant fear among the population, which prevents people from participating in leisure activities. This in turn affects quality of life.</td>
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<td>- In 2006, the Cooperation Centre for Afghanistan conducted a women’s reading and writing project, publishing the works of 30 women in Dari and Pashto. Kabul has a large park and garden for women and girls only. This is a model for other communities around the country to dedicate a safe, private space for women outside the home.</td>
<td>- Kabul University has a Fine Arts Faculty, though it is unknown whether there are any female students.</td>
<td>- Public and cultural and religious spaces, other than certain shrines, are usually closed to women and girls, including mosques in urban and rural areas alike. Women are thus only able to practice their religion in the private sphere.</td>
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<td>- The Ministry of Culture and Youth Affairs has offices in every province, but no programmes specifically targeted at women.</td>
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### b) Women’s political participation

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<td>- There are 68 women in Afghanistan’s parliament (of 249 MPs), exceeding the 25% quota in place for women’s representation.</td>
<td>- At least six women MPs have had their lives threatened in the last two years, yet none have been offered protection</td>
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### 2 Women's Civil and Political Rights

#### a) Public Spaces, Recreation and Women's Cultural Participation

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<td>The Aga Khan Foundation has prioritised the development or restoration of heritage sites in its programming in Afghanistan, including a US$5 million restoration of the Bagh-e-Babur garden (a large park, historical site and open public space). The Noor Education Centre, an Afghan NGO, has opened several small neighbourhood libraries for girls. In 2006, the Cooperation Centre for Afghanistan conducted a women's reading and writing project, publishing the works of 30 women in Dari and Pashto. Kabul has a large park and garden for women and girls only. This is a model for other communities around the country to dedicate a safe, private space for women outside the home. There are two public libraries in Kabul, one in Herat and one in Mazar; however, they are not commonly used by women or girls and the collections need expanding and updating. The Ministry of Culture and Youth Affairs has offices in every province, but no programmes specifically targeted at women. Kabul University has a Fine Arts Faculty, though it is unknown whether there are any female students. The Afghan Women’s Network manages girls’</td>
<td>Public spaces, recreation and cultural activities for women remain one of the weakest areas of donor support in Afghanistan. Yet, Afghan women’s organisations interviewed for this research consistently identified the need for public space and recreation, in particular sports activities, as priorities for improving women’s status and well-being. Few public spaces exist for women outside of the home and market and few recreational activities are accessible to women (sports, parks, organised social events). This is a result of both restrictive social norms as well as insecurity, and affects women’s social integration, access to information and quality of life. Public cultural and religious spaces, other than certain shrines, are usually closed to women and girls, including mosques in urban and rural areas alike. Women are thus only able to practice their religion in the private sphere. In light of the massive illiteracy that plagues Afghan women in particular, the country’s few public libraries need special outreach programmes and</td>
</tr>
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**Constitution of Afghanistan, articles 2, 3 & 15**

- Recent improvements: Legal provisions
- Main areas of concern: Challenges: human security, rule of law and the impact of violent conflict

**International Covenant on Economic, Social and Cultural Rights, articles 2, 3 & 15**

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### b) Women’s political participation

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<td>There are still barriers in Afghanistan’s parliament (of 249 MPs), exceeding the 25% quota in place for women’s representation.</td>
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**Constitution of Afghanistan, articles 33, 38 & 39 (ch. 8), articles 49(10) (ch. 8), II & 1.37 (ch. VII)**

- Recent improvements: Legal provisions
- Main areas of concern: Challenges: human security, rule of law and the impact of violent conflict

**International Covenant on Economic, Social and Cultural Rights, articles 33, 38 & 39 (ch. 8), articles 49(10) (ch. 8), II & 1.37 (ch. VII)**

- Recent improvements: Legal provisions
- Main areas of concern: Challenges: human security, rule of law and the impact of violent conflict
Legal provisions

- Afghanistan Compact, section 13, Governance, Rule of Law and Human Rights (p.3 & Annex 1, p.7 on Benchmarks)
- United Nations Security Council Resolution 1325 on Women and Peace and Security

International Covenant on Civil and Political Rights, articles 2, 3, 12 & 25

- Right to freedom of expression and freedom of peaceful assembly
- Right to life, liberty and security of person
- Right to a fair trial and to legal of counsel (Article 14)
### Legal provisions

- Article 2: Women’s Rights, articles 54, 66, (ch. VI) & 130 (ch. VII)
- Afghan Law on the Organisation and Jurisdiction of the Courts (1967)
- Afghan Criminal Code (1976)
- Afghan Compact, section on Governance, Rule of Law and Human Rights (p.3 & Annex 1, p.7 on Benchmarks)
- United Nations Security Council Resolution 1325 on Women and Peace and Security
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### Customary law and the justice system

- Constitutions of Afghanistan, articles 21, 54, 56, (ch. III & 130 (ch. VI)
- Afghan Law on the Organisation and Jurisdiction of the Courts (1967)
- Afghan Criminal Code (1976)
- Afghan Compact, section on Governance, Rule of Law and Human Rights (p.3 & Annex 1, p.7 on Benchmarks) and Principles of Cooperation recognise that in all policies and programmes that men and women have equal rights and responsibilities (p.2).
- United Nations Security Council Resolution 1325 on Women and Peace and Security
- International Covenant on Civil and Political Rights, articles 2, 3, 5, 30, 14 & 15

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4. Since 2003, significant steps in legal reform include
5. The Afghan government failed to submit its first CEDAW Report to the UN Human Rights Council.
6. Militias continue to operate under the control of quasi-independent commanders throughout the country.
7. Police reform has been slow and corruption is rampant throughout Afghanistan, undermining the Afghan police forces. Police are insensitive to crimes against women such as domestic abuse or rape, which will accept bribes from perpetrators and lack knowledge of both Afghan and international law in all respects, including the protection of the rights of women and girls.
8. On an estimated 62,000 officers in the Afghan National Police (ANP), women number only 233. For 2007, after years of rhetoric committing to training more women police officers and associated donor funding, this number is unacceptable low. The lack of female officers prevents the police from being able to respond to crimes against women, as cultural norms often restrict male police officers’ interactions with both female victims and suspects.
9. The Ministry of the Interior does not keep accurate records of the number of female officers, their location or rank, signalling a lack of interest in this area.
10. Most female police assist male officers or carry out menial tasks.
**Legal provisions**

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<td>Rights Commission, due in April 2004.</td>
<td>- Judges lack knowledge and familiarity with de jure-Afghan law, including basic civil and criminal law, and often defer to their own interpretation of sharia law and tribal custom, or a mix of both. Similarly, judges have limited training in Islamic jurisprudence, comparative sharia or interpreting the Qur’an or Hadiths systematically. Both the formal and informal legal systems lack a rights perspective.</td>
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<td>- There is a backlog of cases in nearly all types of courts — cases can take years before going before a judge.</td>
<td>- Work only and have little professional experience. - Low salaries have led to the profession having a low status, making it harder to attract committed women and men to police forces. There is also evidence that policing is viewed by officers, women included, as fighting crime and supporting the state only, rather than helping individuals or protecting communities.</td>
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<td>- The FRUs are staffed by police, women police officers and women in prison are safe for women.</td>
<td>- Police receive human rights training, but do not receive training in gender sensitivity as a separate unit — which would provide knowledge of legal protections to women’s human rights in domestic and international law and how such instruments should be defended.</td>
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<td>- Improved public security and police services to the poor and disempowered.</td>
<td>- Protocols and policies on women’s human rights are absent at the level of the police station. Hence what is imparted in training is not reflected in practice once police graduate and enter the force.</td>
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<td>- The Asia Foundation has supported the creation of mobile training units to train public prosecutors across Afghanistan.</td>
<td>- Annulling police conduct that has received little attention from the international community in Afghanistan, which has favoured infrastructure and creating a rank system as priority.</td>
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<td>- There are now 13 Family Response Units (FRUs) in operation, annexed to police stations and tasked with responding to cases of violence against women. The FRUs are staffed by women police officers and have separate entrances, making it easier for female victims to report abuse without having to face male officers.</td>
<td>- The Ministry of the Interior had insufficient capacity to meet its obligations in the three-month plan of the Inter-Ministerial Task Force on Violence Against Women.</td>
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<td>- Canada funds a Police Sector Reform project, which includes a small component focused on the recruitment of female police officers, and the Ministry of the Interior operates the Unit of Female Registration.</td>
<td>- Such crimes are brought to court, perpetrators are rarely convicted. There is a general acceptance in society (and sympathy among judges) of men’s right to murder or harm women to ‘preserve honour.’</td>
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<td>- Legal Training Centre, training of trainers’ courses for 40 female lecturers, professors and Ministry of Justice officials, and the eventual formation of an Afghan NGO providing legal services to the poor and disempowered.</td>
<td>- The judiciary tends to hold women responsible for crimes where they are targeted (rape, attacks) and judges rule using tribal law or traditions instead of codified law. Most women will avoid going through the courts because of the humiliation it will bring them and the perceived dishonour it will bring to their family, particularly acute in the south.</td>
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**Recent Improvements**

- Security Police for Kabul.
- Afghanistan’s 2007 Human Development Report was themed around rule of law and the search for justice and made recommendations for improving the justice system and considering how parallel justice systems could be improved to support the country’s development.
- In Kabul, female police officers now carry out foot patrols in parks, to ensure parks are safe for women.
- In October 2007, Kabul hosted an international conference on Muslim policiwomen.

**Main areas of concern**

- Lack of legal aid clinics, and those that are in operation are severely under-resourced and overwhelmed with cases. There is an urgent need for initiatives in the provinces, such as the ILF’s Legal Aid Afghanistan.
- There is a trend towards relying on female defense attorneys, particularly in the provinces.
- Improved legal training is still needed at law faculties in the provinces. There are insufficient up-to-date textbooks in the local languages and lecturers are often poorly qualified. INGOs working in legal reform have yet
Legal provisions

Recent Improvements

Main areas of concern

Challenges: human security, rule of law and the impact of violent conflict

the completion over 2,400 laws (most dating from the time of King Zaher Shah),

interim training for the judiciary and training in service lawyers (mostly in Kabul). Current efforts, under the leadership of the International Development Law Organisation, include the preparation of 176 judicial candidates for the entrance exam to the judiciary, technical assistance in the development of a National Legal Training Centre, training of trainers’ courses for 45 trainers, professors and Ministry of Justice officials, and the eventual formation of an Afghan NGO providing legal services to the poor and disempowered.

Global Rights runs a training programme for young lawyers.

The Asia Foundation has supported the creation of mobile training units to train public prosecutors across Afghanistan.

There are now 13 Family Response Units (FRUs) in operation, annexed to police stations and tasked with responding to cases of violence against women. The FRUs are staffed by women police officers and have separate entrances, making it easier for female victims to report abuse without having to face male officers.

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There is a backlog of cases in nearly all types of courts — cases can take years before going before a judge. The vast majority of women in prison are there for zina (sexual relations outside of marriage) or for running away from home to escape abuse or forced marriage, rather than for legitimate crimes recognised under international law.

Despite approving the ‘Transitional Justice Action Plan’, a five-year process to gather information about Afghanistan’s legacy of warfare and violence and to consider methods of achieving accountability in 2005, President Karzai has yet to make the required presidential announcement and no further action has been taken on the plan.

A culture of impunity reigns around honour crimes, as the crimes are rarely reported. When they are reported, perpetrators are rarely convicted[68]. There is a lack of legal aid lawyers, and those that are in operation are severely under-resourced and overwhelmed with cases. There is an urgent need for initiatives in the provinces, such as the ILF’s Legal Aid Afghanistan.

There is a dire shortage of defence attorneys, particularly in the provinces.

Improved legal training is still needed at law faculties in the provinces. There are insufficient up-to-date textbooks in the local languages and lectures are often poorly qualified. INGOs working in legal reform have yet...
### Legal provisions

| Constitution of Afghanistan, articles 7, 34, 37 & 50 (para. 3) (ch. 8) |
| International Covenant on Civil and Political Rights, article 19 |
| Mass Media Law, signed by decree in December 2005 and now before parliament |

### Recent Improvements

- The Afghan constitution guarantees freedom of expression and freedom of the press.
- The Killid Group (TKG), a project of Afghan NGO Development and Humanitarian Services for Afghanistan (HSHA), has contributed numerous media initiatives, strengthening gender awareness and knowledge through coverage of gender issues, training women journalists and launching a women’s magazine that reaches more than 50,000 readers.
- TOLO TV, a popular television service, the Centre for Peace Reporting, Inter Press Service, the Institute for War and Peace Reporting, and the Killid Group have all been supported by the media support centres in Kabul.

### Challenges: human security, rule of law and the impact of violent conflict

- The independent media is one sector that has flourished in recent years. The Afghan media needs support to hold trainings for Afghan journalists. The Afghan government is a critical element in the Afghan media’s success. The Afghan government also needs to provide legal support to Afghan journalists. The Afghan government needs to provide more support to Afghan journalists. The Afghan government also needs to provide more support to Afghan journalists. The Afghan government also needs to provide more support to Afghan journalists. The Afghan government also needs to provide more support to Afghan journalists. The Afghan government also needs to provide more support to Afghan journalists. The Afghan government also needs to provide more support to Afghan journalists.

### Main areas of concern

- Women’s Weekly Mirror (WWM), a weekly newspaper, is one of the few Afghan newspapers that is owned and run by women.
- Afghanistan’s most popular women’s magazine, ‘Afghanistan Unveiled’ produced by 14 women journalists, has been held by TKG and Inter Press Service.
- The Afghan government, USAID and the United Nations have supported many Afghan NGOs in their efforts to disseminate information to the provinces and support to provincial media from donors has been minimal.
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### Women’s media

- There are several women’s magazines in circulation, such as Mabali, and the Afghan Women’s Weekly Mirror.
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### Freedom of expression and access to information

- The security situation prevents the free and safe mobility of journalists, and women, cultural norms further restrict female journalists’ access to sources, subjects and stories.
- Local militarised factions often intimidate women journalists and activists and hinder the free flow of information in areas under their control.
- The Taliban insurgency in particular has resulted in violence against the media. In 2006, there were 50 recorded cases of violence against journalists. Freedom of speech and freedom of the press are now more restricted in the provinces, and support to provincial media from donors has been minimal. More media development and improved access to news is needed for public support to the peacebuilding effort.
- Women’s Weekly Mirror (WWM), a weekly newspaper, is one of the few Afghan newspapers that is owned and run by women.
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The independent media is one sector that has flourished in recent years. TOLO TV, a popular television station, has daringly reported on taboo issues, experimented with new formats such as talk and lifestyle shows, broadcast political commentary from progressive observers and live concerts with men and women, and has female reporters and hosts. The government has been using television successfully to air public service announcements, such as tips on health, sanitation and rights. It is believed there are at least 300 active women journalists in the country (75). With female illiteracy estimated at 88%, the vast majority of Afghan women cannot access any form of media besides radio. Information, resource and knowledge access is initiated by both foreign and Afghan NGOs often neglected to produce information that is accessible to illiterate and semi-literate women, such as image-only media. There have been few well-implemented projects aimed at raising female awareness outside of Kabul. There is limited awareness among the large cities of the guarantees enshrined in the Afghan constitution, including the provision which makes women and men equal citizens under Afghan law. Legal awareness can be raised through radio, television, the distribution of flyers or ‘night letters’ in public spaces, through libraries and through the establishment of media support centres in Kabul.

2007 was a tumultuous year for women in the media. Zaila Zalai, a radio station owner, school principal and activist, was shot dead in her bed, while she held her infant son. The investigation into her death has been stalled and it is yet unresolved. Kandahar journalist Shuhood Soniga Amaj, 23, was also murdered. These fellow the murderers in 2006 of Shiroma women, such as image-only media.

Amaaj, 21, was also killed by a rebel in 2006 while she held her infant son.

The security situation prevents the free and safe mobility of journalists, and for women, cultural norms further restrict female journalists’ access to sources, subjects and stories. Local militarised factions

### Legal provisions

- **Constitution of International Covenant (ch. II)**: 34, 37 & 50 (para. 3)
- **Rights, article 19**: now before parliament
- **December 2005 and issued by decree in**

### Main areas of concern

- to hold trainings for lawyers in the provinces.
- There are still no official, enforced qualifications for judicial personnel and despite a few trainings held for judges, the judiciary’s knowledge and professionalism is weak.
- Corruption among both defence attorneys and prosecutors is widespread.

### Challenges: human security, rule of law and the impact of violent conflict

- The Afghan constitution guarantees freedom of expression and freedom of the press.
- The Khilaf Group (TKG), a project of Afghan NGO Development and Humanitarian Services for Afghanistan (DHSA), has contributed numerous media initiatives, strengthening women’s human rights through coverage of gender issues, training women reporters and launching a women’s magazine that reaches every rural province. TKG also held a media campaign on domestic violence, broadcasting PSAs and radio dramas and organising roundtables on the issue.
- In 2007 there were over 50 independent radio stations in Afghanistan, including several women’s radio stations; this compared to the single radio station in 2001 (Rebca Shahraz).
- Afghanistan has seen the birth of a small film-making industry, including films produced by several Afghan women to critical acclaim (for example, ‘Three Cots’, produced in Herat, and Afghanistan Unmapped’ produced by 14 women journalists). Numerous documentary films have been made about Afghan women by Western film-makers and NGOs, including WOMANKIND’s film ‘Tradition, War and Freedom’, produced in 2006.
- There are several women’s magazines in circulation, such as Mabali, and the Women’s Weekly Miler.
- The publishing sector is weak and women’s magazines in circulation, such as investigative journalism, economic

### Freedom of expression and access to information

- Women journalists are routinely silenced and curtail their reporting on human-rights abuses, gender inequality or criticising local power holders, elders or religious leadership.
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- There are several women’s magazines in circulation, such as Mabali, and the Women’s Weekly Miler.
- The publishing sector is weak and women’s magazines in circulation, such as investigative journalism, economic

### Freedom of expression and access to information

- Women journalists are routinely silenced and curtail their reporting on human-rights abuses, gender inequality or criticising local power holders, elders or religious leadership.
- Corruption among both defence attorneys and prosecutors is widespread.
- There were heavy cuts and curtail their reporting on human-rights abuses, gender inequality or criticising local power holders, elders or religious leadership.
- The Afghan constitution guarantees freedom of expression and freedom of the press.
- The Khilaf Group (TKG), a project of Afghan NGO Development and Humanitarian Services for Afghanistan (DHSA), has contributed numerous media initiatives, strengthening women’s human rights through coverage of gender issues, training women reporters and launching a women’s magazine that reaches every rural province. TKG also held a media campaign on domestic violence, broadcasting PSAs and radio dramas and organising roundtables on the issue.
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## Legal provisions

### Recent Improvements

- There are growing cellular networks, with 100 out of every 1,000 people owning a mobile phone.

### Main areas of concern

- Women's organisations provide a multitude of services that would otherwise be unavailable in rural areas.

### Challenges: human security, rule of law and the impact of violent conflict

- Hostage-taking, killing of hostages and torture and any form of inhuman treatment—regardless of the identity, status or position of the perpetrator or victim, and regardless of the cause exasperated by the perpetrators.
- Afghan Women's Compact: Principles of Cooperation include a commitment to: Build lasting capacity and effective state and civil society institutions, with particular emphasis on building up human capacities of men and women alike.

## Women's organisations and women in civil society

### Constitution of Afghanistan, article 35 (ch. II)

Geneva Conventions of 1949 and Additional Protocols of 1977—these prohibit the intentional killing of people who are not taking an active part in hostilities, distinct from those who carry arms; indiscriminate attacks, abductions and

### Recent Improvements

- Many of the women's organisations have gained exposure to new strategies, methodologies and ideas from the region (e.g. Iran or Pakistan) and from around the world through the international attention focused on Afghan women. Such strategies, which include ways of advocating for women's human rights within Islamic frameworks, have bolstered their capacity to make grassroots changes.
- NGOs employ a significant number of women, vital access to employment where income opportunities for women are limited.
- An active Lawyers' Association exists, though it is largely restricted to Kabul.

### Main areas of concern

- Women's organisations are weak and restricted in capacity to make grassroots changes.
- NGOs have not yet received any kind of support or seed funding and training from international donors.
- A lack of progress in disarmament, the continued presence of warlords, and the proliferation of ‘briefcase NGOs’, outfits set up for the sole purpose of being awarded grants and earning a profit, which is then distributed to collaborators.
### Legal provisions

- Recent Improvements

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### Main areas of concern

- Women's organisations provide a multitude of services that would otherwise be unavailable in many areas. NGOs run independent girls' schools, income-generation programmes, radio stations, healthcare training and legal aid clinics. Organisations can often be the only place women can go for protection, shelter or to escape violence, forced marriage and other threats. Afghanistan women's organisations have gained exposure to new strategies, methodologies and ideas from the region (e.g. Iran or Pakistan) and from around the world through the international attention focused on Afghan women. Such strategies, which include ways of advocating for women's human rights within Islamic frameworks, have bolstered their capacity to make grassroots change. NGOs employ a significant number of women, vital access to employment where income opportunities for women are limited. An Afghan Lawyers Association exists, though its membership is small and largely restricted to Kabul. In 2005, a law was passed on NGOs, which included provisions to regulate the activity of NGOs, ensure NGOs were accountable for their spending and ending waste and prohibiting NGOs for the construction industry. The International Centre for Non-Profit Law has supported work in this regard.

### Women's organising and women in civil society

- Constitution of Afghanistan, article 35 (ch. 1) |
| Gender Conventions of 1949 and Additional Protocols of 1977 — these prohibit the intentional killing of people who are not taking an active part in hostilities, distinct from those who carry arms; indiscriminate attacks, abductions and |
| There may be as many as 800 women's organisations in Afghanistan, active in Kabul, Herat and northern and eastern provinces; more are opening gradually in other, more rural provinces. At least 56 are registered with the Afghan Women's Network, which also has 3,200 individual members |
| Many of the women's organisations interviewed shared experiences of threats and violence against themselves as individuals or against their organisations |
| The drastically increased |

### Recent Improvements

- Challenges: human security, rule of law and the impact of violent conflict |

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- Insecurity in southern Afghanistan presents the women’s movement from taking root and greatly restricts women's organising them, including their capacity to contribute to community development and well-being. A lack of progress in disarmament, the continued power of warlords in both regional and central governments and the limited reach of international peacekeeping troops have been cited as the main reasons women activists feel unsafe.
3 WOMEN’S SOCIAL AND ECONOMIC STATUS

Insecurity has had a very negative effect on our activities. We are not able to extend our programmes and to reach those women who are living in remote villages and other provinces of Afghanistan. As soon as security conditions deteriorate, families become more reluctant to send their daughters to school or let their women go out of the house.

Member of Afghan Women’s Network, Interview (19 November 2007).

ADDRESSING LLITERACY

I felt sad when I saw other girls going to school. Now I can read books and talk with those other girls and talk about the subjects they are studying at school. I am the same level as those girls now.

Literacy student, AWRC Childline Centre, Kabul.

If a woman is educated, she will educate her children and contribute to society.

Woman studying literacy at AWRC Childline Centre.

Over 85 per cent of women and girls in Afghanistan are still illiterate and, despite improvements in the last few years, the majority of girls are still not attending primary school. Women’s NGOs are playing a vital role in offering educational opportunities to marginalised older women and young girls, many of whom have only recently returned to Afghanistan and are not yet able to access state-support systems.

THE AFGHAN WOMEN’S NETWORK — BRINGING TOGETHER THE WOMEN’S MOVEMENT

‘One woman cannot do anything, but getting together with other women allows us to know our rights and to demand them from Islam and from the government.’

AWN Youth Committee Member, Jalalabad

The creation of social and organisational networks is crucial in strengthening civil society and social movements, particularly in post-conflict and transitional states. The Afghan Women’s Network (AWN) is one of the biggest women’s networks in Afghanistan, created in 1995 as Afghan women began recognising the value of working together.

The network today has over 3,000 individual members in Pakistan and Afghanistan — and over 60 Afghan women’s organisations, working in both Pakistan and Afghanistan. As a lobbying and capacity-building body, AWN is playing a critical role in ensuring women have a say in the transition and reorientation of Afghanistan. AWN is a well-established cornerstone of the women’s movement in Afghanistan, having operated for over a decade through tumultuous years including the reign of the Taliban, their removal in 2001 and the difficult transitional period of the last seven years.

Networks such as AWN contribute to developing democracy in Afghanistan through encouraging the participation of marginalised groups, such as women, in civil life by educating and mobilising them to exercise their rights, such as their right to vote. By encouraging the involvement of people in affairs of the state, they also work to deepen political accountability and state responsiveness to the needs of the population.

THEMAJOR CHALLENGE FOR EDUCATION

Girls’ education has been a government priority. At 87.5%, literacy among women is the highest in the world. The majority of primary school age girls are not enrolled in school and girls’ enrolment still stays significantly behind that of boys. The ratio of girls to boys in primary education in 2007 was 0.7. The current primary enrolment rate for the country is only 37%, and is considerably lower in rural areas.

Girls’ enrolment drops significantly at the secondary level due to economic challenges, early marriage and cultural resistance to girls’ education. Only 5% of secondary school aged girls are enrolled. At 20%, boys are enrolled. There is a 13-13% dropout rate.

There is a dire shortage of trained female teachers (only 26% of the total number), especially in rural areas; this is one of the greatest barriers to expanding female education. The quality of education in Afghanistan remains extremely low. Teachers often have minimal training and minimal secondary school education. Books and supplies are hard to come by. School buildings are often badly damaged by war, and are unsatisfactory and lack basic facilities such as chalkboards, desks and

2007 2005

0% 10% 20% 30% 40% 50% 60% 70%

Boys' primary school attendance Girls' primary school attendance Boys' secondary school attendance Girls' secondary school attendance Boys' tertiary school attendance Girls' tertiary school attendance

Girls’ enrolment in 2007 was 43% in primary school and 4% in secondary school. The Afghan government has put special emphasis on expanding girls’ enrolment rates. The Afghan Ministry of Education has publicly and officially announced that girls’ education is a government priority. Girls’ education has been taken up by numerous Afghan women’s organisations, such as the Afghan Institute of Learning, the Afghan Women’s Resource Centre and Awa Training Centre, as well as NGOs such as CAWE and BRAC.

The Afghanistan Compact’s education goals for 2010 (in line with the MDGs) include enrolment in primary school for girls and boys of at least 60% and 75% respectively, a new curriculum in all secondary schools, the number of teachers and schools to increase by 50%; 70% of teachers will have passed a competency test and a system for assessing learning achievement, such as a national testing system for students will be in place.

TOGETHER THE WOMEN’S MOVEMENT

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Legal provisions

Constitution of Afghanistan, article 17 (ch. I, article 43 and 44; education of women, 45 & 46) (ch. II)

UN agencies

UNICEF

UNICEF has been working with the Afghan government to ensure that girls’ education is a priority. UNICEF has supported a number of projects, including a girls’ education project in Afghanistan, which aims to increase girls’ enrolment in primary school and provide them with the necessary support to succeed in school.

Recent improvements

School enrolment for girls continues to rise each year. More children are in school in Afghanistan today than at any other period in the country’s history. Girls’ enrolment has risen from 0% during the Taliban period to 35% today. The Ministry of Education has a 12-year education plan in place (the National Education Strategy), aiming for all school-age children to be in school by the year 2015; it has put special emphasis on expanding girls’ enrolment rates.

Main areas of concern

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Education

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Afghanistan have demonstrated their commitment to girls’ education by independently, and without funding, forming school protection committees, to protect schools from arson and attacks by Taliban insurgents.

- The Afghan Women’s Network and other women’s organisations have mobilised committees of volunteer youth on school committees. They work together in their communities to speak with families not sending their daughters to school and convince them to do so would be in the interests of the whole household, as well as making reference to Islamic teachings that both men and women are obligated to seek knowledge.

- Afghan universities do not charge tuition fees, though attending still has costs associated – for books, for instance.

- In some urban areas, there is nearly a 1:1 ratio of girls’ primary enrolment to boys.

### Recent improvements

- Many schools are open-air or in makeshift tents, and so must close during the cold months. Many schools operate in shifts, so children attend for only two or three hours a day.
- Women in higher education is not a priority for the donor community or for the Afghan government. While expensive private universities have opened in Kabul, entry into public universities is often based on payment of bribes rather than merit, a system even less power networks.
- Universities in the provinces in particular are severely under resourced, in need of qualified staff, libraries, and resoration of war damaged or old facilities.
- There are no graduate-level studies in Afghanistan. Master’s, degrees or PhDs.
- Lack of dormitories for women and safe transportation bars many women from higher education.
- As one of the poorest countries in the world, higher education is a luxury most families cannot afford, even though higher education leads to upward mobility.
- Social and family pressures also deter many young women from seeking higher education. Early marriage usually ends a girl’s education during secondary school or.

### Main areas of concern

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### Challenges: human security, rule of law and the impact of violent conflict

- Displaced (IDP) women face daunting barriers to accessing education and must remain literate as a result.

#### b) Employment and livelihoods

- Constitution of Afghanistan, article 48 (ch. I)
- Afghanistan Compact: section on Economic and Social Development (p.4) and Annex I on Benchmarks (p.9)
- International Covenant on Economic, Social and Cultural Rights, articles 6, 7 & 11

#### Afghanistan Compact:

- A significant majority of respondents were in favour of women’s human rights to education and work.
- The Afghan private sector continues to grow exponentially, doubling since 2001, with a 13% growth rate currently estimated and low inflation.
- Aid organisations provide employment to thousands of women, as well as training that helps them access work.
- The Micro-Finance and Investment Support Facility (MISFA), a nationwide microcredit scheme, was established by several donors and enjoys a 98% repayment rate on loans.
- Women’s new presence in the Afghan parliament is a structural asset that might make it possible for women’s increased economic participation and empowerment.
- The new constitution guarantees women’s equal right to own property and to inherit, though this right is not remunerated, further preventing the rule of law.

Report suggests that the Taliban’s strength is greater than at any time since 2001, and one report claims that the Taliban may have some control over more than half of Afghanistan territory. The insurgency has heightened poverty, and poor farmers are more vulnerable to recruitment. The Taliban reportedly pay soldiers $300/month or more, while the Afghan National Army pays US$70 per month.

Opium production finances warlords and organised crime, which in turn fuel corruption and prevent the rule of law.

Poverty and dependence on the opium economy may also contribute to families being more likely to sell daughters as brides to provide badly needed income.

Taliban activity restricts women’s mobility and participation in economic activities. Women are not remunerated, further
**Legal provisions**

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- Women in higher education is not a priority for the donor community or for the Afghan government. While expensive private universities have opened in Kabul, entry into public universities is often based on payment of bribes rather than merit, a system even less accessible to women who are typically outside of power networks.
- Universities in the provinces in particular are severely under-resourced, in need of qualified staff, laboratories and research of war-damaged or old facilities.
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**Challenges: human security, role of law and the impact of violent conflict**

- Displaced (IDP) women face daunting barriers to accessing education and remain illiterate as a result.

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- In a 2006 survey, a significant majority of respondents were in favour of women’s human rights to education and work.
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- Women’s new presence in the Afghan parliament is one structural asset that might make it possible for women’s increased economic participation and empowerment.
- The new constitution guarantees women’s equal right to own property and to inherit, though this right is the poorest countries in the world and its economy is largely dependent on foreign aid. Its trading partners are still few, mainly neighbouring countries. The Taliban period and preceding conflicts put the economy back years, from which it continues to recover.
- Opium production, which rose in 2007, remains the main source of economic growth. Current policies have failed to curtail production and these have been few successful alternative livelihood initiatives.
- Women have little control over household income, including their own earned income, and are likely to be excluded from decision-making around spending, savings and investments. While all women work, many in agriculture, livestock management or as caregivers, most are not remunerated, further

**Main areas of concern**

- In earlier. Many women are prevented from seeking higher education due to forced marriages.
- Women are poorly represented at universities in the provinces, especially in the south.
- High levels of illiteracy among parents often prevent them enrolling their own children in school.
- Afghanistan is one of the

**Challenges: human security, role of law and the impact of violent conflict**

- Reports suggest that the Taliban’s strength is stronger now than at any time since 2001, and one report claims that the Taliban may have some control over even more than half of Afghan territory. The insurgency has heightened poverty, and poor farmers are more vulnerable to recruitment. The Taliban reportedly pay soldiers $300/month or more, while the Afghan National Army reportedly pays US$70 per month.
- US and UK-led counter-narcotics tactics have been criticised as being largely responsible for the growth of the insurgency (see section IV, below). Opium production finances warlords and organised crime, which in turn fuels corruption and prevent the rule of law.
- Poverty and dependence on the opium economy may also contribute to families being more likely to sell daughters as brides to provide badly needed income.
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seldom enforced.
- Improved tax collection systems have been introduced by the GoA\(^\text{[108]}\), which can allow the government its own source of revenue to provide social services and eventually, a social safety net.
- Afghan NGOs and INGOs have implemented job skills training programmes and income-generation schemes for women, which have allowed access to income-generation training programmes and job skills training or skills, and no social safety net, widows are often forced to beg.
- They are systematically denied their right to traditional protections under Islamic law, such as nafar, (payment by male family members to widowed or destitute female family members).
- Women’s high fertility rates and low spacing between pregnancies also restricts their economic participation, vocational training and educational opportunity.
- Low life expectancy for women, in part due to an exceedingly high maternal mortality rate.
- There is very little education, or understanding of Afghan women in the private sector: small businesses, agriculture or industry. Women’s economic development projects have been marred by poor planning and are often without sufficient resources to be sustainable, or are not sufficiently holistic\(^\text{[115]}\). Healthcare as a profession is undervalued and underpaid. Most skilled health workers who came to Afghanistan from neighbouring countries have almost immediately due to low wages, which are particularly low in rural areas\(^\text{[114]}\).
- Violence against new found freedoms.
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**Legal provisions**

- **Recent Improvements**
  - Improved tax collection systems have been introduced by the GoA, which can allow the government its own source of revenue to provide social services and eventually, a social safety net.
  - Afghan NGOs and INGOs have implemented job skills training programmes and income-generation schemes for women, which have allowed access to markets and economic empowerment.

- **Main areas of concern**
  - Women’s Business Association and the Afghan Women’s Business Federation.

**Challenges: human security, rule of law and the impact of violent conflict**

<table>
<thead>
<tr>
<th><strong>Legal provisions</strong></th>
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<td>Improved tax collection</td>
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**c) Health**

- **Constitution of Afghanistan, article 52 (ch. 6)**
- **Afghanistan Compact: section on Economic and Social Development (p.4) and Annex I on Benchmarks (p.9)**
- **The GoA has made reducing child mortality and maternal health two of its nine main MDGs target areas.**
- **The past five years have seen 40,000 more successful births each year.**

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**www.womankind.org.uk**
Legal provisions

United Nations Security Council Resolution 1325 on Women and Peace and Security
International Covenant on Economic, Social and Cultural Rights, article 12

Recent improvements

seen modest developments in obstetric care, including the refurbishing of Malalai Hospital, the largest maternity hospital in Kabul, training in obstetric care, a professional association for obstetricians and gynaecologists, and obstetric care units introduced in 20 districts. In 2007, the Maternity Waiting Home (MWH) project was launched in six provinces of Afghanistan. MWHs are residential facilities near medical centres that provide obstetric care. Here women can receive prenatal care, immunisations and education on health and hygiene practices. UNICEF has instituted a wide-ranging safe motherhood information campaign. The Ministry of Public Health (MPh) has made strides in eradicating polio. The MPh has a strategic plan and policy to address Afghanistan’s overwhelming healthcare needs. It includes over 60 policies, such as the introduction of a basic package of health services and essential hospital services. Improvements in healthcare in the last five years include: more community involvement in health services; a rise in health workers’ satisfaction; and improved service provision. Several INGOs have focused on midwifery training in rural areas where there are no maternity hospitals. It is expected that the many newly trained midwives will have an

Main areas of concern

household decision-making. In particular, the country has by far the highest maternal mortality rate in the world, with one in nine women dying in childbirth. The lack of women doctors means women often fail to seek healthcare due to cultural norms around the interaction of non-related men and women. In some districts, women require their husbands’ permission to visit a doctor. Donors have done little to recruit and train more female medical personnel. While Afghanistan currently has a very low HIV and AIDS rate, it is at high risk of an epidemic: if the virus did start to spread due to low usage of protection from sexually transmitted diseases. Though there has been some decrease, Afghanistan still ranks 17th out of 229 countries with the highest rates of tuberculosis, with 26,000 people dying from the disease annually. There are many female drug users, as women often use opium to self-treat for trauma, insomnia and other problems. They face barriers to treatment due to the stigma of female drug use. Economic reasons and lack of childcare available in ‘detox’ facilities. Similar to other South Asian countries, girls infants and children are more vulnerable to death

Challenges: human security, role of law and the impact of violent conflict

resourceful medical infrastructure with few professional healthcare workers. Distance, lack of mobility and insecurity reduce or prevent women’s access to healthcare, particularly in the south and south-east. Women suffer or die from treatable and preventable conditions as a result. As a health issue, violence against women is perpetuated in part by the legal and security environment, which does not protect women from physical harm. Afghan women have suffered an exorbitant amount of trauma due to the ongoing and past conflicts. Few receive any kind of treatment for trauma or psychological illnesses, and mental health rehabilitation is not a priority for donors or the Afghan government. Yet, mental health impacts on families and communities. Mental health and substance abuse can lead to VAW, for example. Afghanistan is also below the line in the world with a higher suicide rate among women than among men. Nearly half of all Afghan women suffer from post-traumatic stress syndrome, and a majority suffer from major depression or severe anxiety. Due to a lack of legal regulation of industry or protection for women, labourers, women are often exposed to harmful conditions in their place of employment. For example, Turkmeni carpet weavers may sit for 16 hours, leaving sores on their legs that become infected. Women in fur and wool factories in Herat do not wear any protective

Legal provisions

Recent improvements

impact on the high maternal mortality rates in the years to come.

Main areas of concern

and malnourishment due to the following of ines in Afghan society. An estimated 800,000 people in Afghanistan have some form of disability mainly due to war and the prevalence of landmines. Many have little or no access to medical services or rehabilitation, and cannot work as a result of their injuries. Disabled women are vulnerable to marginalisation and may experience ‘double discrimination’. In many cases, donors have been slow to deliver medical supplies. The vast majority of hospitals outside Kabul lie in disrepair. Donors have been slow to provide aid or have failed to monitor whether aid has been used as intended. In general, healthcare has not been popular amongst donors, despite experts pointing out that rebuilding the healthcare and education systems are the two most critical components of reconstruction. There is duplication of services in Kabul, but an acute lack of services elsewhere. INGOs currently provide 80% of health services. However, there is little co-ordination between INGOs and the MPh, and little capacity-building provided for staff of the MPH. This is in addition to the lack of donor government funding allocated to the GoA health budget.
Legal provisions

Recent Improvements

Main areas of concern

Challenges: human security, rule of law and the impact of violent conflict

United Nations Security Council Resolution on Women, Peace and Security

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household decision-making:
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  - There are many female drug users, as women often use opium to self-treat for trauma, insomnia and other problems. They face barriers to treatment due to the stigma of female drug use.
  - Economic reasons and lack of childcare available in ‘detas’ facilities;[230]
  - Similar to other South Asian countries, girl infants and children are more vulnerable to death

resourced medical infrastructure with few professional healthcare workers.

- Distance, lack of mobility and insecurity reduce or prevent women’s access to healthcare, particularly in the south and south-east. Women suffer or die from treatable and preventable conditions as a result.

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- Mental health and substance abuse can lead to VAW, for example. Afghanistan is also believed to be the only country in the world with a higher suicide rate among women than among men.[231] Nearly half of all Afghan women suffer from post-traumatic stress syndrome, and a majority suffer from major depression or severe anxiety.

- Due to a lack of legal regulation of industry or protection for women, laborers, women are often exposed to harmful conditions in their place of employment. For example, Turkmeni carpet weavers may sit for 16 hours, leaving sores on their legs that become infected. Women in fur and wool factories in Herat do not wear any protective

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AWEC is piloting new approaches to working with men to promote women’s human rights in Mazar-e-Sharif – and sensitive communities to the detrimental effects of war.

‘We solve some small problems on the spot. For example, we met a mother-in-law and bride who were always fighting. We talked to them and brought the mother-in-law to the workshop for two days and now the fighting is resolved. Another example is that there was a woman who was suicidal and we brought her to the centre for support’. AWEC’s Volunteer Committee, Mazar-e-Sharif, discusses the peace education workshops.

WOMANKIND has a long-term partnership with the Afghan Women’s Educational Centre (AWEC), a women’s organisation based in Kabul but working throughout the country. The organisation aims to empower women and improve their status as leaders in an Islamic and traditional Afghan society, to work towards the improvement of living conditions of marginalised women and children and to increase women’s self-sufficiency and independence.

As it expands, AWEC is increasingly focused on peacebuilding. In Mazar-e-Sharif, WOMANKIND has supported the organisation to hold training on women’s political rights, offer psycho-social services for women victims of violence and to teach local communities about conflict resolution, rights training, as well as issues relating to VAW and counselling. AWEC’s localised approach to peacebuilding in Mazar-e-Sharif is mainly undertaken through workshops and forums with women from a variety of communities and backgrounds that look at all aspects of violence, conflict resolution and gender relations. Following these workshops, participants have access to counselling and support services at their centre. Facilitating awareness-raising and discussion has been successful in decreasing violence within families and homes, by identifying the role of female in-laws in perpetuating abuse against new brides entering the family and the role that mothers play in breaking the perpetuation of gender discrimination amongst their children. These programmes have reached over 4,200 women since 2005.

AWEC – A LOCAL APPROACH TO PEACEBUILDING

4 THE INTERNATIONAL COMMUNITY: GOAL AND POLICY ON AFGHAN WOMEN

Afghanistan needs many years of continuous International support. Plans for a premature exit of the aid community could destabilise – and most likely collapse – the country’s tenuous foundations.


Men’s groups mobilising against gender violence are necessary allies for change.


a) Is aid reaching women and girls?

Afghanistan Compact: Annex II on Improving the Effectiveness of Aid to Afghanistan (pp.13- 14) and Annex III on Co-ordination and Monitoring (pp.15), and Principles of Cooperation include: Combat corruption and ensure public transparency and accountability (p.2)

Declaration of an Enduring Relationship between the United Kingdom and Afghanstan (bilateral agreement, signed July 2005)

United Nations Security Council Resolution 1325 on Women and Peace and Security

Legal provisions

Recent Improvements

Main areas of concern

Challenges: human security, rule of law and the impact of violent conflict

International organisations have opened local offices in Kabul and have launched programmes to empower women through various means, while others have provided grants to Afghan women’s organisations.

- The Afghanistan Compact was signed in 2006 following the London Conference on Afghanistan, during which 60 countries gathered to commit to the development and rebuilding of the country, reaffirming international support to the Government of Afghanistan.
- In addition to hosting the London Conference, the UK government, through DFID, provides major funding to the Afghan Reconstruction Trust Fund and supports Afghanistan’s National Development Strategy (ANDS). ANDS includes improving the status of women as one of its benchmarks, and goals related to gender equality are integrated into the plan for most sectors.
- Most multilateral institutions, donor agencies and large INGOs in Afghanistan now have ‘gender advisors’. While this demonstrates recognition of the need to include gender in all aspects of policy and programming, it is important to ensure that non-Afghan gender experts take account of local social and cultural context (ANDS). There are two central co-ordinating bodies of aid agencies in Afghanistan, the Agency Coordinating Body (ACB) and the Afghanistan Compact Office (ACO) which are responsible for co-ordinating the activities of aid agencies in Afghanistan. The ACB is the main forum for donor coordination and is responsible for the development and implementation of the Afghanistan National Development Strategy (ANDS). The ANDS includes improving the status of women as one of its benchmarks, and goals related to gender equality are integrated into the plan for most sectors. The ACB is responsible for co-ordinating the activities of aid agencies in Afghanistan and ensuring that gender equality is integrated into all aspects of policy and programming.

- Aid to Afghan women is disproportionately allocated towards projects that do not meet their immediate needs (which include access to primary healthcare, improved sanitation facilities and clean water projects). Rather, there are numerous short-term, one-off workshops on a variety of issues that do not always have a lasting impact or contribute to social change. As funding is slowly reduced, it is imperative that aid be directed towards women’s basic needs and urgent priorities, rather than being determined by donors. Addressing practical needs ‘can be a platform to launch a restructuring of gender relations’ (ANDS).
- The bulk of gender-sensitive programmes were initiated in 2002 when Western publics were shocked to learn of women’s vulnerability to recruitment by the Taliban. The current insurgency, interest is now beginning to wane, translating into fewer dollars for women’s human rights – which are increasingly ‘integrated’ into other programming. In particular, donor governments tend not to fund women’s organisations directly.
- International aid to Afghanistan ‘has been a fraction of that disbursed in other recent post conflict situations. The
AWEC is piloting new approaches to working with men to promote women’s human rights in Mazar-e-Sharif – and sensitive communities to the detrimental effects of war.

AWEC – A LOCAL APPROACH TO PEACEBUILDING

We solve some small problems on the spot. For example, we met a mother-in-law and bride who were always fighting. We talked to them and brought the mother-in-law to the workshop for two days and now the fighting is resolved. Another example is that there was a woman who was suicidal and we brought her to the centre for support.

AWEC’s Volunteer Committee, Mazar-e-Sharif, discusses the peace education workshops. WOMANIND has a long-term partnership with the Afghan Women’s Educational Centre (AWEC), a women’s organisation based in Kabul but working throughout the country. The organisation aims to empower women and improve their status as leaders in an Islamic and traditional Afghan society, to work towards the improvement of living conditions of marginalised women and children and to increase women’s self-sufficiency and independence.

As it expands, AWEC is increasingly focused on peacebuilding. In Mazar-e-Sharif, WOMANIND has supported the organisation to hold training on women’s political rights, offer psycho-social services for women victims of violence and to teach local communities about conflict resolution, rights training, as well as issues relating to VAW and counselling.

AWEC’s localised approach to peacebuilding in Mazar-e-Sharif is mainly undertaken through workshops and forums with women from a variety of communities and backgrounds that look at all aspects of violence, conflict resolution and gender relations. Following these workshops, participants have access to counselling and support services at their centres. Facilitating awareness-raising and discussion has been successful in decreasing violence within families and homes, by identifying the role of female in laws in perpetuating abuse against new brides entering the family and the role that mothers play in breaking the perpetuation of gender discrimination amongst their children. These programmes have reached over 4,200 women since 2005.

AWEC is the women’s organisation that have a long-term relationship with the Afghan Women’s Educational Centre (AWEC), a women’s organisation based in Kabul but working throughout the country. The organisation aims to empower women and improve their status as leaders in an Islamic and traditional Afghan society, to work towards the improvement of living conditions of marginalised women and children and to increase women’s self-sufficiency and independence.

4 THE INTERNATIONAL COMMUNITY: POLICY AND POLICY ON AFGHAN WOMEN

Afghanistan needs many years of continuous International support. Plans for a permanence exit of the aid community could destabilise – and most likely collapse – the country’s tenuous foundations (Abdullah 2005:56).

Men’s groups mobilising against gender violence are necessary allies for change.

UN Fourth World Conference on Women: Platform for Action (S996)

Legal provisions
Recent Improvements
Main areas of concern
Challenges: human security, rule of law and the impact of violent conflict

a) Is aid reaching women and girls?

Afghanistan Compact: Annex II on Improving the Effectiveness of Aid to Afghanistan (pp.13-14) and Annex 11 on Co-ordination and Monitoring (pp.53), and Principles of Cooperation include: Combat corruption and ensure public transparency and accountability (p.22)

Declaration of an Enduring Relationship between the United Kingdom and Afghanistan (Bilateral agreement, signed July 2005)

United Nations Security Council Resolution 1325 on Women and Peace and Security

1) International organisations have opened various offices and have launched programmes to empower women through various means, while others have provided grants to Afghan women’s organisations. The Afghan National Compact was signed in 2006 following the London Conference on Afghanistan, during which 60 countries gathered to commit to the development and rebuilding of the country, reaffirming international support to the Government of Afghanistan. In addition to hosting the London Conference, the UK government, through UNDP, provides major funding to the Afghan Reconstruction Trust Fund and supports Afghanistan’s National Development Strategy (ANDS). ANDS includes improving the status of women as one of its benchmarks, and goals related to gender equality are integrated into the plan for most sectors.

2) Most multilateral institutions, donor agencies and large INGOs in Afghanistan now have ‘gender advisors’. While this demonstrates recognition of the need to include gender in all aspects of policy and programming, it is important to ensure that non-Afghan gender experts take account of local social and cultural context. There are two main co-ordinating bodies of aid agencies in Afghanistan, the Agency Coordinating Body and the Women’s Working Group.

3) Aid to Afghan women is disproportionately allocated towards projects that do not meet their immediate needs (which include access to primary healthcare, improved sanitation facilities and clean water projects). Rather, there are numerous short-term, one-off workshops on a variety of issues that do not always have a lasting impact or contribute to social change. As funding is slowly reduced, it is imperative that aid be directed towards women’s basic needs and urgent priorities, rather than being determined by donors. Addressing practical needs ‘can be a platform to launch a restructuring of gender relations’.

4) The bulk of gender-related donor programmes were initiated in 2002 when Western governments were shocked to learn the reality of life under Taliban rule for women. Interest is now beginning to wane, translating into fewer dollars for women’s human rights – which are increasingly ‘integrated’ into other programming. In particular, donor governments tend not to fund women’s organisations directly.

5) International aid to Afghanistan has been a fraction of that disbursed in other recent post-conflict situations. The
### Legal provisions

- for Afghan Relief (ACBAR) and the Afghan NGO Coordination Bureau ANCB, though ACBAR’s Gender Sector Group has been relatively inactive.
- The increased regulation of both NGOs and INGOs as a result of the Code of Conduct for NGOs and new mandatory registration procedures with the Ministry of the Economy has begun to address the problem of exorbitantly high bids, contractors, sometimes receive a disproportionate amount of donor funds go to Western contractors, sometimes for exorbitantly high bids, when a project could be completed at much lower cost. For instance, while the US recently allocated $6.4 billion in

### Recent Improvements

- The Afghan government has consistently failed to spend its entire core budget; in 2005-2006, it spent just 62% of the core budget. Considering the financial and resource constraints of the Afghan government, it has been unable to sustain critical development initiatives such as healthcare, education, and social services. Bilateral and multilateral donors must assist in streamlining the Afghan government’s core budget. The Afghan government has consistently failed to spend its entire core budget; in 2005-2006, it spent just 62% of the core budget. Considering the financial and resource constraints of the Afghan government, it has been unable to sustain critical development initiatives such as healthcare, education, and social services. Bilateral and multilateral donors must assist in streamlining the Afghan government’s core budget. The Afghan government has consistently failed to spend its entire core budget; in 2005-2006, it spent just 62% of the core budget. 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Legal provisions
- Recent Improvements
- Main areas of concern
- Challenges: human security, rule of law and the impact of violent conflict

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<td>- <strong>Main</strong> areas of concern include:</td>
<td>- <strong>Challenges</strong>: human security, rule of law and the impact of violent conflict include:</td>
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<td><strong>London conference, where the Afghanistan Compact was signed, netted pledges of US$11 billion until 2011,</strong> significantly less than the $20 billion viewed as necessary by the World Bank and the Afghan government.</td>
<td>- <strong>Gender</strong>-focussed projects routinely exclude men and many have minimal impact at completion as a result.</td>
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<td>- <strong>Practically</strong> every Afghan government ministry has introduced a gender strategy.</td>
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<td>The European Union, Germany and Canada have national government programmes to recruit and facilitate the placement of professionals of Afghan origin resident in their countries who are interested to participate in Afghanistan’s rebuilding process. Institutionalisation and integration of concepts such as gender mainstreaming have affected programming in Afghanistan with varying degrees of success. Many Afghan women leaders and activists overwhelmingly feel that aid is donated rather than being needs-based. For example, while there is an acute need for women’s shelters, this has not been a popular project among donors. Rather, there have been too many short-term projects (3-6 month cycles) such as workshops, seminars and trainings; or projects (3-6 month cycles) such as Peace Studies, which works to involve the rural population in setting and achieving development objectives. While the NSF is a novel experiment in community-based development, shuras created by NGOs are in some areas perceived to be illegitimate. The only women’s shura in the country are those created under the auspices of NGOs, and the shuras (local councils) form an integral part of Afghanistan’s development strategy through the National Solidarity Programme (NSP), which works to involve the rural population in setting and achieving development objectives. While the NSP is a novel experiment in community-based development, shuras created by NGOs are in some areas perceived to be illegitimate. The only women’s shura in the country are those created under the auspices of NGOs, and the</td>
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### c) Afghan women and decision-making

**Afghanistan Compact: Principles of Cooperation includes:**
- Build lasting capacity and effective state and civil society institutions, with particular emphasis on building human capacities of men and women alike (p.2).  
- United Nations Security Council Resolution 1325 on Women and Peace and Security

- The European Union, Germany and Canada have national government programmes to recruit and facilitate the placement of professionals of Afghan origin resident in their countries who are interested to participate in Afghanistan’s rebuilding process.
- Institutionalisation and integration of concepts such as gender mainstreaming have affected programming in Afghanistan with varying degrees of success. Many Afghan women leaders and activists overwhelmingly feel that aid is donor-driven rather than being needs-based. For example, while there is an acute need for women’s shelters, this has not been a popular project among donors. Rather, there have been too many short-term projects (3-6 month cycles) such as workshops, seminars and trainings; or projects that some felt to be a luxury — such as the creation of a Feminist Gender Studies Institute at Kabul University. As a result, critical and urgent development needs are not being met with proportional resources from the international community.
- Some believe that foreign-designed projects have failed to recognise the role that inter-relationships play in change for women, have not been attentive to past experience in Afghan history or have not allowed concepts such as ‘rights’ and ‘democracy’ to take on their own localised meanings in the Afghan context.
- Despite the large number of women’s organisations, a small number of Afghan women leaders have access to disproportionate funding opportunities, trainings outside of Afghanistan and international exposure. In common with other post-conflict and conflict contexts, where the international community takes an interest, grassroots organisations working hard with scarce resources and making tangible impacts in their communities are frequently sidelined in favour of better known, urban-based figures who speak the ‘language’ of Westerners and are able to connect with influential foreigners.

*Shuras* (local councils) form an integral part of Afghanistan’s development strategy through the National Solidarity Programme (NSP), which works to involve the rural population in setting and achieving development objectives. While the NSP is a novel experiment in community-based development, *shuras* created by NGOs are in some areas perceived to be illegitimate. The only *shuras* that actually work to involve the community take an institutionalised approach.

*Shuras* created by NGO and government initiatives are not always accepted with the same authority as those coming from men’s *shuras*.
d) Afghan woman in the media

Constitution of Afghanistan, article 34, 37, 50 (para. 3) (ch. II)

UN Security Council 1510, 1563, 1623 & 1707

International Security Assistance Force (ISAF) Mandate


1) There has been little reporting from the provinces. Insensitivity and difficult travel conditions have resulted in few foreign or local journalists travelling outside of Kabul, despite the reality that over 80% of Afghans live outside major urban areas.

2) There is a striking lack of coverage of Afghanistan in South and East, however, this has recently been noted by some leading Afghan media institutions, which are interested in increasing reporting and co-operation from the region's media[155].

3) There has been been reporting from the provinces. Insensitivity and difficult travel conditions have resulted in few foreign or local journalists travelling outside of Kabul, despite the reality that over 80% of Afghans live outside major urban areas.

4) The Afghan government has expressed concern that provincial reconstruction

5) NATO-staffed PRTs are not mandated to assist women at risk of abuse or prostitution, nor do they maintain lists of

e) Afghan women and the role of NATO/PRTs

In 2003, the UN Security Council voted to expand the Chapter VII mandated ISAF beyond Kabul[149].

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1) Coverage of women's human-rights issues has been on the rise in the Afghan media as a result of a strong gender perspective in several large media institutions, such as the Kiliq Group, the Institute for War and Peace Reporting and Tolo TV.

2) There has been a retreat from the tendency of Western media to portray Afghan women as victims, in need of 'saving' or a Western ideal of 'liberation', and, rather, an increasing number of news stories profile the agency of women and girls, such as coverage of girls in sports, women MPs and unique development projects led by Afghan women. There has nevertheless also been coverage of the challenges Afghan women continue to face — the murders of two Afghan MP Malalai Joya[149], Afghan women as victims, from the tendency of

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### Legal provisions

**Recent Improvements**

- 1510, 1563, 1623 & 1707
- International Security Assistance Force (ISAF) Mandate

**Main areas of concern**

- Challenges: Human security, rule of law and the impact of violent conflict

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#### d) Afghan woman in the media

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- There is discussion of creating a Code of Conduct for the media in Afghanistan.

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#### e) Afghan women and the role of NATO/PRTs

**UN Security Council Resolution 1776 (Sept. 2007) and Resolutions 1386, 1413, 1444,**
- In 2003, the UN Security Council voted to expand the Chapter VII mandated ISAF beyond Kabul — an important step in providing increased protection to civilians in violence-ridden provinces. Although a core part of its mission is to help build a multiethnic, gender-friendly and stable Afghanistan, capable of looking after its own security needs, the ISAF has no clear strategy and approach to protecting women and girls in particular.
- Following severe criticism from the Afghan government and the Afghan and Western publics, NATO took more stringent measures to reduce civilian casualties, including the killing of women and children, and improved tactics to be more precise and better planned.
- Thirteen Afghan women officials from the Wliis Jirga, the Ministries of Foreign Affairs, Commerce and Industry, and MoIPE were invited to meet with NATO in February-March 2007. The delegates were given the opportunity to address NATO’s highest officials on their concerns:
- While pursuing the progress made in recent years to integrate Afghan women at all levels of society, speakers underlined the need to maintain efforts aimed at ensuring that Afghan women benefit from the human, economic, social, political and civil rights they are entitled to.
- The delegation urged NATO to sustain its efforts to re-establish security throughout Afghanistan.

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<td>The Afghan government has demanded to be put in the driver’s seat of the rebuilding effort and most donors have complied with this in their official policies; however, funding commitments have not been as forthcoming from some donors relative to other post-conflict interventions in recent history (e.g., Bosnia).</td>
<td>As of 2005, 45.5% of donor funding went to the UN, nearly 30% to the Afghan government, 15.5% to private contractors and 9% to NGOs; translating into more than 70% of the overall assistance being out of the control of the government. Some of the funds to the UN, private contractors and NGOs are further sub-contracted to other NGOs. In some cases, this method was necessary, in others it only added bureaucratic expenses and delays, with, for example, funds going to pay the granting agencies’ costs before being distributed to NGOs. The Ministry of Women’s Affairs (MoWA) remains weak in its capacity to affect policy. For example, it was only remotely involved in efforts to draft a law criminalising violence against women and many task forces it was assigned to load (such as the Inter-Ministerial Task Force on VAW) have fallen inactive. This is in part due to poor co-ordination among its five major donors, as well as an ambiguous mandate confused between service delivery (such as women’s employment opportunities) and policy. Donors to MoWA have tended to support short-term projects, which have not allowed for true capacity-building. Efforts to strengthen government capacity have met with mixed results, and have been poor in areas of the security sector (police and army), public administration reform and sub-national governance. Human resources capacity in most ministries is very weak, affecting government output. There is little communication on the part of many ministries with the public – it terms of demonstrating results achieved, sharing plans or inviting feedback from citizens. The Afghan government has committed to meeting the MDGs, but current assistance levels will not allow it to implement the necessary changes.</td>
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<td>The Afghan government has gradually extended its reach beyond Kabul, with some ministries opening local departments in the provinces; yet unofficial powerholders often hold more sway than the national government in areas where local commanders with their own militias have entrenched authority, limiting trust in the government. Without sufficient funding from international donors to expand its reach and improve service provision and protection, the country will remain politically unstable and prone to renewed conflict. Military efforts will be in vain without increased capacity of the Afghan government, leading to a strong state. Insecurity prevents the government from bringing services to certain areas, notably the south and south-east, where improved healthcare, education opportunities, vocational training and employment are badly needed and where the lack of them is fuelling insecurity. Aid dependency is not sustainable in the long term and Afghanistan currently has few sources of internal income, such as commercial fees, to draw upon. The National Solidarity</td>
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Legal provisions[19]  Recent Improvements  Main areas of concern  Challenges: human security, role of law and the impact of violent conflict

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The National Solidarity Programme has been highly inefficient in some areas, causing villages to lose trust in the government and its international funders. Community Development Councils were sometimes delayed up to one year waiting for grant instalments to arrive and some projects had to be dropped. This resulted from slow disbursement from donors as well as administrative delays from the Ministry of Finance[16].

f) Role of international community in building Afghan government

Afghanistan Compact

- The Afghan government has demanded to be put in the driver’s seat of the rebuilding effort and most donors have complied with this in their official policies; however, funding commitments have not been as forthcoming from some donors relative to other past-conflict interventions in recent history (e.g. Bosnia).
- The Afghanistan Compact sets out a framework, benchmarks and objectives for the country’s development, agreed between international donors and the GoA. It is a landmark document introduced with much momentum, and includes lofty goals for girls’ education, women’s employment, women’s political participation and other gender-specific areas.
- Certain ministries have made significant progress in building capacity since 2003, in particular the ministries for Rural Rehabilitation and Development, Higher Education and Finance. Funding for development was high in these same ministries, as it was for the Ministry of Public Health (63%); however, less was
- As of 2006, 45.5% of donor funding went to the UN, nearly 30% to the Afghan government, 38% to private contractors and 9% to NGOs[14]; translating into more than 70% of the overall assistance being out of the control of the government. Some of the funds to the UN, private contractors and NGOs are further sub-contracted to other NGOs. In some cases, this method was necessary, in others it only added bureaucratic expenses and delays, with, for example, funds going to pay the granting agencies’ costs before being distributed to NGOs.
- The Ministry of Women’s Affairs (MoWA) remains weak in its capacity to effect policy. For example, it was only remotely involved in efforts to draft a law criminalising violence against women and many task forces it was assigned to chair (such as the InterMinisterial Task Force on VAW) have fallen inactive. This is in part due to poor co-
- The Afghan government has slowly extended its reach beyond Kabul, with some ministries opening local departments in the provinces; yet unofficial powerholders often hold more sway than the national government in areas where local commanders with their own militias have entrenched authority, limiting trust in the government. Without sufficient funding from international donors to expand its reach and improve service provision and protection, the country will remain politically unstable and prone to renewed conflict. Military efforts will be in vain without increased capacity of the Afghan government, leading to a strong state.
- Insecurity prevents the government from bringing services to certain areas, notably the south and south-east, where improved healthcare, education opportunities, vocational training and employment are badly needed and where the lack of them is fuelling insecurity.
- Aid dependency is not sustainable in the long term and Afghanistan currently has few sources of internal income, such as commercial fees, to draw upon.
- The National Solidarity Programme has been highly inefficient in some areas, causing villages to lose trust in the government and its international funders. Community Development Councils were sometimes delayed up to one year waiting for grant instalments to arrive and some projects had to be dropped. This resulted from slow disbursement from donors as well as administrative delays from the Ministry of Finance[16].
DETERIORATING SECURITY AND DIRECT THREATS — IMPACT ON NGOs

Threats to NGO staff from both armed opposition and criminal groups in Afghanistan rose significantly in 2007. Whilst deliberate targeting remains relatively rare, NGOs have been increasingly threatened by suicide bombings, abductions and kidnappings. In addition, growing insecurity is affecting the ability of NGOs to work in certain geographical areas, raising security-management costs significantly and is creating a threatening environment for both local and international staff—as well as for the beneficiaries they support.

As such, there is an urgent need to ensure resources are available for agencies working on the ground in Afghanistan to enable them to build their capacity to identify and assess security threats and vulnerability and to control these risks where possible.

Security incidents affecting NGOs operating in Afghanistan in 2007

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APPENDIX A:

Links to full texts of relevant laws referred to in this report

**Afghan law**
- Civil Code of Afghanistan (1977)
  - [http://www.idlo.int/AfghanLaws/Afghan%20Laws/CD%20laws%201921%20to%20date%20in%20English/Afghan%20Laws%20in%20English%20(and%20other%20languages)/Civil%20Code%201976.pdf](http://www.idlo.int/AfghanLaws/Afghan%20Laws/CD%20laws%201921%20to%20date%20in%20English/Afghan%20Laws%20in%20English%20(and%20other%20languages)/Civil%20Code%201976.pdf)
  - [accessed 24 January 2008]

- Constitution of the Islamic Republic of Afghanistan
  - [accessed 24 January 2008]

- Penal Code of Afghanistan (1976)
  - [http://www.idlo.int/AfghanLaws/Afghan%20Laws/CD%20laws%201921%20to%20date%20in%20English/Afghan%20Laws%20in%20English%20(and%20other%20languages)/Penal%20Code%201976.pdf](http://www.idlo.int/AfghanLaws/Afghan%20Laws/CD%20laws%201921%20to%20date%20in%20English/Afghan%20Laws%20in%20English%20(and%20other%20languages)/Penal%20Code%201976.pdf)
  - [accessed 24 January 2008]

- Previous constitutions and other laws
  - [http://www.idlo.int/AfghanLaws/Laws%201921_todate.html](http://www.idlo.int/AfghanLaws/Laws%201921_todate.html)
  - [accessed 24 January 2008]

- Recently enacted legislation
  - [accessed 24 January 2008]

- Supreme Court of Afghanistan
  - [accessed 24 January 2008]

**International law**

- Convention on the Elimination of All Forms of Discrimination Against Women
  - [accessed 24 January 2008]

- Geneva Conventions of 1949 and Additional Protocols of 1977
  - [accessed 24 January 2008]

- International Covenant on Civil and Political Rights
  - [http://www2.ohchr.org/english/law/ccpr.htm](http://www2.ohchr.org/english/law/ccpr.htm)
  - [accessed 24 January 2008]

- International Covenant on Economic, Social and Cultural Rights
  - [accessed 24 January 2008]

- Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000)
  - [accessed 24 January 2008]

- UN Convention Against Torture
  - [accessed 24 January 2008]

- UN Convention on the Rights of the Child (CR C)
  - [accessed 24 January 2008]

- UN Declaration on the Elimination of Violence against Women
  - [accessed 24 January 2008]

- United Nations Security Council Resolution 1325 on Women, Peace and Security
  - [http://www.peacewomen.org/un/s2/1325.html](http://www.peacewomen.org/un/s2/1325.html)
  - [accessed 24 January 2008]

- UN Resolution on Eliminating Demand for Trafficked Women and Girls for All Forms of Exploitation (2005)
  - [http://www.whrnet.org/docs/issue-eliminating_demand.html](http://www.whrnet.org/docs/issue-eliminating_demand.html)
  - [accessed 24 January 2008]
DETERIORATING SECURITY AND DIRECT THREATS — IMPACT ON NGOs

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- **Constitution of the Islamic Republic of Afghanistan**

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- [Previous constitutions and other laws](http://www.idlo.int/AfghanLaws/Laws%201921_todate.html) [accessed 24 January 2008]

**Recently enacted legislation**

- [Recently enacted legislation](http://www.moj.gov.af/recentlegislation.html) [accessed 24 January 2008]

**Supreme Court of Afghanistan**

- [Supreme Court of Afghanistan](http://www.supremecourt.gov.af/) [accessed 24 January 2008]

**International law**

- **Convention on the Elimination of All Forms of Discrimination Against Women**

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- **International Covenant on Economic, Social and Cultural Rights**


- **UN Convention Against Torture**
  - [UN Convention Against Torture](http://www.hrweb.org/legal/cat.html) [accessed 24 January 2008]

- **UN Convention on the Rights of the Child (2007)**

- **UN Declaration on the Elimination of Violence against Women**

- **United Nations Security Council Resolution 1325 on Women, Peace and Security**

- **UN Resolution on Eliminating Demand for Trafficked Women and Girls for All Forms of Exploitation (2006)**
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United Nations Women's NGOs in Afghanistan have contributed to the provision of human rights through their ongoing work, including data collection, protecting individual rights at a community and household level through localised awareness raising and advocacy, grassroots peace education work and their successful work at national level in preventing the re-establishment of the Department for Vice and Virtue in Afghanistan.


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37. US State Dept. (June 2007),
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40. Ibid.
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42. Freedom House (2007),
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47. Murray (2005), p. 5.
48. Ibid.
49. Ibid.
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52. Ibid.
53. Ibid.
55. UNICEF (April 2007).
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59. US$2,000.00
60. Oxfam Novib, Save the Children, Asma Society, and the Mennonite Committee, among others.
61. For example, Canadian Women for Women in Afghanistan, or the Swedish Committee for Afghanistan.
62. For instance, the Flora Family Foundation, the Rockefeller Foundation through Afghan Women Leaders Connect, and the Open Society Institute, among others.
63. For instance, the Roes Family Foundation, the Rockefeller Foundation through Afghan Women Leaders Connect, and the Open Society Institute, among others.
64. See: http://www.ands.gov.af/ands/andsconts/consultation/Civil_Society_Organizations/src/Aid%20Effectiveness/Aid%20effectiveness%202007/Papers/Aid%20Effectiveness%20Final.doc [accessed 23 January 2008]
66. UN Security Council (UNSC) Resolution 1386 mandated the ISAF in 2001. The most recent extension has been through UNSC Resolution 1659, February 2006.
67. UNSC Resolution 1325 is a Chapter VI-mandated Resolution, which allows for the peaceful settlement of disputes.
69. Of the 64 Central European countries, a majority hold that the EU was responsible for 2006.
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164. Ibid, p.23.
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34. Max Planck Institute (March 2006).
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37. US State Dept. (June 2007).
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64. For instance, the Flora Family Foundation, the Rockefeller Foundation through Afghan Women Leaders Connect, and the Open Society Institute, among others.
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72. Human Rights Watch (July 2006).
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WOMANKIND Worldwide’s vision is of a just, equitable and peaceful world, in which women are equal partners with men in determining the values, direction and governance of their societies, for the benefit of us all.