

## Human Rights Council 17<sup>th</sup> Session

### **Afghan Women Girls Challenges 9 June 2011**

*Organized by Worldwide organization for Women*

In 2001, after the fall of the Taliban regime, reconstruction of political and economical structures began in Afghanistan, and hopes started to grow for a better future. Despite the initial expectations of substantial change in women's lives, the current situation in Afghanistan can be considered in many ways inhumane. Improvements have been made, but mainly in the larger cities such as Kabul. The majority of Afghan women in rural areas have benefitted little in their daily lives, following the end of the Taliban regime and the subsequent international interventions. Violence against women and girls is reinforced by the widespread use of harmful traditional practices, including forced isolation in the home, domestic violence, forced and child marriage and honor killings. For example, 80% of Afghan women have been affected at least once by domestic violence and nearly 60% of girls have been forced into marriage before the legal minimum age of 16.

To challenge these violations of the human rights of women, the Afghan government approved the Elimination of Violence Against Women (EVAW) law in 2009. This guarantees the right to education and work, as well as the right to access to health services to all Afghan girls and women. According to EVAW, different forms of violence against women exist; most of them considered traditional practices. These range from forced prostitution, forcing a woman to commit self-immolation, causing physical injury or disability, rape, beating, marriage trafficking, forced marriage and labour, marriage before the legal age, and also abuse, humiliation or intimidation, among others.

Nonetheless, implementation of this law has been slower than anticipated, and as a consequence, women in Afghanistan face violence daily. Simi is a 15 years old girl and she is in jail because she ran away from domestic abuse. Running away is not recognized as a crime in the Afghan law, yet girls and women who decide to escape from an abusive or violent situation can be detained and imprisoned. If Simi remains in prison, there is a high possibility of her being rejected by family and community. As a consequence, Afghan women face the

dilemma between suffering domestic violence in slave like conditions and escaping and accepting the possibility of being detained.

Another form of violence against women in the country is the widespread traditional practice of forced marriages. It is very common to find a child married at the age of 12 or 13, with most of the girls getting married before turning 15 years old, in spite of the illegality of it under the Afghanistan domestic law. “If you hit a girl with your hat and she does not fall over, it is time to marry her”, saying quoted during a United Nations Assistance Mission in Afghanistan (UNAMA) discussion with a group of Afghan women on April 2010.

In many cases, young married women start living in almost slave like conditions with violence as a daily component. Due to the possibility of imprisonment or social exclusion if they escape, self-immolation is becoming an increasing practice. Some women prefer to burn themselves instead of surviving suffering constant aggression and discrimination.



UN Photo/Eric Kanalstein

Why do Afghan women suffer such ruthless violence? Analyzing the root causes, it is possible to see that during the last thirty years, all those women suffered economical, social and political discrimination, which has been legitimized in the violence against them. Such inequality status leads to insecurity, especially in the rural areas, whose main victims are women and children.

The Afghan police and military -despite the international troops' support- has not had any major success in providing security to those Afghan women and girls, going to school or to the doctor, making their activities and movement greatly reduced.

Another cause of violence is the unequal access to justice. In this area, Afghan women face major discrimination. There is a lack of implementation of laws protecting women such as EVAW. Moreover, some officials judge cases according to their own standards and values and not according to the law. Furthermore, inequality exists at the educational level as well, considering that only 12% of Afghan women aged 15 and older are literate.

Access to health is another indicator showing based-discrimination against women. As the World Health Organization explains, ten years ago Afghanistan had the worst health indicators in the world, and only a few changes have taken place. For example, the country has one of the highest maternal mortality rates in the world: every 30 minutes a woman dies due to pregnancy-related complications and only 14% of births are supervised by competent health personnel.



UN Photo/Eskinder Debebe

Nowadays, it is possible to see a considerable number of women in Afghanistan working towards equality and the end of violence, especially in relation to harmful traditional practices. However, the strong conservative tradition in the country has limited and continues to limit the social, political and economical positions of women. This is easily identified in their low presence in decision and policy making. Under the Taliban regime, Afghan women lost their freedom, as did the family and society itself. It therefore takes time to completely overcome this.

The international community, despite taking an active part in Afghanistan's reconstruction, defense and institutions building, has been unable to provide full security and peace for Afghan people, especially women and children. To face the plan 2014, when Afghanistan's government will take complete responsibility of national security, it will be essential to maintain violence against women in the agenda as one of the main issues. While domestic violence and discrimination need to be prevented and prosecuted in the framework of peace

building and reconciliation, it is also necessary to include women presence in the Peace process and reconstruction of Afghanistan. Currently, in the High Peace Council (an independent body which has the lead for negotiating a settlement with the Taliban), there are only 9 women out of 69 members; many of whom are former warlords. This does not mean real gender equality.



UN Photo/Sebastian Rich

Nevertheless, Afghanistan is moving forward, slowly, but in the right direction. The approval of EVAW law is the main example of forward looking actions towards the elimination of violence and protection for women. This progressive political work also can be seen in the increase of public health spending in 2011, resulting in larger access for women to health and emergency services, prevention to maternal mortality and more activities on sexual, reproductive health and family planning.

Another step forward made by the Afghan government has been the control of all shelter system for women and girls escaping from violence. However, it should be noticed that this initiative deprives international and national NGOs of their right to establish their own shelter for women. In name of better coordination, all the safe houses in Afghanistan have been run by the State. The problem appears mostly with some unworthy procedures, for example the exigency of medical examination before being admitted to the shelter, giving margin to the discussion of the possibility of such act done in order to find out if the woman or girl is still a virgin or not.

As has been seen, many obstacles need to be overcome. Women's social perception can be improved with the help of religion and religious leaders alike, playing a main role in society

for changing existing perceptions. Moreover, to get a full implementation of ERAW law and to start prosecuting violent perpetrators, it is necessary to have more effective police training in order to make them work for the formal justice system and not for private matters.

To keep moving forward towards democracy and peace, it is essential to develop inclusive policies and laws to eliminate any form of gender-based discrimination, to end perpetrator's impunity, to give full protection and recovery to victims and, most importantly, to empower Afghan women to achieve real participation in the peace and rehabilitation process, as well as in the policy making and justice affairs. It is imperative to let Afghan women decide their own future, and as a result, the future of the country. **Peace in Afghanistan will not be sustainable without the inclusion of women.**

For more information, please consult:

UNAMA (2010). *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. [Online]  
[http://unama.unmissions.org/Portals/UNAMA/Publication/HTP%20REPORT\\_ENG.pdf](http://unama.unmissions.org/Portals/UNAMA/Publication/HTP%20REPORT_ENG.pdf)

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