

شبکه زنان افغانستان
Afghan Women Network



Afghan Women's Network
Afghanistan Monitoring Report 2012
October 1st
Final

UNSCR 1325 In-Country Monitoring Report

Afghanistan

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Acknowledgements:

Afghan Women's Network (AWN) would like to extend its appreciation to its members who worked toward collecting data and information for the In- Country Monitoring Report on UNSCR 1325. The members contributed in this report are:

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AWN would also like to express its appreciation to Ministries of Interior, Women's Affairs, Afghanistan Independent Human Rights Commission and its Provincial Offices and female members of High Peace Council for their contribution towards providing information for the report.

We thank the generous financial support of Canadian Embassy towards the development of this report. Also we would like to thank the generous support of Global Network for Peace Builders (GNWP) for provision of technical support during the drafting of this report as well as including Afghanistan in the Global UNSCR 1325 Monitoring Report to be launched this October for the occasion of 12th anniversary of this resolution.

I. Introduction

As the “heart of Asia”, Afghanistan has been at the crossroads of power struggles between empires and geopolitical interests of neighbors throughout its history. In over thirty years, violent conflict has seen millions of dead and injured civilians, complete breakdown of infrastructure, and an increased violence and abuse toward women. In the past eleven years, the conflict has taken on a new face with a number of actors hoping to make gains against their own particular contrasting interests.

Violent conflict remains a major contributor to displacement of families, strains on development efforts that benefit men and women, economic improvement, and access to education and work. Women and girls are especially affected by this as their space to take part in public life is severely limited due to the social and familial constraints that come with concerns for their safety as well as social ambivalence toward allowing women and girls out of the house when there is a lack of law and order, a heightened sense of insecurity for their physical and moral safety, and the prevailing belief that in such a climate of uncertainty and danger, a woman should not venture outside too often. It is true that in the state of conflict, women are prone to more violence, not only due to the possibility of a drone or suicide bomb attack, but also to being seen as family property to be traded and bartered, or property to be kidnapped, trafficked, raped, or abused in some other way. The conflict has also affected the way communities and families focus on women and girls as the source of their honor and liabilities to their prestige and wealth.

This report is a summary of key underlying issues that affect the treatment and status of women in Afghanistan as they relate to the United Nations Security Council Resolution (UN SCR) 1325. Indicators were developed with the support of the Global Network of Women Peacebuilders (GNWP) and used to find data through desk and field based research in Afghanistan. Similar to previous years, obtaining quantitative data from ministries was a major challenge for the field staff. Monitoring and gathering data is important to determining the structural gains women have been in Afghanistan over course of eleven years. Without clear data, it is difficult to determine how much women stand to lose as troop withdrawals continue. If the structures ensuring rule of law and good governance, justice, peace, and security do not support the protection and promotion of women, Afghan women stand to lose ground on their hard won rights and a place at the decision-making table.

A. Nature of the Conflict

While a lack of development has been a concern in Afghanistan for decades, over thirty years of conflict has affected all aspects of the social and political infrastructure of the country. Since 2001, humanitarian and development aid agencies, inter-government United Nations bodies and donor nations have been active in helping resuscitate or create from scratch political and social infrastructure. Men and women, rural and urban, have been affected in different ways and each shift the decades long violent conflict affected their lives in different ways. Women activists and men proponents of women’s rights are concerned not only in the way the conflict has affected

the lives of women and girls in Afghanistan, they are concerned with expanding the gains achieved by women and protecting equal rights ensured in the Constitution, in the face of the peace process and the ongoing transition to foreign troop withdrawal.

For most of the past eleven years, violence has been strongest in the south and east regions of the country between ISAF-NATO and Afghan troops against Taliban and various other insurgent groups. Taliban and other insurgent groups continue to wage war by employing suicide bomb attacks or physically infiltrating areas teeming with civilians to teach the Afghan government, ISAF-NATO, Western nations, or Afghan civilians a lesson. NATO efforts to fight such insurgent elements have led to the killing of Afghan civilians by drone attacks.

Attempts at peace are multi-lateral, though details are limited and sometimes contradicting. The United States, the Afghan government, have claimed to be engaged in peace talks with the Taliban. However, the Taliban have denied this on numerous occasions.

While Pakistan has claimed to be in support of peace in Afghanistan, due to its own strategic interests related to Afghanistan, it is also seen as a major support for Taliban and other insurgent groups. The involvement of India through development aid has also contributed to the insecurity Pakistan feels toward Afghanistan. In recent years, Pakistan has increasingly sought more power and influence in how the United States and NATO conduct the “war on terror” and in the fledging peace process between the Afghan government and the Taliban.

Please add a section on “B. Impact of Conflict on Women” explaining access to education and job opportunities, SGBV, and actions taken by women in WPS issues (you can bring ‘women’s activism’

B. Impact of Conflict on Women

Despite progressive foundational documents, after a decade of action and rhetoric, major improvement in the lives of women is lacking. The protection of women through law and order or formal justice mechanisms, or the inclusion of women at the decision making table has been weak. While the Constitution calls for equality of women and men and respect for human rights, and gender equity is aligned with development goals, certain laws passed in recent years have undermined these very values. Laws such as the Shia Personal Law and the Amnesty Law have served to demote the gains women have made in gaining the protection of the law. Such laws relegate women as inferior, second-class individuals who are at the mercy of a patriarchal system of laws and justice. To make the situation worse, the peace process and the ongoing transition of foreign troop withdrawal leaves women activists uncertain about their human rights in a compromise with the Taliban or other insurgent groups, who think nothing of denying women rights.

Aside threats against women’s gains by the conflict and the peace process, there are numerous cultural practices that are used to bring or ensure law and order in communities across Afghanistan. These practices are ingrained in cultural sensibilities that paint the moral platform on which communities deal with maintaining the status quo between families, genders, and generations. Influence from tribal ethics and concepts of honor and shame are cultural elements

that add to the marginalization of Afghan women. Women and girls are vessels of the honor and shame of their families, and their actions with the world outside their family walls can affect this contract of honor and shame negatively or positively. Should families or communities feel a woman has stepped outside this realm, they may be met with violent punishment or forced marriage to keep the family honor. None of this has to do with religion and not all or every family or individual ascribes to such a view. Despite this, as a mindset, honor and shame curtail women's access and agency in public and private life. This limits women as to where they can work, how late or early they can be at work, which affects their ability to take on positions of responsibility or decision-making, when and to whom they can marry, or to seek assistance or justice when they are domestically abused or raped. Consequently, women continue to be denied basic human rights in a social system that does not see them as victims, but facilitators of disruption of the status quo.

Women who seek justice or protection of the law often have very little access to either. The use of informal justice in social disputes is common, and often times it is women and girls who receive the punishment for the crimes of their male relatives. The practices of *bad* (in kind or in return), common in certain regional communities, and *badal* (exchange), common around the country both treat women and girls as commodities to be bartered and exchanged for communal harmony. Women are given in *bad* as payment of honor crimes or debts, while those in cases of *badal* are exchanged for one another to ensure inter-familial harmony and well treatment of each woman. Informal courts thrive in rural communities, due to lack of access to formal justice mechanisms, corruption and mistrust of government, or elements of honor and shame. Women are severely marginalized in these informal courts because community elders preside over cases using customary law and cultural notions of women's rights and justice. In these proceedings, women's rights under Islam or universal human rights fail to be considered. When in 2010, Afghan lawmakers tried to give informal courts legitimacy by aligning them on the same level as formal courts, there was an outcry by activists and other lawmakers, citing concerns that these informal justice structures support neither Afghan law or Islamic law.

Women are not sitting quite as foreign troop withdrawal comes closer to its end. The Afghan Women's Network, along with other women's rights and human rights activists, continue to advocate on behalf of women and girls left to the mercy of an inept justice system. In recent years, women's activism has focused on attaining justice on behalf of victims of domestic abuse or rape and increasing the presences of women at the decision making table in government. National NGOs are working to bring human rights, gender, and civil rights education to villages and districts around the country. Women are lawmakers in Parliament and a few serve as senior officials in ministries and governance bodies. This has not stopped the prevalence of domestic abuse and sexual and gender based violence (SGBV) against women. On a monthly basis, news of rape or murder of a young girl or woman is reported in the media, eliciting a reaction from activists and sometimes from the government. In previous years, women's organizations have come together to lobby the Karzai administration and provincial governors to take a stand against SGBV and domestic violence.

C. Relevant Policies

As part of the international community of nations, Afghanistan submits to UN declarations, conventions and resolutions, including those that address women's rights and human rights. Among these are the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), UN Security Council Resolutions 1325, and its related resolutions of 1820, 1889, and 1960. There continues to be a national government effort to mainstream gender into government ministries, programs, and budgeting and to protect women's rights especially to education and against violence. The foundational documents of this new era of Afghanistan's development and peace building efforts include the 2004 Afghanistan Constitution, the Afghan National Development Strategy (ANDS), and the National Action Plan for Women of Afghanistan (NAPWA). Also supporting government policies on behalf of women is the Elimination of Violence Against Women (EVAW) Law, and recent efforts toward a National Action Plan for UN SCR 1325 implementation.

The Afghanistan Constitution was written and approved by the national Constitutional Loya Jirga in 2004 at the beginning of the Karzai administration. Its tenets and values echo international human rights norms, and ensure the equality of men and women before the law. Key articles of this Constitution include Articles 22, which makes gender equality and freedom from discrimination basic values of government and requirements in any subsequent laws legislated by the Parliament.¹ Other key elements are promotion of women's education (article 44), government welfare support for "women without caretakers", namely widows (article 53), and government commitment to ensuring the welfare of children and mothers (article 54). Through articles 83 and 84, the Constitution also assures women's political involvement by reserving two seats for women from each province in the Lower House of Parliament, and half of one-third of seats in the Upper House.² These articles have served as a foundational argument for the expansion and protection of women's rights as citizens and as human beings in advocacy efforts by the Afghan Women's Network, other civil society activists, and Members of Parliament.

The Afghan National Development Strategy began in 2008 as a plan toward realization of the Millennium Development Goals (MDGs) set by the international community, as well as the Afghanistan Compact benchmarks.³ Bringing in the concerns of the NAPWA (discussed below), one of the cross-cutting themes of the ANDS is gender equity, which must be sought throughout the implementation of the ANDS focus on development, poverty, macroeconomic stability, and employment, to name a few. As such, gender mainstreaming and budgeting is a focus for ministries and agencies as they carry out compliance with these development goals. However, it is unclear to what extent this program has been successful and how much will be complete by its deadline of 2013.

¹ Constitution of the Islamic Republic of Afghanistan. 2004. Accessible <http://www.afghanembassy.com.pl/cms/uploads/images/Constitution/The%20Constitution.pdf>

² Constitution of the Islamic Republic of Afghanistan. 2004. Accessible <http://www.afghanembassy.com.pl/cms/uploads/images/Constitution/The%20Constitution.pdf>

³ Afghanistan National Development Strategy (ANDS). Oversight Committee and the ANDS Secretariat for the Government of Afghanistan, 2008-2013. http://www.undp.org.af/publications/KeyDocuments/ANDS_Full_Eng.pdf

The National Action Plan for Women of Afghanistan (NAPWA) is an important document in the gallery of positive actions by the government on behalf of women. Accepted by the Cabinet of ministers in 2008, this action plan took four years of consultations with various ministries, NGO agencies, and other stakeholders to come to fruition. As a ten year plan, the NAPWA has set development goals with gender as the underpinning focus of its vision and framework. It brings in the Afghan government commitments in the Afghanistan Compact and the MDGs and serves as a gender specific document in support of the larger ANDS. The overall goal of NAPWA has been to advance women's presence in the public and government sectors through support for mechanisms ensuring women's equality, including in budgetary allocations, policies and recruitment, and services.

Since the summer of 2011, there has been slow movement by the Ministry of Foreign Affairs, Ministry of Women's Affairs, and civil society stakeholders, along with support from the Embassy of Finland toward a strategy for implementation of UN SCR 1325.

II. Data Presentation and analysis

Data was collected by AWN staff members over the course of a few weeks. Collection of information was limited as in previous years due to technical resources, time constraints, and transparency of ministries. Indicators used for this report are in line with those developed previously by AWN with the support of GNWP. This section is made up of two parts: Participation and Promotion and Protection.

A. PARTICIPATION

Indicator1. Index of women's participation in governance

Participation in governance is broken down into the following: federal level (Cabinet, Parliament, Ministries) and local level (Provincial councils, governors, mayors). As in previous years, it is challenging for women to take part at the federal level due to public and private pressures upon safety and space available to women.

Figure 1.1: Women in Federal Governance (Cabinet, Parliament, Ministries)

Data available from previous years shows women make up about 20 percent of overall government employees.⁴ At the federal level, women's participation is minimal at best, and is limited to specific ministries and agencies. Participation does not mean any

	Women	Men
President	0	1
Vice-President	0	2
Cabinet	-	-
Ministers	3	24
Parliament	69	180

position that has decision making powers. While there are three women in the Karzai Cabinet, as in previous years, women's participation in federal governance is limited and mostly confined to a few ministries, namely public health, women's affairs, and foreign affairs. In certain ministries such as Ministry of Defense and Interior, women are invisible at the top level. Previously, there have been women in key senior positions such as the Ministry of Labor, Social Affairs, Martyrs, and the Disabled (MoLSAMD), which has had a woman minister and deputy minister at the same time. Other ministries such as the Ministry of Women's Affairs has had women in senior positions in almost positions throughout its existence. Part of this has to do with the assumption that

⁴ Data compiled from Afghanistan Statistical Yearbook 2009-2010. Central Statistics Organization. CSO Printing Press, September 2010. Kabul, Afghanistan. p 12.

women should lead in areas that relate to women and leave the rest of governing to the men. This is hardly a real effort to include women at broad levels of government.

Using data from previous years, it is clear that women have the largest presence in government at the federal level, while in regions outside the center, women are invisible at lead position.⁵ One exception is their presence as directors of the Department of Women’s Affairs, the provincial arm of the Ministry of Women’s Affairs. This means two things: the further we get from the center of the federal government, the less likely it is for women to be employed by the government sector and that in the regions that are undergoing the greatest height of the violent conflict women are the most marginalized in terms of political power.

Quotas ensuring women’s participation at the decision making level were established to meet MDG goals and they have worked to bring women into Parliament and certain ministries. Within Parliament, women have 69 seats compared to 180 held by men, with women holding about 27 percent of seats. This however does not mean women are free to act like men lawmakers, comfortable in the positions they have garnered by the people’s vote. Instead, many women MPs are careful to tread carefully in challenging laws against the interests of women, while others do not necessarily have a gender focus in their work on legislation.⁶

Participation in the provincial level is even more limited, due to such limiting factors as to traditional views on women’s work, and threats to women’s safety, and dominance of corrupt power structures that make it difficult for women to work there. Data from previous years reveals that women’s presence is slight compared to that of men. At the provincial level, women are mostly confined to working with local DOWAs, and included in a few local *shuras*. In some districts, women have their own *shuras* but the decisions and opinions of these *shuras* do not carry the same weight as do the men’s *shuras*. The general attitude in many communities seems to be that women’s voices and sensibilities do not match the context of politics, *shuras*, or issues facing communities.⁷

Figure 1.2: Women in Local Governance (Provincial *shuras*/councils, governor, mayor, etc)

	Women	Men
Governor	1	33

⁵ “UN SCR 1325: Implementation in Afghanistan” Afghan Women’s Network Monitor Report, October 2011. Kabul, Afghanistan citing: Data compiled from Afghanistan Statistical Yearbook 2009-2010. Central Statistics Organization. CSO Printing Press, September 2010. Kabul, Afghanistan. p 12.

⁶ “UN SCR 1325: Implementation in Afghanistan” Afghan Women’s Network Monitor Report, October 2011. Kabul, Afghanistan

⁷ “UN SCR 1325: Implementation in Afghanistan” Afghan Women’s Network Monitor Report, October 2011. Kabul, Afghanistan

	Women	Men
Mayor	1	144
Provincial Council	-	-
Ministry Satellite in Provinces (DOWAs, etc)	-	-

While some women participate in local women's *shuras*, others are involved in provincial peace councils, but this is often as far as their participation in political matters go. Only in the provinces of Bamyan and Daikundi, can women be found as governor and mayor, respectively.

Women involved in Parliament and government ministries often have to be careful in how they advocate on behalf of women and human rights. This involves not seeming overly zealous in providing "western" freedoms to women, or anti-Islam. Often, men lawmakers and ministers, even those willing to extend women's rights in certain areas, are generally conservative in their worldview and discriminate against women accordingly. Women in the provinces face an even tougher environment to work in as they are even more vulnerable to a lack of support from their workplaces or families. Most recently, in July 2012, Hanifa Safi, a provincial head of Ministry of Women's Affairs in Laghman, was attacked with a detonated car bomb, leaving her dead and her husband in a coma.⁸ She is the second senior ranking woman working in the provinces on behalf of women to be targeted and murdered. The first, Safia Ama Jan, was killed in 2006, while returning home from work as the director of Department of Women's Affairs in Kandahar.⁹ Such targeted killings work to instill fear in women and their families and act to discourage many from keeping their jobs or working to reach senior level positions.

The threat of violence and lack of security continue to marginalize women's access to work and the ability to build their capacity and experience to take on more senior positions. It is not that Afghan women are lacking in the ability to take on challenging senior positions at the decision making table. Rather it is due to an environment of fear and ambivalence about the future and whether women's rights will continue to be a reality that harms women the most. Women who are in senior positions at the federal or local levels are severely limited in opportunities compared to men, and without the support of other senior leaders, it will continue in a similar way or worse yet unravel completely with the troop withdrawal and peace process.

⁸ "Female Afghan Politician Hanifa Safi killed". BBC News. 13 July 2012.
<http://www.bbc.co.uk/news/world-asia-18832391>

⁹ "Taliban kill top Afghan woman". The Guardian. 25 September 2006.
<http://www.guardian.co.uk/world/2006/sep/26/afghanistan.gender>

Indicator 2 - Percentage of women in peace negotiating teams & breakdown of gender issues addressed in peace agreements

There is no official peace negotiation taking place in Afghanistan at the present. There has been discussion and reports of closed door negotiations between the Afghan government and the Taliban, or with Taliban elements and the United States. However, the Taliban have never confirmed this or the general idea of peace talks with the Afghan government or with the United States.¹⁰ There have been talks about having a peace negotiation going between the various conflict parties, however, little has come to light that would verify the depth and breadth of such negotiations. In 2010, a national Peace Jirga gathered to consider the possibilities and the nation's resolve toward a peace settlement, creating the APRP and the High Peace Council to continue this endeavor past the occasion of the peace jirga. Since last year, the United States has pushed for a resolution to the conflict as the deadline for its own troop withdrawal nears.¹¹ The Taliban have continued to show ambivalence toward talks and the Afghan government is said to be not involved in this development. This puts women in a continuous process of guessing with whom they must lobby for the preservation of their rights.

Noting the Taliban attitude toward women it is highly unlikely that Afghan women will be direct negotiators or even senior negotiators between the parties for a peace resolution. These dynamics did not stop women from taking part in the 2010 Peace Jirga or in the Afghanistan Peace and Reintegration Program, under which the High Peace Council operates. With about 21 percent out of 1668 participants at this forum were women, the Peace Jirga was the first time women took part in any national forum to discuss the future of the country.¹² Within this forum, women were able to talk about the issues that concern them as women and as Afghans, as well as give suggestions and make demands on the protection of women's and minority rights in future peace negotiations.¹³ Among these demands were protection of women's gains, inclusion and substantive participation in policy and agenda setting along with gender and social justice as the underpinnings of future policy.

At the Kabul Conference which followed the Peace Jirga, women stood up again to say they seek the support and assurance of Afghan leaders and the world community that their rights would not be traded in for peace at the negotiation table. Despite this, the world leaders in attendance

¹⁰ "UN SCR 1325: Implementation in Afghanistan" Afghan Women's Network Monitor Report, October 2011. Kabul, Afghanistan citing "Taliban deny peace talks with West". Daily Times. July 7, 2011. Accessible http://www.dailytimes.com.pk/default.asp?page=2011%5C07%5C07%5Cstory_7-7-2011_pg7_5; "Taliban reject latest Karzai peace approach". Tolo News. September 29, 2010. Accessible <http://tolonews.com/en/afghanistan/641-taliban-rejects-latest-karzai-peace-approach->

¹¹ Gearan, Anne. "U.S., Pakistan plan joint effort to boost peace talks with Taliban". The Washington Post. 21 September 2012. http://www.washingtonpost.com/world/national-security/us-pakistan-plan-joint-effort-to-boost-peace-talks-with-taliban/2012/09/21/2ebd1d1c-03f8-11e2-9b24-ff730c7f6312_story.html

¹² "UN SCR 1325: Implementation in Afghanistan" Afghan Women's Network Monitor Report, October 2011. Kabul, Afghanistan

¹³ "UN SCR 1325: Implementation in Afghanistan" Afghan Women's Network Monitor Report, October 2011. Kabul, Afghanistan citing Afghanistan Chapter Summary. Human Rights Watch. January 2011.

endorsed the reintegration of former Taliban fighters, without a clear explanation as to how women’s rights would fit into this reintegration plan.

Figure 2.1: Women in HPC and Provincial Peace Councils

	Women	Men
High Peace Council	9	61
Provincial Peace Councils	75	-
Afghanistan Peace and Reconciliation Program (APRP)	4	-

Following the Peace Jirga in 2010, the High Peace Council (HPC) was created as part of a Joint Secretariat to oversee the Afghanistan Peace and Reintegration Program (APRP) and seek and conduct peace talks with the Taliban or other insurgents. While the HPC is at the national level, it has its provincial counterparts, aptly named Provincial Peace Councils, delegated to oversee implementation of the APRP in their provinces. The APRP was created as a program to oversee the reintegration of former Taliban and other insurgent fighters back into communities, and to create economic incentives for former fighters to keep them within the program. Women work within the APRP, though it is unclear how many and at what positions, as well as in the HPC, where out of 70, women have 9 seats at this table. The presence of these women does not automatically signal support for women’s lived experience as victims in the conflict or their concerns about the future. For some, the selection of certain women on the HPC is merely symbolic, meant to fill seats in the name of gender equity. In late 2011, the APRP structures introduced a Work Plan for the Gender Policy, meant to focus on addressing and expanding the role women are playing in the peace process and building the knowledge of men in the importance of women’s inclusion. This work plan has a monitoring element where the prevalence women’s decision making in the peace process will be looked as an element of the plan’s success.¹⁴

¹⁴ “Gender Policy for Afghanistan Peace and Reintegration Program (APRP)” Joint Secretariat, September 2011, Kabul, Afghanistan.
<https://www.cimicweb.org/cmo/afg/Documents/Reports/APRP%20Gender%20Policy%202011.pdf>

Provincial Peace Councils are being slowly created in the 34 Afghan provinces with the goal of bringing peace talks to the local level, and local voices to the head secretariat in Kabul. Women's participation is required in these councils, but it is unclear how effectively women have been brought to these local peace talks. The total numbers of members of these provincial councils is unclear presently, although AWN was able to gather that there 25 men and 3 women in the Herat Provincial Peace Council.¹⁵ Due in part to the assassination of former President Rabbani, the head of the HPC in 2011, the Afghan Women's Network has seen a rise in concerns over the protection of women members involved in the HPC and in the provincial councils, with no actions taken to address them by the government or the Joint Secretariat.¹⁶ Furthermore, the HPC seems to be even less inclined than previous years to meet with women activists over their concerns for the peace process.¹⁷

Indicator 3 - Index of Women's Participation in the Justice, Security Sector, and Peacekeeping Missions

Justice Sector

Alongside the conflict and all the brutalities associated with its violence, Afghan civilians, and especially Afghan women are on the constant verge of abuse, violence, and discrimination. This reality cannot be excused as "it's part of the culture". Instead, the justice sector is thoroughly failing in enforcing the rule of law through the formal court system. Due to this negligence, families who barter and trade their daughters, domestic abusers, and rapists act with impunity, aware that the likelihood of being charged with a crime or prosecuted and punished is small.

Women do not have leadership roles in these two institutions, even though there are a number of woman prosecutors and a gender and EVAW section. Being that the Ministry of Justice is tasked with legislative review, the lack of women in influential positions and the Ministry's attitude toward women's rights, has allowed a number of anti-woman laws and policies to be considered. The attitude of the Ministry of Justice and the Attorney General's Office toward previous efforts to conduct interviews or collect other information on their work for women's protection has been met with silence or refusals to comment.

Through discussions with personal working in the Supreme Court, AWN was able to get a snapshot of women's participation as lacking in judgeships and other senior positions.¹⁸ Prejudice against women as judges and the patriarchal attitude of the 9 sitting men judges is the greatest contributor to this lack of woman judges. The prejudice comes from the false belief that Islam does not allow for women to be arbitrators of justice, that women have weak minds and are incapable of making just decisions, and that women make choices based on emotion, rather than on rational thought. Not only can an argument against woman judges be based on these above beliefs, it cannot not be based on some lack of technical or educational capacity of Afghan women to do the job, because there are plenty of women law students, lawyers, or prosecutors in the country. Furthermore, despite recent direct advocacy with President Karzai and the Chief

¹⁵ Data obtained from Samira Hamidi, former country director of AWN. August 2012.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Data obtained from Samira Hamidi, former country director of AWN. August 2012.

Justice of the Supreme Court by certain members of Parliament and civil society to appoint a woman judge to the Afghan Supreme Court, there has been no response from either on the issue.

Afghan Security Forces

The Afghan Security Forces are made up of the Afghan National Army and Police, the Ministries of Defense and Interior, the Supreme Court, and the Attorney General’s Office. While recruitment for the Afghan National Army has reached its goal of 195,000 troops ahead of the NATO October 2012 deadline, there are about 350 women among them, with 3 woman pilot candidates for the 5,728 strong National Air Force. Within the recruitment of 149, 208 Afghan National Police, there are 1, 370 women.¹⁹ The Afghan goal is to reach at least 10 percent recruitment of women within the armed forces, however, it is currently at the recent information from NATO does not explain the roles women are taking on in these two institutions, but according to other reports, women mostly work in logistical, and administrative roles. Women in the police tend to be active in the Family Response Units and other duties where police must deal with women as victims or criminals.

Figure 3.1: Women in the Afghan Security Forces²⁰

	Women	Men	Total Percentage
Afghan National Army	350	194,650	0.179
Afghan Air Force	3 (pilot candidates)	5, 725	0.052
Afghan National Police	1, 370	147, 838	0.918
Total	1, 723	349, 936	0.492

Despite the service they are performing, attitudes toward women in the armed forces are mostly negative, both at the community level and within the armed forces, where most believe women do not belong in such “masculine” jobs and in close environment with men.

Peacekeeping missions

Afghanistan is currently in the middle of an ongoing conflict and there are no active peacekeeping missions in the country.

Indicator 4 - Number and % of Women Participating in Each Type of Constitutional or Legislative Review

¹⁹ “Afghan National Security Forces (ANSF): Training and Development”. NATO Media Backgrounder. May 16, 2012.

http://www.nato.int/nato_static/assets/pdf/pdf_topics/20120516_media_backgrounder_ANSF_en.pdf

²⁰ “Afghan National Security Forces (ANSF): Training and Development”. NATO Media Backgrounder. May 16, 2012.

http://www.nato.int/nato_static/assets/pdf/pdf_topics/20120516_media_backgrounder_ANSF_en.pdf

Constitutional review in Afghanistan can happen within a grand council or Loya Jirga, which brings together regional, tribal, and community leaders from across the country and other interest groups. The constitutional review was in 2003, when the current Afghan Constitution was reviewed and accepted by 500 national delegates.²¹ From the provinces 64 women, and 344 men were chosen as delegates along with 25 men and 25 women who were selected by President Karzai. Another 15 percent of women was suggested to be among the 42 delegates representing a wide range of groups: refugees, the internally displaced, Afghan Hindus and Sikhs, and nomads.²² The inclusion of women in this traditional forum of decision-making was seen by men as tokenism to appease the United States and international community.²³ Women were treated with suspicion and many were unable to actually view the constitution draft. Despite this, women’s groups, human rights organizations, and supporters from within the international community successfully advocated to include equal rights for women in the new constitution.

Figure 4.1: Constitutional Review

Representing	Women	Men	Percentage of Women
Provinces	64	344	18.6
Selected	25	25	50.0
Special Groups (15% women)	6	36	15.0
Total	500		23.5

Meanwhile, legislative review are processes that occur regularly between human rights and women’s rights groups, Parliament, the Ministry of Justice, and the Supreme Court. Policies can originate in the Ministry of Justice, Parliament, or the Office of the President and then are susceptible to revision or rejection. As this process is occurring, review committees within each body can take on the review and change of a particular bill or policy. Bills or policies that come from the Ministry of Justice must be reviewed again by the Cabinet and then sent onto to the

²¹ “UN SCR 1325: Implementation in Afghanistan” Afghan Women’s Network Monitor Report, October 2011. Kabul, Afghanistan citing Afghanistan Chapter Summary. Human Rights Watch. January 2011.

²² Text of Presidential Decree on Constitutional Loya Jirga. 2003. Accessed from <http://www.constitutionnet.org/files/textofpresidentialdecreeonconstitutionalloyajirga1.pdf>livepage.apple.com

²³ Entekhabi-Fard, Camelia. “Constitution debate rages in lead up to Afghan council”. Euraisannet.org. 8 December 2003. <http://www.eurasianet.org/departments/insight/articles/eav120903a.shtml>

Parliament floor for a vote and revision. Legislative review is based on the tenets of the international human rights, the Afghan Constitution, and Islamic law. However, laws and policies that have been passed do not always conform to the requirements of all three. In recent years, there have been greater efforts to curtail the rights of women protected by these various sources through such laws as the Shia Personal Status Law and the law on women’s shelters for abused women and girls. The Ministry of Justice and other elements sought to bring women’s shelters under the control of the government, thereby being able to regulate how women and girls were treated in women’s shelters.²⁴ Through intense lobbying by AWN, the Ministry of Women’s Affairs, and other human rights activists put forth recommendations, and the draft bill of this law was reviewed and revised numerous times, passing into law with the approval of the Cabinet.²⁵

Indicator 5 - Civil Society Organizations (CSOs) in Task Forces on UNSCR 1325

Some civil society organizations have played a key role in continuing to reach out to communities and the government in the effort to improve various social and developmental concerns. Among the work being done by CSOs is advocacy on behalf of women’s rights and conflict resolution at the grassroots.

Figure 5.1: Afghanistan UN SCR 1325 National Action Plan Committee Members²⁶

Committee Participants from	Total
Government	20
CSOs	2

In 2011, the Ministry of Foreign Affairs, with the support from the Government of Finland, began work on the development of a National Action Plan (NAP) on UN SCR 1325. Part of the early work was to assemble technical and steering committees made up government and civil society participants. The Steering Committee, tasked to oversee the creation of the NAP, includes participants who are senior officials from the Afghanistan Independent Human Rights Commission, the Afghan Women’s Network, the High Peace Council and deputy ministers from Ministries of Women’s Affairs, Health, Interior Affairs, Defense, and Justice. The technical working group is tasked with

²⁴ “UN SCR 1325: Implementation in Afghanistan” Afghan Women’s Network Monitor Report, October 2011. Kabul, Afghanistan citing Afghanistan Chapter Summary. Human Rights Watch. January 2011.

²⁵ Data obtained from Samira Hamidi, former country director of AWN. August 2012.

²⁶ Data received from Ministry of Foreign Affairs Human Rights and Women International Relations Department

creating the work plan for NAP creation. Part of this committee are individuals at the director level from the previously mentioned entities.²⁷

In 2012, with the support of a grant-making organization, AWN conducted consultation gatherings with government officials and civil society activists in three major cities, Herat, Kabul, and Mazar-e Sharif. These consultations focused on awareness raising about the meaning of UN SCR 1325, its relevance to Afghanistan, and what participants suggest must be done to make a NAP process more focused.²⁸

B. PREVENTION & PROTECTION

Indicator 6 - Level of sexual and gender-based violence (SGBV) and percentage of cases investigated and prosecuted

Figure 6:1: Sexual and Gender Based Violence (SGBV)²⁹

Type	2009	2010	2011
Murder	62	10	13
Abuse	69	69	69
Sexual Abuse or Rape	51	51	25
Forced Abortion	291	50	50
Denial of property by in-laws	51	27	27

²⁷ Ibid.

²⁸ Yaqoobi, Leeda. "Two- Days Consultation Workshop on the Implementation of UN SCR 1325 in Afghanistan", Project Narrative Report. May 2012.

²⁹ Data provided by Ministry of Women's Affairs Legal Department from the Database

Type	2009	2010	2011
Bad and badal	30	26	26
Forced to Leave the House	31	46	90
Self Immolation	119	119	119
Denial of inheritance	2	n/a	37
Suicide	23	23	23
Physical Violence	890	59	71
Forced Marriage	122	46	46
Total	1718	526	596

Figure 6.2: SGBV Cases 2009, 2010, 2011³⁰

Type of Case	Total
Solving the case	354
Provision of legal aid	148
Return back to the families	253
Family Consultations	405
Solved Cases	270
Cases Registered and Recorded	1,510
Referral of cases to judicial and criminal sector	2,000
Total	4,940

³⁰ From the Legal Department of Ministry of Women's Affairs database

Quantitative data for this indicator is severely inadequate. While the information in Figures 6.1 and 6.2 were provided by the Ministry of Women's Affairs, it is unclear how these totals were tallied by their Legal Department or some other responsible entity. Furthermore, as seen in Figure 6.1, there is no negative or positive consistency of cases between 2009 to 2010. Instead, numbers jump around almost at random, not giving a clear picture of SGBV cases accounted for by the Ministry of Women's Affairs. Beside these numbers, there were no other usable quantitative data provided by any of the ministries concerned.

Because women become second-class and expendable in many conflicts, and because patriarchal attitudes deny the equality, morality, and significance of women on par with men, when heinous acts are committed such as rape, sexual violence, assault and harassment, they are rarely seen as crimes by the majority of society to be reported, investigated, prosecuted, or punished. Instead, as it is done in Afghanistan, criminals, rapists, wife, daughter, and sister killers act with impunity. Neither the local or federal authorities are concerned enough to protect women and girls from being treated like property, to be bought, sold, bartered and traded, or destroyed. Women's bodies, agency, and space have been the constant victims of over thirty years of violent conflict and of the patriarchal attitudes enshrined in Afghan culture for decades more, and possibly for some more time into the future.

Violence against women has seen no decline nor end in the past decade. Instead, every year women and human rights activists become more alarmed at growing reports of women and girls abused, attacked, raped, and killed. Despite some coverage of these crimes on the evening news, the large majority of victims of SGBV in Afghanistan are silent and hidden. Due to the careless attitude of authorities and the great likelihood of being arrested and jailed for adultery or other moral crimes, many do not report their victimization. Some try to commit suicide by burning themselves with kerosene, others keep quiet and live in despair. In rare circumstances, especially due to a media spotlight on the case, does the President or others in his government pay attention to this issue. Even then it is case by case, rather than greater effort to force police in the provinces to take SGBV cases seriously. The case of Lal Bibi, a woman gang raped by the Afghan Local Police, a parallel program created in 2010 and led by the Ministry of Interior to counteract insurgency elements in rural areas.³¹ Lal Bibi was first abducted from her home in Kunduz Province, forced to marry one of her abductors, and then repeatedly raped and beaten for a week before being dropped back off at her home. All of this was in retaliation for the crime of her cousin who had also sexually assaulted the daughter of the militia leader called for Lal Bibi's abduction and rape. The government's reaction was to arrest those involved and dismantle their ALP unit in Kunduz.³² This by far does nothing to change the over-arching rule of impunity over law and order, especially in SGBV cases.

³¹ "Afghan National Security Forces (ANSF): Training and Development". NATO Media Backgrounder. May 16, 2012.

http://www.nato.int/nato_static/assets/pdf/pdf_topics/20120516_media_backgrounder_ANSF_en.pdf

³² Bezhan, Frud and Noor Mohammad Sahin. "Rape case tests Afghan justice". Radio Free Europe Radio Liberty. 5 June 2012. <http://www.rferl.org/content/rape-case-tests-afghan-justice/24604549.html>; Rubin, Alissa J. "Afghan rape case turns focus on local police" The New York Times. 27 June 2012. http://www.nytimes.com/2012/06/28/world/asia/afghan-rape-case-turns-focus-on-local-police.html?pagewanted=all&_r=0

Indicator 7- Number and quality gender-responsive laws and policies

The Afghan Constitution ensures equal of women with men, including their right to education, to be free from forced marriage and violence. Gender responsive policies are limited to a few key documents or items of legislation often in response to an issue. One of these is the law on the Elimination of Violence Against Women (EVAW), which was accepted by the President in 2009, but it was not until late 2011 that the EVAW law was officially passed in Parliament, with changes in Article 42 of the document. Despite this delay, the implementation of EVAW has been ongoing since 2009, with little visible positive gains for women. Part of the problem is a lack of comprehensive record keeping on VAW cases, and other is lack of will on the part of the justice and security sectors to address such cases based on EVAW law.

The EVAW law has the objective of eliminating “traditions and practices that cause violence against women contrary to the religion of Islam [and] prosecuting perpetrators of violence against women” making rape a crime for the first time in and criminalizing other negative cultural practices.³³ Under this law, women have the right to seek protection against abuse, receive emergency care, and have privacy on matters related to their abuse, and see the prosecution of the perpetrator. Conviction of the crime of rape has a punishment of life imprisonment, and the death penalty if the rapist murders his victim. While this EVAW law gives a boost to protection of women and access to justice, it is fraught with problems of implementation.³⁴ Many cases that fall under the EVAW law are either not reported or if reported, they are referred by police to traditional dispute mechanisms, such as informal community courts, where men community members gather and decide the fate of the victim and perpetrator.³⁵

Recent government attempts to regulate women’s shelters were met with resistance by women’s advocates reveal the attitude of authorities toward abused women. Recently, during a session of Parliament on the topic of violence against women and children, the Minister of Justice, Habibullah Ghalib, described the shelters he wanted to control as houses of prostitution and the women in them as prostitutes, thereby denying the veracity of claims made by those who

³³ Ibid., Articles 3, 4, and 5.

³⁴ Among the practices committed against women and criminalized under the EVAW law are acid or poison attacks, forced prostitution, injury or disablement (as a result of physical violence), buying and selling of women and girls, the practice of bad or badal kardan, forced marriage, under-age marriage, forced drug addiction, forced suicide or self-immolation or creating conditions so that a woman or girl commits these acts, preventing possession of inheritance or acquiring property, preventing access to work or school, and taking on more than one wife without adhering to the Civil Code

³⁵ “A long way to go: Implementation of the Elimination of Violence against Women Law in Afghanistan”. UNAMA/OHCHR. November 2011.

http://www.ohchr.org/Documents/Countries/AF/UNAMA_Nov2011.pdf

approach these houses for protection.³⁶ With calls from AWN³⁷ and other rights groups for his apology and dismissal, Ghalib apologized a week later.³⁸

Other gender responsive policies include the National Action Plan for Women of Afghanistan (NAPWA), and the Afghan National Development Strategy (ANDS). Although, women's rights and inclusion are protected by such documents, they are marginalized severely by the justice and security sectors.

Indicator 8 - Number and nature of provisions/recommendations in the truth and reconciliation commission and other transitional justice reports on women's rights

There is no Truth and Reconciliation Commission or other forms of transitional justice mechanisms in Afghanistan at present. The APRP implementation of reintegration of former insurgents into communities is the closest Afghanistan has gotten to transitional justice. However, this program does not have a mechanism for grievances or accountability of those guilty of crimes against civilians. Instead, this program reintegrates former fighters through economic incentives. This hardly answers to the grievances of communities against the Taliban, other insurgents, warlords, mujahideen, and even communists.

The Afghan Independent Human Rights Commission (AIHRC) produced an account of Afghan desire to see human rights violators held accountable for their crimes against civilians. The AIHRC went so far as to create a panel including the President's office and UNAMA to create an action plan to create a national strategy on justice and reconciliation. Despite their best efforts, the plan was ignored by the Karza government and has been contradicted by legislation of the Amnesty Law, protecting any who committed crimes during the mujahideen period by giving immunity of individual crimes committed during the conflict period by those currently in government.³⁹ While this particular issue is not as stridently advocated for as other human rights issues, there are calls for accountability of crimes committed during the many phases of the conflict. During the Tokyo Conference in July 2012, Afghan civil society organizations urged the Afghan government to work on a transitional justice plan in order to properly address issues of peace and security in the long term.⁴⁰

³⁶ "Outrage at Afghan minister's prostitution comments". Gulf News. 19 June 2012. <http://gulfnews.com/news/world/afghanistan/outrage-at-afghan-minister-s-prostitution-comments-1.1037507>

³⁷ Afghan Women's Network. "Declaration regarding the accusations against the safe houses/women's shelters." 18 June 2012. <http://www.afghanwomennetwork.af/Latest%20Updates/Declaration%20regarding%20the%20Accusations%20against%20the%20Safe%20Houses.pdf>

³⁸ Abrahamkhil, Shakeela. "Justice minister apologises for derogatory remarks on women shelters". Tolo News. 26 June 2012. Accessed from e-Ariana, <http://www.e-ariana.com/ariana/eariana.nsf/allDocs/D03B8AEB517C5DD587257A2A002133B0?OpenDocument>

³⁹ "UN SCR 1325: Implementation in Afghanistan" Afghan Women's Network Monitor Report, October 2011. Kabul, Afghanistan

⁴⁰ "Position Paper: Demands of Afghanistan Civil Society on the occasion of Tokyo Conference on Afghanistan". 8 July 2012 http://www.af.boell.org/web/Democratization-Demands_of_Afghanistan_Civil_Society_on_the_occasion_of_Tokyo_Conference_374.html

Previous agreements that signaled a turning point in the thirty years long conflict have not considered such mechanisms as part of the agreement and there has not been any real attempts by the current government to push for transitional justice on behalf of Afghan civilians.⁴¹ In 2001, with the resurgence of world attention upon Afghanistan, the Bonn Agreement became the first of many plans to address a political settlement and call for working governance institutions on behalf of Afghan citizens. Again, in these talks women, while present, were sidelined by groups, except the Taliban, who were responsible for the escalation and duration of the conflict.

Indicator 9 - Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

AWN researchers were not able to obtain data for this indicator. However, it is available knowledge that the reintegration program being overseen by the APRP has been receiving funds since 2010 to conduct outreach with former fighters through disbursement of economic incentive packages. It is unclear if women are being assisted through these disbursement at all and in what ways. Funds allocated for community recovery programs under the APRP largely focus on development projects such as road building, vocational training, irrigation and agriculture.⁴²

C. PROMOTION OF A GENDER PERSPECTIVE

Indicator 10 - Number and percentage of pre-deployment and post-deployment programs for military and police incorporating SCR 1325, SCR 1820, international human rights instruments and international humanitarian law

The Ministry of Interior informed AWN that there is a range of trainings that police and army recruits receive, however, it is unclear what the specific trainings are, how many incorporate UN SCR 1325, 1820, and other international human rights and humanitarian law. AWN has been involved in providing a training in 2008 on UN SCR 1325, but it is not clear if subsequent trainings have occurred.

Indicator 11 a - Allocated and disbursed funding marked for women, peace and security projects and programs (WPS) for CSOs

Civil society organizations in Afghanistan are NGOs that work largely on project based funding from foreign organizations, UN, or embassies. As a result, projects on Women, Peace, and Security depend on the interest of these donor groups. In recent years, WPS projects have become more popular in Afghanistan, and some CSOs are

⁴¹ “UN SCR 1325: Implementation in Afghanistan” Afghan Women’s Network Monitor Report, October 2011. Kabul, Afghanistan citing “Geneva Accords of 1988” Accessed February 25, 2011, from http://www.institute-for-afghan-studies.org/Accords%20Treaties/geneva_accords_1988_pakistan_afghanistan.htm

⁴² Community Recovery Overview. Afghanistan Peace & Reintegration Program (APRP). <http://www.hpc.org.af/english/index.php/community-recovery-overview>

implementing WPS related projects, mostly focused on awareness raising and capacity building. However, the focus on WPS projects still remains small and projects tend to be short term and funded on a small scale.

Indicator 11 b - Allocated and disbursed funding marked for women, peace and security projects and programs (WPS) for the government

Data on the breakdown of funding for WPS programs implemented by the Afghan government is difficult in obtaining. Budget allocation for WPS programs could include funding for the implementation of NAPWA in meeting development goals, the APRP support of gender inclusivity, gender and human rights capacity building, and protection of women participants, support for the peace and justice clusters of the National Priority Programs, implementation of EVAW law through strengthening of the laws reach and the capacity of the justice sector, and support for the NAP creation under the auspices of the Ministry of Foreign Affairs. The amount of budgeting that goes to these programs and others concerned with WPS is not readily available.

III. Conclusion and recommendations

Major gaps in women's participation, dismal protection from and prevention of gender based violence, and the rule of impunity continue in Afghanistan. The prevailing lack of attention of government authorities on the failings of the justice and security forces toward women must be recognized and addressed. This includes real action on the commitments of previous conferences, Afghan documents such as the Constitution, the EVAW Law, gender sensitivity in development goals through the NAPWA-ANDS platform, and international human rights values.

In providing data for this report, the Afghan Women's Network also made the following recommendations⁴³:

"We stress that for strengthened democracy and accountability, Afghanistan needs an independent civil society, most importantly strong women groups that can survive the patriarchy embedded in the ruling institutions and be change agents for an inclusive and just society. To maintain the integrity and independence of civil society, allocation of resources for building the capacity, transparency and operations of non-governmental institutions must be allocated and managed more independently outside the government controlled fund. Further, we believe the commitments contained in the 22 national priority programs require a holistic gender budgeting approach if they are to directly benefit women and have an impact on women's political participation.

Afghan women want to see a clearly planned initiative designed to engage them in discussions on the future of Afghanistan and life beyond 2014. They also stress the importance of their participation in the ongoing peace and reconstruction processes."

⁴³ Recommendations as received from AWN in August 2012.

Recommendations⁴⁴

1. Support for the capacity development of the Afghan National Security Forces must pay special attention to how the ANSF can be more responsive to citizens' needs, particularly those of women and children. This includes greater focus on civil policing training and organization. Family Response Units are also a critical means for addressing women's security needs; they should be fully resourced and the organizational structure (Tashkeel) should be amended to allow for higher ranking women to staff these units.
2. Need for increase recruitment of women in to police force, through creating enabling environment within the security structure, giving adequate training for women police to be involved in higher position of security forces, and providing adequate support to the protection of women in security forces
3. Ongoing mentoring and training is required long beyond 2014 to build the capacity of ANSF to understand how their actions impact of law implementation, rule of law, access to justice, responsiveness to the needs of women and children. This training should include curriculum on basic values related to treating civilians with respect, how to build trust in local communities, and how to conduct effective people-to-people engagements.
4. 30% of international funds allocated for support of the ANSF should be earmarked for recruitment and retention of women in the ANSF.
5. Establishment of an Independent Civil Society Oversight Commission to thoroughly monitor the contribution, support, and performance of ANSF, as well as provide feedback and recommendations to the Ministries of Interior and Defense, and other relevant actors. The objective of the commission should be to improve ANSF's responsiveness towards Afghan citizens, especially women and children.
6. NATO member countries must jointly develop a comprehensive strategy and budget to identify how to maintain the achievements women have made over the last 11 years. Development of this strategy and budget should be in consultation with Afghan women's civil society organizations.
7. Women's empowerment is a MUST: Women need to be given the opportunity to work to protect the gains they have made over the last 11 years. To do this, their position in society still need to be strengthened through targeted technical capacity building programs for women, ranging from literacy to legal skill building.
8. The National Action Plan on Women, Peace, and Security requires serious focus from the Afghan government for the development of the Plan, and commitment from the international community to resource the Plan. The NAP must be understood as being directly related to the success of peace and security processes in Afghanistan, and its implementation must be prioritized.
9. The Afghan government must be held accountable to their national and international obligations to acknowledge women as leaders and ensure their participation in decision-making roles.

⁴⁴ Recommendations as received from AWN in August 2012.

10. Funds committed by the International Community for security sector reform, judicial reform, and good governance, must be conditioned on the consultation of women in planning and implementation phases, as well as the inclusion of women in all related governmental, security, and judicial bodies.
11. The recruitment of Afghan Local Police (ALP) and other security alternative needs to include a transparent vetting process so that former and current warlords with previous record of human rights violations do not automatically become part of the national forces. A portion of the vetting process should be community based, allowing women's groups and women from communities to report on the background of the newly enrolled security forces
12. Women leaders in government and civil society are under constant attack, while it is necessary to ensure women's protection in general, women leaders' protection needs to be a priority as per their critical role as agents of change in society against conservative elements taking Afghanistan back to 1990.
13. The Afghan government should have a clear reporting process for the human rights instruments and international laws that it has signed and needs to demonstrate that Afghan laws are not in contradiction with its international legal commitments for women.
14. A joint International Afghanistan War Memory Commission should be created so that the past 30 years of war violations are identified and there is a documentation process as a matter of conflict prevention. Such an investigation does not have to conclude in a legal trial but a memory of war and the beginning of a healing process. Otherwise, the practice of impunity will not unite Afghans towards a rule of law culture.
15. Afghan women demand a 25% quota of women on the High Peace Council and Provincial Peace Councils. In most provinces, the only female representative is a government employee.
16. Ministry of Women's Affairs must advocate for and Support women and girls who face violence, sexual violence, rape, harassment, and intimidation by providing improved attention and registration services by MOWA and DOWA staff.
17. Improve training and sensitivity of MOWA and DOWA staff in attending to women and girls seeking help.
18. Raise awareness among men and women in all 34 provinces, with specific focus to non-urban areas and a targeted plan on the EVAW law, rights of women under Afghan law and Islamic law, and importance of women's education to the community.
19. Expand the Family Response Units into every district police station of the 34 provinces; improve the Family Response Units by hiring more female officers and giving training on objective and responsive methods.
20. Focus on recruitment of women into policing through coordination and collaboration with Ministry of Women's Affairs and Women's Led Organizations to support and encourage families to allow the women and girls in their families to join police forces.
21. Ensure that women and girls who face physical, sexual, gender based violence, rape, and other harm receive assistance through the justice system

22. Increase the number of women lawyers, judges and law enforcement women staff who can specifically focus on the need of women who are victims.
23. Ensure that the law on marriage requires the presence of the husband and wife upon registration of the marriage.
24. Ensure that draft bills that come up for review are in line with the Constitution, Afghan law, and international human rights standards.
25. Create and implement training and awareness programs with the Ministry of Interior for police and other law enforcement on the rights and protections owed to women by the law; train and give awareness to judges on the rights and protections owed to women by the law as well as the difference between objective judgement and judgement ruled by cultural beliefs of the judge.
26. Initiate a review of concepts such as “running away” which is not a crime but women are imprisoned and punished for committing.
27. Include peace and gender education as part of the school curriculum, giving awareness on the rights of women and girls, including the right to choose a marriage partner, the crime of child and forced marriage, and other provisions of protection under the law.
28. Train and give awareness of religious leaders and teachers and mullahs at Friday sermons to support women’s rights under Afghan law, linking these rights with Islamic law.
29. Work with the Ministry of Information and Culture to build awareness programs on the rights of women under Afghan law and Islamic law.

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