

From Rhetoric to Reality:  
Afghan Women on the Agenda for Peace

By Masuda Sultan

With Contributions from Corey Levine and  
Elizabeth Powley

Women Waging Peace Policy Commission

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**WOMEN WAGING PEACE** is a program of Hunt Alternatives Fund that advocates for the full participation of women in formal and informal peace processes around the world.

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## PROJECT BACKGROUND

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Wars and internal conflicts do not end simply with the signing of peace agreements. To avoid a resurgence of violence, it is necessary to develop and support measures for strengthening the governance, security, justice, and socioeconomic capacities of a state. This is a complex task in any society, but daunting in post-conflict situations. While the international community can provide assistance and valuable resources, the local population, which has no “exit strategy,” has the greatest commitment to building sustainable peace. It is therefore essential to draw on the assets, experiences, and dedication at the local level and among all sectors of society. One sector often overlooked and underestimated is women. In most post-conflict societies women are more than 50 percent of the population and are actively engaged in peace building while addressing the basic survival needs of their families and communities. Yet they are often portrayed as passive victims, and little regard is given to their actual and potential roles in fostering security.

In October 2000, for the first time in its history, the United Nations Security Council acknowledged that women have a key role in promoting international stability by passing Resolution 1325 on Women, Peace, and Security. It called on all parties to ensure women’s participation in peace processes, from the prevention of conflict to negotiations and postwar reconstruction. The Women Waging Peace Policy Commission was established to examine peace processes with a particular focus on the contributions of women. *From Rhetoric to Reality: Afghan Women on the Agenda for Peace* provides an overview of women’s initiatives and activities in Afghanistan and examines the effectiveness of the international community’s decision to emphasize women’s rights and participation in advancing the status and role of women in Afghanistan. It makes the case that because women can foster stability and be a force for moderation, women’s capacity must be further strengthened and their rights must not be bargained away.

## KEY FINDINGS AND RECOMMENDATIONS

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### Key Findings

1. Women have the potential to play an important role in fostering openness and religious and political moderation in Afghanistan by providing important social services and pioneering human rights education and reforms. Fulfilling that potential will depend upon the extent to which the Afghan government and the international community cultivate it.
2. Although the status of women in Afghanistan has improved since the ousting of the Taliban, conservatives have re-instituted constraints, and national governmental authority and commitment to women's empowerment has not yet solidified nationwide.
3. The continuing lack of security enormously constrains women's participation in the rebuilding process.
4. Vast disparities between rural and urban Afghanistan mean that the impact of policies and programs for women's empowerment varies widely. Despite noteworthy progress among urban elites, the status of many poor women and women in rural parts of the country—where most women live—remains almost unchanged.
5. Today while there is commitment to women's emancipation at the most senior levels in Afghanistan's government, that support is not widely shared throughout the government or the country. To successfully transition to democracy, Afghanistan as a whole will need to appreciate that women's political empowerment is centrally important to reform and democratization.
6. The success of parliamentary elections in the fall of 2005 will be critical in ensuring women a place in governance structures and giving women a voice in an emerging democracy.
7. Inadequate enforcement of women's rights is attributable in part to uninformed, untrained, and conservative judges who have little motivation to hand down forward-looking judgments in support of women.
8. While Afghanistan's Ministry of Women's Affairs reminds citizens of the importance of women's rights, it has failed to significantly empower women.
9. Collaboration among Afghan women from the *diaspora* and those who remained in the country has been critical to successfully pushing for reform.

### Recommendations

1. To ensure that the parliamentary elections empower women:
  - a. Voter and civic education, as well as political training, are needed to inform people of the constitutional protections for women; the right to vote and the anonymity of the balloting process; and the structure of elections and the government. Efforts should be focused on provinces in which only small percentages of women voted in the presidential election.
  - b. Training for women candidates should be offered to strengthen their ability to speak publicly, develop a platform, raise money, and understand the political process and structure of government.
  - c. Visible security measures and election monitoring must be used throughout the country, particularly in remote and conservative provinces, to reduce the threat of attacks on voters (especially women voters), help ensure confidentiality, and decrease the risk of coercion and intimidation influencing voting.
  - d. Mobile voting units should be used throughout rural areas so that women's voting is not impeded by cultural restrictions on travel.
  - e. Separate polling places for men and women should be used whenever possible, particularly in rural areas. Polling places for women must be staffed by women.

2. The playing field must be leveled for women candidates who lack the financial resources and networks men enjoy as a result of their relatively privileged position in Afghan society.
3. Support for local efforts to promote democracy will be critical in achieving women's empowerment, as Afghans are best equipped to translate the principles of democracy and will continue to do so after international aid agencies depart.
4. To empower women post-conflict:
  - a. Affirmative policies must be matched by implementation programs. For example, constitutional protections will only be as effective as the judicial reform process.
  - b. Rhetorical commitments to empowerment at the most senior levels need to be matched with resources. For example, without extensive programs to educate and inform women throughout the country about their rights, empowerment will not become a national reality.
  - c. The issue of women's empowerment must not be politicized. Politicians must be urged to keep the issue of empowerment inviolate.
  - d. The national government and international community need to demonstrate zero tolerance for serious limitations on the rights of women.
  - e. Discussions of women's empowerment must build on Islam's protection of women's rights and emphasize that the violation of those protections contradicts the religion.
5. Aid organizations must direct a greater share of reconstruction funds to women's organizations, which can play a larger role in delivering programs and services on the ground.



## EXECUTIVE SUMMARY

### Introduction

More than three years after the 2001 US-led war against the Taliban, Afghanistan remains unstable and is moving unsteadily toward democracy. Although presidential elections took place in October 2004 and parliamentary elections are planned for fall 2005, broad national commitment to democratic rule is lacking. Similarly, despite the international community's unprecedented focus on women in Afghanistan—where for the first time women's rights were used as a justification for international intervention—their status remains virtually unchanged, their future uncertain.

Nonetheless, there is hope for both democracy and the status of women in Afghanistan. The October 2004 presidential election demonstrated women's willingness to participate in the democratic process; in at least three provinces female voters outnumbered male voters, and some 40 percent of the voters nationwide were women. The upcoming parliamentary elections will provide the next opportunity to ensure women a place in governance structures and to give women a voice in an emerging democracy.

This paper examines the effectiveness of the international community's commitment to women's rights. The study also provides an overview of women's initiatives and activities in Afghanistan, and examines the potential contributions of Afghan women to the struggle for peaceful and democratic change in their country. It makes the case that women have the potential to foster religious and political moderation by providing social services and pioneering human rights education and reforms. Fulfilling that potential will depend upon the extent to which the international community encourages and supports it.

### Background

The plight of women in Afghanistan under the Taliban was among the worst in the world, and the attention paid to it after the war was unparalleled. The first focus on women's rights came during the UN peace negotiations held in Bonn, Germany in November and December 2001. The Bonn Accords revived Afghanistan's 1964 constitution,<sup>1</sup> which secured equal rights before the law for all Afghan "people" and gave Afghan women the right to vote in elections, serve in government, and be elected to par-

liament.<sup>2</sup> Building on this momentum, President Karzai, as President of the resulting Afghan Interim Authority (AIA), appointed women to 2 out of 29 ministerial positions.

In June 2002, the Emergency Loya Jirga, an assembly of political and tribal leaders, convened pursuant to the Bonn Agreement to form a Transitional Authority. Calls by Afghan women's non-governmental organizations (NGOs) and others for greater participation by women in Afghan's political reconstruction were heeded, and women represented 12 percent of delegates, or 200 of the 1,650 individuals representing specific constituencies.<sup>3</sup>

The Emergency Loya Jirga ushered in visible gains for women. President Karzai, by then seen as a more legitimate leader, appointed four women to key positions in his government. Dr. Sima Samar was appointed to head a newly established Afghan Independent Human Rights Commission (AIHRC), Dr. Suhaila Seddiqi was re-appointed as public health minister, Habiba Sarabi was named minister of women's affairs, and Mahbooba Hoqooqmal became Karzai's minister of state on women's issues, a senior non-Cabinet advisory position. Each has provided leadership in improving the material and social situation of Afghanistan's women.

### Mechanisms Employed to Empower Afghan Women

The Afghan government, international and local NGOs, the UN, and the United States (US) have employed a variety of techniques and strategies to empower Afghan women since Bonn and the Emergency Loya Jirga.

#### *Aid and Assistance*

Foreign aid and assistance programs are the primary ways in which the international community is seeking to improve the status of Afghan women. For example, \$72.5 million of US appropriations to Afghanistan over the last three years was earmarked to assist Afghan women. In some places, donor support has translated into improvements in the status of women; in many others there are few demonstrable results.

### **Constitution**

A new constitution adopted at the Constitutional Loya Jirga in December 2003 offers women hope. Article 22 affirms women's equality to men before the law and envisions unprecedented participation by Afghan women in the drafting of their country's laws. This presumption of equality is tempered by Article 3, which states "no law can be contrary to the beliefs and provisions of the sacred religion of Islam."<sup>4</sup> Lawyers and human rights experts worry that this allows for discriminatory application of religious, or Sharia, law. Ultimately, the effectiveness of the constitution in empowering women will depend upon its application and interpretation. In the absence of judicial reform and extensive training of judges, profound change is unlikely. Conservative interpretation of the law could negate the gains made by women, and untrained, unqualified judges could impede application of the constitution and related laws.

### **Quotas**

Quotas have ensured women a foothold in formal governing structures in Afghanistan. At the Bonn negotiations in 2001, less than 10 percent of the delegates were women. At each subsequent assembly of national leaders, however, their participation increased. Women comprised 12 percent of delegates at the Emergency Loya Jirga, 20 percent of the Constitutional Drafting and Constitutional Review Commissions, and 20 percent of representatives at the Constitutional Loya Jirga. Most importantly, Article 83 of the constitution guarantees Afghan women 25 percent of the seats in the lower house of parliament, the Wolesi Jirga, and almost 17 percent in the upper house, the Meshrano Jirga, or House of Elders.<sup>5</sup> In the long term, the effectiveness of women legislators will determine the extent to which their inclusion in formal governing structures serves the goal of broad, national women's empowerment. Building their capacity will be key.

### **Ministry of Women's Affairs and Women's Resource Centers**

While there is much international debate regarding the ability of women's ministries to mainstream a women's

agenda, the creation of the Ministry of Women's Affairs (MOWA), mandated by the Bonn Conference in November 2001, was Afghanistan's first act to foster empowerment. MOWA is charged with coordinating various government ministries and other partners to ensure that the policies, plans, resource allocation, and monitoring undertaken by governmental agencies incorporate a gender perspective.<sup>6</sup> To reach out to women, MOWA is establishing a network of Women's Resource Centers, some of which are already operating in temporary facilities. The centers are intended to serve as provincial extensions of MOWA's headquarters in Kabul, although their activities remain limited. Thus far, although MOWA has been symbolically important in reminding citizens of the importance of women's rights, it has failed to significantly empower women. To fulfill its promise, MOWA must expand its reach, focus on implementation of existing commitments, emphasize programs that mainstream its agenda throughout the government, assist women in understanding and asserting their rights nationwide, and support efforts to empower civil society.

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### **Political Empowerment**

The October 2004 presidential election indicated that women in some parts of the country are enthusiastically embracing their new rights; in at least three provinces women voters outnumbered male voters, and women comprised some 40 percent of the overall

electorate. But the varying levels of participation are disturbing; "in Helmand and Oruzgan provinces, turnout by women was only 2 and 7 percent, respectively."<sup>7</sup> According to a study on rural livelihoods conducted by the Feinstein International Famine Center at Tufts University, the vast majority of rural Afghan women do not know what a constitution is or that a new one was recently approved.<sup>8</sup> Similarly, in some parts of the country, a recent poll found that some 87 percent of Afghans—both men and women—believed that women needed their husband's permission to vote and 72 percent felt men should advise women on voting.<sup>9</sup> Despite the challenges from the conservative culture, threats from warlords, and families who are reluctant to allow women to work, radio has emerged as a critical tool for informing and educating women

about the political process because it reaches the illiterate majority of the population.<sup>10</sup> At the same time, the Afghan government is enlisting traditional religious leaders in efforts to promote empowerment. Such outreach and education will be key to reducing the disparities in empowerment among women in different geographic regions.

### The Potential Role of Women

Afghan women can provide an important counterbalance to the political and religious extremism that threatens to undermine democracy in Afghanistan. The Afghan Ambassador to the US, Said Tayeb Jawad, stated that Afghan women can serve as a moderating force against extremists, in part because they were the prime victims of political violence and extremist interpretations of Islam, before and during the Taliban regime. He points out that “Afghan women are liberal voters, progressive in their views.”<sup>11</sup> By allowing Afghan women to make greater contributions to the peace process, Afghanistan’s government is “undermining the extremists and the spoilers,” said Jawad.

Women have also demonstrated their willingness to support ethnic pluralism in Afghanistan. In addition to leading the AIHRC (the country’s human rights instrument), Afghan women have already proved valuable allies in efforts to recognize and manage the country’s inter-ethnic conflicts. During the Constitutional Loya Jirga, women signed requests by the Uzbeki minority to gain official status for their language in regions where it is most widely spoken in exchange for Uzbeki support for increasing women’s representation in government. Both the Afghan women and minority groups recognized that negotiating and allying with each other increases their respective political influence.

### Constraints to Women’s Engagement

Despite these opportunities and the potential contributions of millions of Afghan women, their ability to engage in the economic and political reconstruction of their country remains severely limited, due to a lack of security. Although the status of women in Afghanistan

has improved since the ousting of the Taliban, conservatives have re-instituted constraints in the past year, and the national government has failed to solidify its authority nationwide. Women activists, particularly those who attempt to educate and mobilize women around issues related to gender equality and women’s empowerment, continue to face harassment, threats, loss of livelihood, and death.<sup>12</sup> Women who advocate against domestic violence continue to suffer at the hands of male family members. Women who encourage rallies and protests must hide to avoid attack. The lack of health infrastructure makes them unable to do their work if they fall ill. And women involved in political work are prime targets for extremists.

Despite significant progress for women in some cities, especially Kabul, Herat, and Mazar-i-Sharif, the 85 percent<sup>13</sup> of Afghan women who live in rural areas have seen little to no improvement in their lives since the fall of the Taliban. The differences within the country are partly the result of slow progress and delays in the provision of aid. They are also due to enduring customs, traditions, and conservative male values, which constrain women.

Even in Kabul, more women need more opportunities to exercise leadership. A small group of women, often well connected to the *diaspora*, have benefited greatly from the forward-looking policies put in place by the UN and the Afghan government to facilitate women’s empowerment. But more needs to be done to ensure that the capacity of an ethnically and regionally diverse group of women is strengthened.

*By allowing Afghan women to make greater contributions to the peace process, Afghanistan’s government is “undermining the extremists and the spoilers,” said Jawad.*

### Conclusion

The gains made by Afghan women are significant, given the degree of oppression they emerged from in late 2001. But progress has been uneven and has yet to dramatically improve the overall status and role of Afghan women. In the political sphere, women have increased their representation at each stage of the political process. However, these gains have only increased the *presence*, not the *power*, of women. They have not yet enabled women to encourage moderation

and democratic norms, deliver critical services, and help protect the rights of minorities—the very acts that will help to stabilize Afghanistan.

The presidential elections were promising in many ways. Insecurity and violence proved to be far less widespread than feared. Women voted in significant numbers and in many parts of the country. And women seem to have embraced voting and political

participation. The upcoming parliamentary elections will show whether Afghan women are consolidating their advances and solidifying support for their leadership. If Afghanistan is to benefit from all that its women have to offer, the international community must make the parliamentary elections a success for women.

## INTRODUCTION

Following the ousting of the Taliban from Afghanistan in 2001, improving the lives of Afghan women became a central concern of the international community. The situation for women in Taliban Afghanistan was among the worst in the world, and the attention paid to it in the aftermath of the war was unparalleled. It has been three years since the international community began to focus in an unprecedented way on Afghan women's basic human rights and political participation, and the current situation in Afghanistan deserves careful study. Although it is too early to know whether the efforts to improve women's lives are fostering a long-term transformation—in part because conditions for women, particularly outside of the capital city, remain dire—the initial impact of early policy commitments can be observed, as can the impact of the mechanisms put in place to help women.

This paper examines the effectiveness of the international community's decision to emphasize women's rights and participation in advancing the status and role of women in Afghanistan. The study also provides an overview of women's initiatives and activities in Afghanistan, and examines the potential contributions Afghan women could make to the struggle for peaceful and democratic change in their country. It makes the case that because women can foster stability and be a force for moderation, women's capacity must be further strengthened and their rights must not be bargained away.

### Assumptions

This study does not assume that women are more peaceful by nature than men or that their mere presence guarantees justice. Empirical evidence suggests, however, that women experience conflict differently from men, both as casualties and caretakers.<sup>14</sup> This paper assumes that because of their experiences in times of conflict, their increased responsibilities in communities, and their vulnerability to insecurity and violence, women often bring new perspectives to post-conflict reconstructions and issues of transitional justice. In the context of peacemaking and peace building, women should therefore be recognized as active agents rather than passive victims. As mothers, wives, and sisters of combatants, as victims and survivors, and as individuals with powerful community networks,

women are essential to rebuilding society, establishing justice, and promoting reconciliation.

### Methodology

This study is the result of an extensive literature survey on issues of women in post-conflict reconstruction and governance in general, and Afghanistan in particular, including an analysis of relevant academic literature, reports, and government publications.

In-country research was conducted during a field trip in the spring of 2004. In preparing this study, lead author Masuda Sultan conducted interviews in the US and Afghanistan, with officials of the US government, the UN, the Afghan government, Loya Jirga delegates, and human rights workers. In the US, the author interviewed Afghanistan's Ambassador to the US Said Tayeb Jawad, senior officials in the US Department of State, and President and CEO of Refugee Women in Development Sima Wali. On a trip to Afghanistan in June 2004, the author interviewed Deputy Minister for Women's Affairs Soraya Sobrang, Judge Fawzia Amini of the Ministry of Women's Affairs, presidential candidate and Loya Jirga delegate Masooda Jalal, Loya Jirga delegate and human rights worker Palwasha Hasan, UN Assistance Mission to Afghanistan Political Affairs Officer Rina Amiri, World Bank Gender Adviser Carol Le Duc, and Afghan staff of the UN Development Fund for Women (UNIFEM). The author interviewed Constitutional Loya Jirga delegate and Afghans for Civil Society Women's Issues Program Officer Rangina Hamidi, and the Director of External Affairs for the Afghan Women's Network (AWN) Sadiqa Basiri by phone and email. Interviews were also conducted with others who wished to remain anonymous.

To help determine the extent to which major media coverage of Afghan women's rights changed after the US and its allies declared war on the Taliban, the author conducted an analysis of articles in major newspapers referencing Afghan women using the NEXIS full-text database of newspapers.

Additional information was provided by contributing author, Corey Levine, based upon several missions she undertook to Afghanistan between 2002 and 2004 for the Canadian International Development Agency



(CIDA), the Institute for Media, Policy, and Civil Society (IMPACS), and the Canadian-based NGO, Afghan Women's Organization (AWO), as well as in her capacity as technical advisor on women's rights for the AIHRC in 2004.

### Definitions

*Burqa*: a voluminous, tent-like flowing outer garment, often light blue in color, that covers women from head to toe, leaving only a nearly opaque mesh to see through.

*Constitutional Loya Jirga*: an assembly of 502 representatives of Afghan political, ethnic, and religious groups convened in December 2003 to revise and approve a draft Afghan constitution submitted to it for that purpose by the Constitutional Review Commission.

*Emergency Loya Jirga*: an assembly of about 1,600 representatives of Afghan political, ethnic, and religious groups convened in 2002 to establish a transitional Afghan administration to govern the country until an elected government could take power.

*Fatwa*: a legal opinion concerning Islamic law or doctrine.

*Loya Jirga*: "grand council" in the Pashto language, an assembly of tribal elders, religious leaders, and politicians convened to solve political or national problems, and intended to achieve a broadly acceptable settlement among representatives of diverse groups.

*Madrasa*: an institution of religious education, typically privately funded and located near a mosque.

*Mujahideen*: "holy warriors"—in Afghanistan, the term is most often used to refer to the members of the Afghan resistance against the Soviet Union, which took place between 1979 and 1989.

*Mullah*: a Muslim religious leader, often trained in Islamic doctrine and Sharia law.

*Shura*: village council, the local governing institution used throughout Afghanistan.

*Taliban*: a group of former anti-Soviet fighters and religious students that occupied 90 percent of Afghan territory in the mid- to late-1990s with the backing of Pakistan and Saudi Arabia.

## PART ONE: BACKGROUND

### Women Become the Story

Women face discrimination and abuse in many countries around the world. And while activists emphasize the need for women's political participation in post-conflict areas, it is often ignored when setting priorities, developing policies, and allocating budgets for field programs. Yet in the case of Afghanistan, women's empowerment became a central feature of the policies of the US, UN, World Bank, and other international stakeholders

The efforts to promote democracy and women's participation in Afghanistan's political development are remarkable given the country's recent history. The level of women's empowerment in Afghanistan varied significantly over the last century, but beginning in the mid-1990s it was abysmal.

When the Taliban took control of large swaths of Afghan territory in the mid-1990s, the country had been devastated by more than 15 years of warfare. In the early days of Taliban rule, some leaders in Afghanistan and the West welcomed the mitigation of violence and increased levels of security that the movement brought to some parts of the country. But Taliban rule soon proved to be as bad or worse than the Soviet occupation and civil wars that preceded it. Mullah Omar and the Taliban elite tolerated no criticism or political opposition.

The Taliban's treatment of women was among the worst in the world. A government-sponsored religious police force, named the Department for the Preservation of Virtue and Prevention of Vice after a similar institution in Saudi Arabia, publicly beat and flogged Afghan women and girls for displaying any part of their face or ankles, wearing white socks or making noise when they walked, traveling without a male family member, talking to unrelated men, partici-

pating in education as a teacher or student, or seeking employment.<sup>15</sup> The government ordered adulterers to be stoned to death and the hands of thieves to be chopped off.<sup>16</sup> While abusing and torturing "immoral" women for the slightest perceived violations of rules, the Taliban allowed themselves virtually any liberty, murdering thousands of people, kidnapping women for forced "marriages," raping countless women, and looting houses and even whole cities.<sup>17</sup>

Despite the extreme treatment of women, Western reaction was muted. The US considered diplomatic recognition of the government after the Taliban captured Kabul in 1996.<sup>18</sup> Key US allies Saudi Arabia and Pakistan extended diplomatic recognition in 1997, and provided financial and military aid to the regime through 2001.<sup>19</sup> US diplomats believed that the

Taliban would meet essential US aims in Afghanistan—"eliminating drugs and thugs."<sup>20</sup> A State Department spokesperson told the *Voice of America* in 1996 that the US found "nothing objectionable" about the Taliban's fundamentalist policies.<sup>21</sup> Another State Department official "spoke favorably of the Taliban" in testimony to Congress.<sup>22</sup> Interest in a proposed Unocal pipeline to deliver Central Asian

natural gas through Afghanistan to Pakistan led to a US preference for a stable Afghanistan, even if led by the Taliban.<sup>23</sup>

During this period, women's rights groups, particularly the National Organization for Women (NOW) and the "Stop Gender Apartheid Campaign" of the Feminist Majority Foundation, vigorously opposed all efforts to persuade the US to officially recognize the Taliban. According to Eleanor Smeal, the American feminist movement, and particularly the Feminist Majority Foundation, played a key role in stopping the US from officially recognizing the Taliban regime by

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mobilizing American women and conducting a highly successful publicity campaign by email and print.<sup>24</sup>

In 1997, the State Department roundly criticized Taliban violations of Afghan women's rights in its annual report on the situation of human rights in Afghanistan.<sup>25</sup> Then-US Secretary of State Madeleine Albright pledged to help Afghan women.<sup>26</sup> In 1999, the US Senate passed a resolution denouncing Taliban treatment of women and "instructed the United States to use all appropriate means to prevent the Taliban-led government in Afghanistan from obtaining a seat in the United Nations reserved for Afghanistan."<sup>27</sup> A star-studded protest in Hollywood in 1999 opposed "gender apartheid" by the Taliban.<sup>28</sup> First Lady Hillary Rodham Clinton denounced the Taliban movement's anti-women policies.<sup>29</sup>

Nonetheless, the US stopped short of categorically refusing recognition of the Taliban based solely upon its human rights record and its treatment of women. Only when the regime refused to expel Osama bin Laden's al-Qaeda terrorist network did recognition become implausible. Secretary of State Albright indicated publicly that the Taliban might still achieve official recognition if only they "ceased harboring" Osama bin Laden.<sup>30</sup>

And the UN Security Council refrained from singling out the Taliban for its war on women. In 1998, long after the extreme nature of the Taliban's anti-women policies became known, Security Council Resolution 1214 demanded only that "the Afghan factions" stop discriminating against women and girls.<sup>31</sup>

September 11, 2001, was a watershed. The al-Qaeda attacks on the United States focused the world's attention on Afghanistan—specifically, the Taliban's support of terrorism and its extreme brand of Islam. As the US government began the war on the Taliban and its al-Qaeda "guests," women's rights activists emphasized the plight of Afghan women and the need to include them in any dialogue or peace process if and when the Taliban was overthrown. Initially, however, the international community remained quiet on this issue.

Official discourse changed dramatically after the coalition campaign against the Taliban was launched in October 2001 and drove the Taliban from many large cities in November. The attention to the plight of Afghan women grew among policy makers and the press, casting a spotlight on women's needs and poten-

tial, and rendering, momentarily, women's empowerment a central objective of US foreign policy.

The number of articles on Afghan women in major international newspapers increased by more than 30 times between August and November 2001. While fewer than 20 articles mentioned "Afghan women" in August 2001, more than 500 did so in November 2001, and broader searches reveal similar trends, with the words "women" and "Afghan" or "Afghanistan" appearing in proximity to each other in fewer than 200 articles in August 2001, compared with more than 2,000 references in November 2001.<sup>32</sup>

The *New York Times* and other major newspapers not only published opinion pieces by external authors, but dedicated editorials of their own to the cause.

Representative of the tone of these articles is a column by Thomas Friedman on the day that the war in Afghanistan began: "Afghanistan is run by a medieval Taliban theocracy that bans women from working or going to school."<sup>33</sup> Many papers quoted spokespersons for the Revolutionary Association of Afghan Women (RAWA) who criticized the Taliban's brutal rule. "The nature and range of crimes perpetrated against Afghan women by fundamentalists has no preceden[t] in modern history," a RAWA spokesperson told the *Toronto Globe and Mail* in September 2001.<sup>34</sup>

Television images of the Taliban's oppression of Afghan women helped build public revulsion to the regime's human rights record. On September 22, 2001, CNN showed an encore presentation of a previously aired documentary on Afghanistan entitled "Beneath the Veil," featuring footage of the decrepit state of a gynecological hospital and the execution of a burqa-clad woman in the Kabul soccer stadium with a shot to the head from a Kalashnikov gun.<sup>35</sup> Five and a half million Americans saw the film, the largest audience ever for a CNN documentary.<sup>36</sup> CNN replayed "Beneath the Veil" twice in September and October, and again in November and December.<sup>37</sup> The director of "Beneath the Veil," Saira Shah, appeared on several US television talk shows in October and November to denounce the Taliban, as did RAWA member Taheema Faryal.<sup>38</sup>

At the height of the press coverage of Afghan women's suffering, First Lady Laura Bush used the President's weekly radio address to speak out for Afghan women. On November 17, 2001, a few days after the Taliban fled Kabul,<sup>39</sup> Mrs. Bush argued that US "military gains" in Afghanistan ensured that "women are no



### Why the *Burqa* Misses the Point

For men and women around the world, the burqa is the simplest and most profound symbol of Afghan women's repression. The media, and women's organizations in the West, have used it to successfully attract the attention of mainstream Western audiences. Therefore, it may seem paradoxical that Afghan women are appealing to the public to end their fixation with the burqa.

But in an interview the author conducted in December 2001, female teachers in Kandahar said, "The burqa is not our problem. We need education, we need to be able to see the doctor, we need to earn money to feed our families. We don't mind the burqa, so long as our basic needs are met." She urged Western women to go beyond the burqa.

Afghan women worry that the international community's obsession with the burqa distracts attention from their most pressing issues, rather than focusing it on them. Attempts by aid workers to assist women in conservative areas such as the south and southeast may backfire if Afghans feel they are trying to change hundreds of years of culture, rather than simply fulfilling basic human needs.

In conservative areas, the burqa may not be shed for many years to come. However, in some areas the burqa will slowly come off, as it has begun to in Kabul, when women feel safe and opportunities outside the home develop.

longer imprisoned in their homes" and can "teach their daughters without fear of punishment." She added: "The fight against terrorism is also a fight for the rights and dignity of women."<sup>40</sup> The address reflected a seismic shift in the US government position, as Afghan women suddenly took center stage.

Two days later, Secretary of State Colin Powell went even further in announcing US support for women not simply being educated and allowed to leave their homes, but participating actively in politics. He declared that "President Bush and this entire Administration cannot imagine a stable, post-Taliban Afghanistan without the involvement of women in all aspects of the humanitarian reconstruction and development efforts that will be undertaken."<sup>41</sup> He argued that the "recovery of Afghanistan must entail the restoration of the rights of Afghan women. Indeed, it will not be possible without them. The rights of the women of Afghanistan will not

be negotiable."<sup>42</sup> In the months that followed, sources in the US State Department stated that the administration hoped and believed that increasing women's

political participation would act as a moderating force against Islamic fundamentalism, and by extension increase support for the US in its war against terror.<sup>43</sup> Women's rights had become a central feature of—and politically useful tool for—US foreign policy. The central question was whether or not

this focus would translate into real gains for women on the ground.

*"President Bush and this entire Administration cannot imagine a stable, post-Taliban Afghanistan without the involvement of women in all aspects of the humanitarian reconstruction and development efforts that will be undertaken."*

### Bonn Sets a Precedent

The rapid capture of Kabul by the Northern Alliance in November 2001 created a challenge for the US and the international community, as Afghanistan was again splintered into a patchwork of territories controlled by rival militias. The UN peace negotiations held in

Bonn, Germany in November and December 2001 were intended to result in the creation of a broadly representative government for Afghanistan as a whole.

The sudden change in US policy towards Afghan women influenced the international response. The UN, World Bank, and other multilateral institutions were pressed into addressing the “gender” question. In the days leading up to the Bonn talks, UN envoy to Afghanistan, Lakhdar Brahimi, met with members of RAWA and other NGOs to discuss the abuses of the Taliban and recognize the important role for Afghan women in changing the course of their country’s future.<sup>44</sup> “Afghan women have been silenced more than any other group, and the United Nations believes it is important to give them a chance to express their views about what they want the future of Afghanistan to be,” a UN representative in Pakistan told *Agence France-Presse*.<sup>45</sup>

The Bonn talks laid the groundwork for including women in Afghanistan’s political process. Six women, out of approximately 60 delegates and advisers, participated in the talks, which established a transitional government that would replace the Taliban until an Emergency Loya Jirga, and eventually elections, could be held.<sup>46</sup> Two women attended as full delegates of the Rome Group. One was viewed as loyal to former King Muhammad Zahir Shah, and the other was from the United Front/Northern Alliance delegation.<sup>47</sup> Two other women attended as advisers, one to the Iranian-backed Cyprus Group and one to the Pakistani-backed Peshawar Group made up largely of leaders of Pashtun refugees in Pakistan.<sup>48</sup>

The Bonn Accords produced several advances for Afghan women. They revived Afghanistan’s 1964 constitution,<sup>49</sup> which secured equal rights before the law to all Afghan “people” and gave Afghan women

### **The Revolutionary Association of the Women of Afghanistan (RAWA)**

Probably the most famous and controversial Afghan women’s group internationally, the Revolutionary Association of the Women of Afghanistan (RAWA) was founded in 1977 in Kabul. It is “the oldest political/social organization of Afghan women struggling for peace, freedom, democracy and women’s rights in fundamentalism-blighted Afghanistan.”<sup>1</sup> RAWA was formed by a group of Afghan woman intellectuals. Its leader was assassinated in 1987 in Quetta, Pakistan, by Afghan agents of the Soviet secret police.<sup>2</sup>

Before the Soviet takeover of Afghanistan in 1979, “RAWA’s activities were confined to agitation for women’s rights and democracy, but after the . . . occupation, RAWA became directly involved in the war of resistance. In opposition to the . . . Islamic fundamentalist ‘freedom fighters’ of the anti-Soviet war of resistance, RAWA from the outset advocated democracy and secularism.”<sup>3</sup>

After the Soviet invasion the main base of RAWA shifted to Pakistan, where it established schools, medical clinics, a hospital, and income-generating programs for women. In addition, it conducts nursing courses, literacy courses, and vocational training for women.<sup>4</sup>

RAWA has not re-established its base in Afghanistan. It continues to agitate outside of the framework of the transitional government in Afghanistan, arguing that the post–September 11 government and non-governmental structures continue to be too heavily influenced by a fundamentalist, non-democratic, anti-women agenda. In the debate within the Afghan women’s diaspora, RAWA has made what are perceived to be radical demands by calling for the separation of state and religion.

<sup>1</sup>Revolutionary Association of the Women of Afghanistan (RAWA) website <<http://www.rawa.org>>.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

<sup>4</sup>Ibid.

the right to vote in elections, serve in government, and be elected to parliament.<sup>50</sup> Building on this momentum, President Karzai, as President of the resulting Afghan Interim Authority (AIA), appointed women to 2 out of 29 ministerial positions. Dr. Sima Samar, a former RAWA member who had broken with the group,<sup>51</sup> was appointed Minister of Women's Affairs (MOWA), and Suhaila Seddiqi became Minister of Health.<sup>52</sup>

The achievements for women at Bonn were hard won. Sima Wali, a delegate at Bonn who pushed for the creation of a ministry of women's affairs, says, "We raised our voices, and we fought hard," but when she and other women left the Bonn talks for a press conference, the negotiated plan for a women's ministry was scrapped, forcing them to refight a battle they thought they had already won.<sup>53</sup> Women realized that being vocal was simply not enough. They had to be present and alert at every step of the negotiations to make sure their progress was not erased in their absence. During a press conference at Bonn, an Afghan man intervened to answer a reporter's question that had been addressed to Ms. Wali. "I will take the Islam issue," he proclaimed. Ms. Wali asserted, "No man will speak on my behalf. I know what my rights are as an Afghan and in Islam."<sup>54</sup> The incident demonstrated that Afghan women were not immune from being spoken for even in the presence of the international press, and reinforced the notion that men perceived their understanding of Islam to be superior to women's.

### **President Karzai Decrees Rights for Women**

On January 12, 2002, Interim President Hamid Karzai surprised many Afghan women's rights advocates by signing the Declaration of the Essential Rights of Afghan Women, which had been drafted in June 2000 in Dushanbe, Tajikistan by 300 Afghan women from a number of countries.<sup>55</sup> The women came together under the auspices of NEGAR—Support of Women of Afghanistan, a Paris-based NGO. The document calls for "equality between men and women, equal protection under the law, institutional education in all disciplines, freedom of movement, freedom of speech and political participation and the right to wear or not wear the burqa or scarf."<sup>56</sup> Subsequently, in early 2003, the Interim Administration for Afghanistan signed and

ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

### **The Emergency Loya Jirga Empowers Women**

In June 2002 the Emergency Loya Jirga, an assembly of political and tribal leaders, convened pursuant to the Bonn Agreement to form a Transitional Authority. The calls from Afghan women's NGOs and others for greater participation by women in Afghan's political reconstruction were heeded. Women represented 12 percent of delegates, or 200 out of the 1,650 individuals elected or chosen to represent specific constituencies.<sup>57</sup>

The Emergency Loya Jirga laid the foundation for the increased visibility of women. Following the Emergency Loya Jirga, President Karzai, now seen as a more legitimate leader, appointed four women to key positions in his government. He named Dr. Sima Samar to head the newly established Afghan Independent Human Rights Commission (AIHRC), Dr. Suhaila Seddiqi as Public Health Minister, Habiba Sarabi as Minister of Women's Affairs, and Mahbooba Hoqooqmal as Minister of State on Women's Issues, a senior non-Cabinet advisory position.

Despite this progress, participation in the transitional administration has proved to be challenging for women. There were threats on the life of Dr. Sima Samar, then Minister of Women's Affairs, after allegations of blasphemy resulting from a Canadian Persian-language paper's claim that she did not believe in Sharia, or Islamic Law.<sup>58</sup> The court dropped formal charges of blasphemy, citing lack of evidence, but Human Rights Watch declared, "use of a blasphemy charge against Samar—even if it was later dropped—is a troubling sign that the judiciary in Afghanistan might become an instrument of political repression."<sup>59</sup> Pushed out by conservative forces, Samar eventually resigned her post as minister and accepted the less powerful position as head of the AIHRC.

Since the creation of the AIA, a range of further efforts have sought to reinforce the position of women in Afghanistan. These measures have built on the foundation created by the international community and the AIA during and after the Bonn peace negotiations and the Emergency Loya Jirga.

## **Declaration of the Essential Rights of Afghan Women<sup>1</sup>**

Dushanbe, Tajikistan, June 28, 2000

### ***Section I***

Considering that the Universal Declaration of Human Rights, as well as the international statements addressing the rights of women listed in Section II of this document, are systematically trampled in Afghanistan today;

Considering that all the rules imposed by the Taliban concerning women are in total opposition to the international conventions cited in Section II of this document;

Considering that torture and inhumane and degrading treatment imposed by the Taliban on women, as active members of society, have put Afghan society in danger;

Considering that the daily violence directed against the women of Afghanistan causes, for each one of them, a state of profound distress;

Considering that, under conditions devoid of their rights, women find themselves and their children in a situation of permanent danger;

Considering that discrimination on the basis of gender, race, religion, ethnicity and language is the source of insults, beatings, stoning and other forms of violence;

Considering that poverty and the lack of freedom of movement pushes women into prostitution, involuntary exile, forced marriages, and the selling and trafficking of their daughters;

Considering the severe and tragic conditions of more than twenty years of war in Afghanistan.

### ***Section II***

The Declaration which follows is derived from the following documents:

- United Nations Charter
- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- Convention on the Rights of the Child
- Convention on the Elimination of All Forms of Discrimination Against Women
- Declaration on the Elimination of Violence Against Women
- The Human Rights of Women
- The Beijing Declaration
- The Afghan Constitution of 1964
- The Afghan Constitution of 1977

### ***Section III***

The fundamental right of Afghan women, as for all human beings, is life with dignity, which includes the following rights:

1. The right to equality between men and women and the right to the elimination of all forms of discrimination and segregation, based on gender, race or religion.
2. The right to personal safety and to freedom from torture or inhumane or degrading treatment.

(Continued)

3. The right to physical and mental health for women and their children.
4. The right to equal protection under the law.
5. The right to institutional education in all the intellectual and physical disciplines.
6. The right to just and favorable conditions of work.
7. The right to move about freely and independently.
8. The right to freedom of thought, speech, assembly and political participation.
9. The right to wear or not to wear the chadari (burqa) or the scarf.
10. The right to participate in cultural activities including theatre, music and sports.

#### ***Section IV***

This Declaration developed by Afghan women is a statement, affirmation and emphasis of those essential rights that we Afghan women own for ourselves and for all other Afghan women. It is a document that the State of Afghanistan must respect and implement. This document, at this moment in time, is a draft that, in the course of time, will be amended and completed by Afghan women.

<sup>1</sup>"Declaration of the Essential Rights of Afghan Women." *Meeting of Afghan Women, Douchanbé, Tajikistan, 28 June 2000*. 15 December 2004 <<http://perso.wanadoo.fr/negar/anglais/declaration.htm>>.

## PART TWO: MECHANISMS FOR PROMOTING WOMEN'S PARTICIPATION

The Afghan government, international and local NGOs, as well as the UN and the US have employed a variety of techniques and innovative strategies to help empower Afghan women. These bodies established key structures and institutions that attempt to build women's capacity and engage them in the political process in postwar Afghanistan. Many of these efforts to foster empowerment are rooted in consultation with and deference to the considered judgments of Afghan women leaders on the ground, who know the culture and history of their own country. Most importantly, Afghan women themselves have taken responsibility for lifting themselves and other women up from the downward spiral of every facet of their lives. As one woman on a busy Kandahar street put it, "Afghanistan was a dark basement, all we can do now is walk up to where there is light."<sup>60</sup>

### Ministry of Women's Affairs (MOWA)

While there is much international debate regarding the value of women's ministries in ensuring inclusion and mainstreaming of the women's agenda, the creation of MOWA, mandated by the Bonn Conference in November 2001, was the first concrete step Afghanistan took to foster women's empowerment. Although MOWA could be viewed, at first glance, as a radical addition to Afghanistan's transitional government and a nod to donor demands, institutions addressing women's issues have existed in Afghanistan since at least the 1920s when a quasi-governmental body (its head was appointed by the government), the Women's Association, was established.<sup>61</sup> That institution "provided a national platform for women through provincial branches and newsletters, as well as practical support ranging from management and professional skills for educated women to basic education and income supporting skills for the vulnerable. This existed, although with depleted resources, until 1996."<sup>62</sup> Another antecedent to MOWA was the Women's Association, or women's

wing, of the (Communist) People's Democratic Party of Afghanistan, which ruled the country beginning in 1973. It provided professional and vocational training for women and many of its former members were absorbed into MOWA in early 2002. In fact, the compound in the center of Kabul that now houses MOWA was formerly occupied by the association, which used it as a vocational training center.<sup>63</sup>

MOWA's mandate is to "support the government in responding to the needs and issues affecting women in all aspects of life to attain gender equality and full enjoyment of women's human rights, and to ensure that Afghanistan women's legal, economic, social, political, and civic rights—including their right to be free from all forms of violence and discrimination—are respected, promoted, and fulfilled."<sup>64</sup> MOWA currently has approximately 1,200 staff in its office in Kabul and its Department of Women's Affairs offices, which have been established in 28 of Afghanistan's 34 provinces. Its budget for fiscal year 2004–2005 is

approximately \$1.25 million.<sup>65</sup> There are eight departments within the Ministry including the Departments of Planning and Public Relations, Advocacy and Training, Provincial Relations, Legal Protection, Administration, Health (which includes the Child and Mother Care Unit, the Nutrition Unit, and the Mental Health Unit), Education (which

includes the Formal Education Unit, the Non-Formal Education Unit, the Early Child Development and Care Unit, and the Vocational School Unit), and Economic Empowerment (which includes the Women's Economic Development Unit, the Rural Economic Development Unit, the Business Development Unit, and the Handicrafts Promotion and Exhibition Room Unit).<sup>66</sup>

MOWA outlined its goals within the national priorities of the National Development Framework: health, education, legal protection, and economic empower-

*Most importantly, Afghan women themselves have taken responsibility for lifting themselves and other women up from the downward spiral of every facet of their lives. As one woman on a busy Kandahar street put it, "Afghanistan was a dark basement, all we can do now is walk up to where there is light."*



ment. MOWA's core mandate is not to be an implementing agency but rather a policy-making body charged with coordinating various government ministries and other partners to ensure that the policies, plans, resource allocation, and monitoring undertaken by government agencies incorporate a gender perspective.<sup>67</sup> While MOWA currently does help manage the work of donors assisting women through its chairmanship of the Consultative Group (CG) on gender, its role within the cabinet and the government as a whole remains marginal. The ministry has been slow to embrace the role of policy-relevant institution, instead constraining its own impact by focusing on micro-level support to individual women. Despite its mandate, sources in Afghanistan call the ministry "a large NGO,"<sup>68</sup> because it employs a force of 1,200 and conducts training for women in everything from computers to sewing. The ministry is trying to assist vulnerable and minority women, often by employing them. However, it lacks the resources to support this goal. Like the chicken and the egg, the ministry needs the administrative and technical capacity to acquire and properly administer funding and develop programs, but it also needs funding in order to increase its administrative and technical capacity.

Minister of Women's Affairs Habiba Sarabi says her plan is to focus on the gender focal points in each of the 30 ministries—and push for gender units in key ministries—over the next three years so that gender can be a part of "every strategy and policy." Her hope is that gender can be mainstreamed, integrated into all of the action plans of the government. Thus far, however, those ministries that have gender focal points have appointed low-level officials who have little power in policy setting, budgets, and planning. The UN Development Programme (UNDP) is, however, supporting MOWA with technical advisors in its efforts to mainstream gender awareness throughout the national and provincial governments, and there seem to be some small signs of progress. The Ministry of

Foreign Affairs (MOFA) has convened a women's roundtable to discuss the goals and objectives for the Department of Gender and Human Rights Studies that is being created as part of the Ministry's Center for Strategic Studies; the roundtable has provided a venue to discuss equity in the workplace and obstacles to equality.<sup>69</sup> MOFA also has created an Office of Human Rights, Health and Women's Affairs to monitor women's programs. And an office to help women create businesses has been established at the Ministry of Commerce.<sup>70</sup>

In a UN-hosted meeting in May 2004, Minister Sarabi acknowledged the challenges she faced, and noted that the government was going to create a specific budget for gender in her ministry. "We have two big chal-

lenges. The first is that women's qualifications are lower [than men's]—we have few women with doctorates or masters degrees. The second is that this male-dominated society cannot accept a woman in a leadership position," Sarabi said.<sup>71</sup>

Given the terrible situation of women in Afghanistan, the simple existence of an Afghan Ministry of Women's Affairs sends an important signal within and outside the country that Afghan women, and

their well-being and priorities, matter. Ultimately, however, MOWA will achieve its objectives only if it proves able to carve out a meaningful space for itself within the government, demonstrating its value (and the value of women) to reconstruction and democratization.

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### Women's Resource Centers

One of the primary ways MOWA is reaching out to women is through a network of Women's Resource Centers, some of which are already operating in temporary facilities. They serve as provincial extensions of MOWA in Kabul. According the State Department, the US is spending \$2.5 million for the physical construction of Women's Resource Centers in 14 of Afghanistan's 34 provinces, and anticipates that there

will be a center in every province in Afghanistan. JICA (Japan International Cooperation Agency), GTZ (German Technical Cooperation), and other donors have also funded some centers.

One of the Women's Resource Centers' most important aims to provide political participation training for women. The US has committed \$1 million to these centers for literacy programs, human rights education, and small business development. And US corporations and charitable foundations—including Microsoft, Gateway, and AOL Time Warner—have donated computer equipment and website development assistance for use in a national women's computer education program, identified as a priority by then AIA Minister of Women's Affairs Dr. Sima Samar.<sup>72</sup>

Women's Resource Centers are an excellent vision, but are a prime example of the large gap between the rhetoric and the reality on the ground, as observed by local Afghan women.

The centers offer an exciting opportunity to expand the reach of MOWA, but the lack of communications infrastructure has made coordination difficult. Sources at UNIFEM admit that the much-lauded Centers are hardly a haven for women. There are only six fully-operational centers in the country, and aside from sewing and embroidery classes, they currently serve very little purpose.<sup>73</sup> Violence against women is a common problem, but is not addressed by the centers. There is also a desperate need for shelters for women fleeing abusive families or forced marriages, but the Centers do not fulfill this function. Some women's centers have been attacked as well.<sup>74</sup>

While the centers have enormous potential to serve the needs of women, that potential has, so far, remained unfulfilled. Until they are able to help Afghan women meet some of their fundamental educational, economic, health, and informational needs they will have limited value.

### The Constitution

Post-conflict transition periods offer a brief window of opportunity to review and redraft constitutions and laws. The manner in which this is done, the principles that are embraced, and how the legal structure is enforced have long-term repercussions for peace, security, and democratic development. They can also have significant effects on the social, political, and economic status of different sectors of society (e.g. ethnic, racial, or religious groups),

including women. In the context of Afghanistan, both the constitutional drafting process and the resulting document were important tests for women's participation and rights.

### *Drafting and the Constitutional Loya Jirga*

During the early phases of the constitutional drafting process (which began in November 2002) many activists were concerned that only two out of the nine members of the Constitutional Drafting Commission were women. Furthermore, there was a sense that the two women had been chosen for their political alignment and willingness to accede to the positions of male commission members; UN sources working closely with the women called them "meek." Activists felt that it wasn't enough to simply have women at the table; they needed to be qualified women working independently, who would actively promote women's rights.

Although President Karzai included five more women on the 35-member Constitutional Review Commission, some advocates for women viewed the draft that was released to the public on November 3, 2003, as a setback. It lacked the sort of guarantee of equal rights for Afghan women set forth in the Declaration of the Essential Rights of Afghan Women. It stated that "citizens" were equal before the law, but did not guarantee the citizenship of women. It also failed to specifically address the abuses of the Taliban and previous governments by granting women the right to work, receive an education and health care, and exercise freedom in matters of marriage and divorce. According to Fatima Gailani, a member of the Constitutional Review Commission, which sent the draft to the Constitutional Loya Jirga (CLJ) for ratification, this was the best the women involved in the process could accomplish, given the conservative attitudes that prevailed in the country.

On September 5, 2003, in preparation for the CLJ, 45 women leaders from across Afghanistan gathered in Kandahar, Afghanistan to organize a movement that would guarantee women's rights in the Afghan constitution. That the meeting was held in the conservative southern city of Kandahar, where most women are rarely allowed to participate in public life, was significant. The gathering deliberately reached out beyond Kabul to tap women leaders from some of Afghanistan's most deprived areas. The women drafted and unanimously agreed on a list of demands on behalf of women in the new Afghanistan—the Afghan Women's Bill of Rights—that they hoped would be



included in the country's first post-Taliban constitution. Among other protections, they envisioned equal rights, full participation in politics and government, equal pay for equal work, high-quality health care and education, and prohibitions against forced marriages and violence against women.<sup>75</sup> The Afghan Women's Bill of Rights was the first major declaration to come from within Afghanistan, as opposed to the *diaspora*, demanding the promotion and protection of women.<sup>76</sup>

On September 11, 2003, President Karzai proclaimed support for the Women's Bill of Rights, and, in response to the historic document and the ongoing efforts of Afghan women to secure equal representation in the constitutional process, announced that fully half of his 50 appointed delegates to the CLJ would be women.

In December 2003, the 500 delegates of the CLJ met. Among the 500 were representatives of every ethnic and tribal group, and some 102 women. The fact that half of President Karzai's appointees were women sent a strong signal from the top that women's contributions would be valued. Still, participation in the CLJ was a challenge for women. Simply to be selected as delegates, many women had to endure intimidation and death threats. In order to reach the event, they then had to brave roads, most unpaved, prowled by the Taliban, armed political groups, and militia with little regard for law and order.<sup>77</sup> When the event began, Sibghatullah Mojaddedi, a prominent religious conservative and the chair of the proceedings, proclaimed to the assembled female delegates, "Even God has not given you equal rights because under his decision two women are counted as equal to one man." Men sought to silence women by refusing to allow them time to speak and even turning off their microphones. As a result of the verbal disparagement as well as physically aggressive behavior, women delegates were observed literally "shaking in their chairs."<sup>78</sup>

The wide diversity at the gathering was evident, even among the women. CLJ delegate Palwasha Hasan remembers, "It was hard to mobilize women. There were differences in language, ethnicity, and political

parties." According to delegate Rangina Hamidi, the women delegates were divided along ethnic and ideological lines, which prevented them from uniting behind a single women's candidate for deputy chair of the CLJ. Another report claimed that a "majority of the female delegates at the CLJ were affiliated with violent, conservative factions and voted in line with their demands, dividing women in accordance with ethnic, religious and factional identities, rather than under their shared identity as women."<sup>79</sup>

Yet some of the female delegates who attended were particularly outspoken about women's rights. They took advantage of a chance to speak with the infamous warlords who had violated women's rights for decades, giving passionate statements against the war crimes committed in the 1990s and after the fall of the Taliban. "We had the responsibility to create gains for women. I found myself sitting with Sayyaf and Rabbani [conservative Muslim leaders regarded by

*"We had the responsibility to create gains for women. I found myself sitting with Sayyaf and Rabbani [conservative Muslim leaders regarded by some Afghans as warlords]," Palwasha Hasan described, "arguing with them and telling them they are wrong."*

some Afghans as warlords]," Palwasha Hasan described, "arguing with them and telling them they are wrong. In the past, only men could do this. Women never had the opportunity." A few determined women got over 150 signatures to support the increase of the number of women in the lower house of parliament, the Wolesi Jirga,

to two women per province. They not only lobbied other CLJ delegates, but also helped convince US Ambassador Zalmay Khalilzad and Lakhdar Brahimi, head of the UN Assistance Mission in Afghanistan (UNAMA), to assist them in behind-the-scenes negotiations. The female delegates to the CLJ demonstrated their ability to organize and negotiate; it was a shining moment.

### **The New Constitution**

After weeks of negotiating and tough compromises, the CLJ adopted the country's new constitution in December 2003. It was an historic event. Few Afghans had expected that a CLJ attended by many conservative tribal and religious leaders would deliver a final constitution granting women stronger rights than the draft constitution, which had been framed by the

## **Afghan Women's Bill of Rights<sup>1</sup>**

Kandahar 2003

On September 5, 2003, in the historic city of Kandahar, we, the Afghan Muslim participants in the conference, "Women and the Constitution: Kandahar, 2003" from Kabul, Mazar-e-Sharif, Kandahar, Herat, Wardak, Jousjan, Badakhshan, Samangan, Farah, Logar, Gardez, Kapisa, Uruzgan, Paktia, Helmand, Baghlan, and Sar-e-Pul, having considered the issues of the constitution that affect the futures of ourselves, our children, and our society, make the following demands on behalf of the women of Afghanistan. Moreover, as representatives of all of Afghan women, we demand that these rights are not only secured in the constitution but implemented.

1. Mandatory education for women through secondary school and opportunities for all women for higher education.
2. Provision of up-to-date health services for women with special attention to reproductive rights.
3. Protection and security for women: the prevention and criminalization of sexual harassment against women publicly and in the home, of sexual abuse of women and children, of domestic violence, and of "bad blood-price" (the use of women as compensation for crimes by one family against another).
4. Reduction of the time before women can remarry after their husbands have disappeared, and mandatory government support of women during that time.
5. Freedom of speech.
6. Freedom to vote and run for election to office.
7. Rights to marry and divorce according to Islam.
8. Equal pay for equal work.
9. Right to financial independence and ownership of property.
10. Right to participate fully and to the highest levels in the economic and commercial life of the country.
11. Mandatory provision of economic opportunities for women.
12. Equal representation of women in the Loya Jirga and Parliament.
13. Full inclusion of women in the judiciary system.
14. Minimum marriageable age set at 18 years.
15. Guarantee of all constitutional rights to widows, disabled women, and orphans.
16. Full rights of inheritance.

### **Additional demands affecting the lives of women:**

1. Disarmament and national security.
2. Trials of war criminals in international criminal courts and the disempowerment of warlords.
3. A strong central government.
4. A commitment to end government corruption.
5. Decisive action against foreign invasion and protection of the sovereignty of Afghanistan.

<sup>1</sup>"Afghan Women's Bill of Rights." *Afghan Women's Network*. Kabul: AWN, 2003. 15 December 2004 <<http://www.afghanwomensnetwork.org/Activities.htm>>.

leading figures in Afghanistan, including seven women.

The document offers hope to women. Article 22 affirms women's equality to men before the law. The constitution also envisions unprecedented participation by Afghan women in the drafting of their country's laws. Article 83 stipulates that at least two of each province's representatives to the Wolesi Jirga, the lower house of parliament, must be women; in effect this guarantees a quota of approximately 25 percent for women in the legislature. In addition, the president selects one third of the representatives to the Meshrano Jirga, the House of Elders or upper house; at least 50 percent of the president's selections must be women.

Nevertheless, the significance of the constitution should not be overstated, as it frequently has been by journalists and diplomats proclaiming a new era of equal rights for women, without qualification or understanding of the context. Although an equal rights clause is impressive in the face of the Afghanistan's recent history, and notable because there is no counterpart in the US constitution, there was a precedent for an equal rights clause in both the 1964 and short-lived 1977 Afghan constitutions.

Moreover, despite the equal rights clause that appears in the new constitution, Article 3 of the same document states "no law can be contrary to the beliefs and provisions of the sacred religion of Islam." Lawyers and human rights experts worry that this provides a legal opening for conservatives, and will allow for discriminatory application of religious, or Sharia, law. Sharia law refers to traditional Islamic law; it is based on the Koran, the holy book for Muslims, and the sunna, or teachings of the Prophet Mohammad. The central problem is that Sharia emphasizes the obligations of the believer as a member of the religious community, while international human rights law emphasizes the rights of the individual, and the state's obligation to protect those rights.<sup>80</sup>

The question of how to reconcile Sharia law and international human rights remains controversial. In

Afghanistan, the constitution's drafters attempted to reconcile Islamic and international law by creating a hybrid constitution.<sup>81</sup> It allows for the application of Islamic law in certain situations but attempts to make governments accountable to international norms. However, this arrangement does not clarify completely the relationship between Sharia law and international human rights. There are many ambiguities in these experimental arrangements, some of which leave women's rights open to interpretation. For example, the Afghanistan constitution has no provision addressing possible contradictions between Islamic law and gender equality.<sup>82</sup>

A commissioner of the AIHRC has expressed dissatisfaction with the Constitution because when "a conflict arises between an international [human rights declaration] and the country's law, it doesn't say which has

precedence. If we have a conservative judicial system—which we do—it will interpret the laws in a conservative way."<sup>83</sup>

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### Quotas

Various types of quotas have been used around the world to ensure women a role in governing. While there is no international consensus regarding the appropriateness or value of quotas, in Afghanistan they have proved very successful in ensuring women a foothold in formal governing structures. The mechanism has been widely used in almost every facet and at every stage of the political process, and the level of women's participation has steadily increased. During the Bonn negotiations in 2001, only about 10 percent of the participants were women, compared to 12 percent at the Emergency Loya Jirga, 20 percent in the Constitutional Drafting and Constitutional Review Commissions, and 20 percent at the Constitutional Loya Jirga. Article 83 of the adopted constitution guarantees Afghan women 25 percent of the seats in

the lower house of parliament, the Wolesi Jirga, and almost 17 percent of the upper house, the Meshrano Jirga or House of Elders.<sup>84</sup>

Although it does not have an institutional policy in support of set-asides, the UN has led the way on quotas in Afghanistan. In February 2002, UN Secretary General Kofi Annan called for “temporary special measures, including targets and quotas, targeted at Afghan women,” in order to accelerate women’s progress.<sup>85</sup> According to participants in the Bonn talks, UN Secretary General Kofi Annan’s envoy, Lakhdar Brahimi, encouraged each political faction to bring at least one female delegate. While the US never took a public stand on quotas for Afghan women, stating that it was an internal Afghan decision, it did encourage women’s participation.

The effectiveness of quotas in ensuring women a political voice in Afghanistan remains to be seen. There is some concern that the women appointed will be mouthpieces for warlords, their husbands, or other family members or political parties. In the long term, quotas will be effective only if women use their positions in government to demonstrate their ability to add value to the political process, foster entry into government by other women, and advocate for women’s rights and priorities. Nonetheless, in the case of Afghanistan they have no doubt provided a critical entry point for women in the political process and formal governing structures that would not have existed otherwise.

### **Aid and Assistance Programs**

Foreign aid and assistance programs are the primary way in which the international community is seeking to improve the status of Afghan women. While the budget for military support dwarfs that for humanitarian aid and assistance for reconstruction, billions of dollars are being dedicated to rebuilding Afghanistan; a portion of that assistance is being directed to assist women and meet their needs. In January 2002, attendees at the International Conference on Reconstruction Assistance to Afghanistan in Tokyo, Japan pledged \$4.5 billion in grants and loans for Afghan reconstruction. At the most recent International Donor Conference for Afghanistan, which took place in Berlin in March 2004, the Afghan Government requested \$28 billion over the next seven years. The international community responded by pledging \$4.4 billion in support during the coming year and \$8.2 billion during the next three years.<sup>86</sup>

While that is a lot of money, it remains to be seen whether pledges are fulfilled, committed, and spent.

Any effort to empower women in Afghanistan must begin by improving their basic health, educational, and socioeconomic status. Under the Taliban, long-entrenched cultural norms about the role of women in society were exacerbated. Less than ten percent of women and girls were literate, the maternal mortality rate was the second highest in the world, and women were not allowed to work.

The situation has improved some since the fall of the Taliban. The US has assisted the Afghan Ministry of Education by building or repairing 200 schools, training more than 2,000 teachers, and distributing more than 10 million textbooks. About 3 million Afghan children returned to school in 2002, up to 4 million in 2003, and 5 million in 2004. Approximately 35 percent of students are girls, and a third of the teachers are women, compared to almost none under the Taliban. Girls’ enrollment in school increased from only 90,000 under the Taliban to 900,000 in 2002.<sup>87</sup> Nonetheless even today, more than half of Afghanistan’s children are not in school. And female school registration rates are widely disparate; only one in a hundred girls in Zabul and Badghis provinces attends primary school, and only five to seven percent in Helmand and Khost provinces.<sup>88</sup> Additionally, evidence of continued resistance to girls’ education is illustrated by recent horrifying attacks on schools and students. A 2003 attack on a school in Kabul was accompanied by “a poster and leaflet campaign threatening local parents against sending their daughters to school.”<sup>89</sup> In April 2004, the largest girls’ school in Kandahar was destroyed by fire, one of several Norwegian- and Swedish-funded girls’ schools to be attacked that year.<sup>90</sup> In May 2004, in the eastern province of Khost, three schoolgirls were poisoned, apparently by “conservative militants” in punishment “for attending school.”<sup>91</sup> There were at least 30 attacks on girls’ schools in 2004.<sup>92</sup>

The UN Children’s Fund (UNICEF), with the support of grants from the US, has run vast immunization programs and plans to achieve 80 percent vaccination against six major preventable childhood diseases. The US Agency for International Development (USAID) has dedicated \$58 million to health care in Afghanistan since 2001; an additional \$50 million is budgeted for the next two years.<sup>93</sup> UNICEF plans to establish at least one obstetric care facility in every province of the country.<sup>94</sup> Nonetheless, the maternal



mortality rate in Afghanistan is still one of the highest in the world.<sup>95</sup> The rate for child mortality remains the fourth highest in the world.<sup>96</sup> And the majority of rural Afghans still lack access to any health care at all, with women receiving less care than men.<sup>97</sup> For example, the majority of rural Afghan women lack access to any reproductive health care.<sup>98</sup>

Although much has already been accomplished, much more remains to be done. Vast disparities in the status between women in rural and urban Afghanistan endure. Most rural Afghans lack consistent access to potable water, and water supplies are dwindling.<sup>99</sup> The vast majority of Afghan women are still illiterate. Access to education, health care, clean drinking water, employment, and human rights information will have to improve further to enable Afghan women to help themselves.

Additionally, given the basic needs, the extent to which funds will support women's empowerment is unclear; 2.88 percent, or \$72.5 million, of US appropriations to Afghanistan over the last three years was earmarked to assist Afghan women.<sup>100</sup> Although significant, much of those funds were dedicated to meeting women's basic health and educational needs, and to supporting construction projects such as the building of Women's Centers; unfortunately, that leaves approximately \$15 million in funding for programs on women's empowerment.<sup>101</sup>

The local commitment to improving the status of women also has not been steadfast; in budget year 2003, the Government of Afghanistan requested \$6.15 million for women's education and literacy campaigns, but only \$1.1 million was actually committed.<sup>102</sup>

That is not to say that efforts are not under way. Since the November–December 2001 talks in Bonn, the UN, US, member states of the European Union, as well as Afghan and international NGOs have all been involved in efforts to organize Afghan women and prepare them for participation in reconstruction. And

although this paper focuses primarily on US government efforts, there is significant aid from other donors to Afghanistan in the areas of women's empowerment, human rights, and political participation. UNDP, with support from various donor governments, has aided MOWA in conducting gender training for government officials in six ministries and five provinces throughout the country, and plans to extend the training to six other ministries and additional provinces this year.<sup>103</sup> The Canadian International Development Agency (CIDA) has funded the Ministry of Women's Affairs, civic education, a fund for enhancing Afghan women's participation in reconstruction, as well as a media project that aims to "provide a voice for women in the political transition process."<sup>104</sup> The World Bank has funded the women's leadership department at Kabul University. The Swedish government is sponsoring training for female teachers. Meetings have been held to coordinate donors investing in gender-specific funding, including UNIFEM, United Nations Population Fund (UNFPA), and bilateral donors such as the US, Germany, Japan, and Belgium.

The US has played a central role in ensuring women's participation at various stages of political development. Charlotte Ponticelli, Senior Coordinator for Women's Issues at the State Department, stated in a March 2004 speech

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that "Enhancing women's political participation is a major goal of my office. Women must have a voice charting their own future and setting the political agenda, at all levels, if women's human rights are to be secured." Ponticelli said that after September 11th, Afghan women became the most visible symbol of the Taliban's oppression. "The image of the illiterate, burqa-clad woman was what really helped galvanize popular support for the cause of Afghanistan—not just in the US, but in every freedom-loving country around the world."<sup>105</sup>

The public face of the US effort to support women is its US-Afghan Women's Council, created in early 2002 to promote private/public partnerships between institutions in the US and Afghanistan and to marshal private resources in support of Afghan women.<sup>106</sup> The Co-Chairs of the Council are US Under-Secretary of State for Global Affairs, Paul Dobriansky, and the Afghan Minister of Women's Affairs, Habiba Sarabi. The Council's priorities include education, training, and capacity building for women; its first meeting identified mid-level Afghan civil servants as a target for training, emphasizing the importance of women serving in government. It has sponsored educational leadership training courses in the US for Afghan participants.

Observers of the Council question its utility, noting that it has convened high-level women (in Washington, DC and Kabul) five times since its creation but has had little impact *on the ground* in

Afghanistan. The Council has marshaled some significant private resources from companies such as Gateway Computers, Grafik Communications, Ltd., Daimler-Chrysler, Smith-Richardson Foundation, Leapfrog, and the Fortune 500 Group.<sup>107</sup> Nonetheless, the overall impact of its work for Afghan women has yet to be demonstrated.

Although the US government highlights the Council as a major initiative, the Council has yet to deliver the assistance and resources many Afghan women expect.

These programs are important and are making headway, as evidenced by the significant turnout of women to vote in the October 2004 presidential election. Nonetheless, despite efforts to support civic education and outreach, an Asia Foundation survey recently found that 87 percent of Afghans feel that women need their husband's permission to vote.<sup>108</sup> And programs to assist and empower women continue to face intimidation and attack, particularly where international security forces are not present.<sup>109</sup> For example, Human Rights Watch has reported on women's rights projects shut down by mullahs who

objected to such awareness-raising efforts. The establishment of women's shuras has been impeded in some provinces.<sup>110</sup> Women's centers have been attacked and activists have been threatened into curtailing their activities.<sup>111</sup> Even more generally, as outlined below, continuing insecurity is reducing the ability to deliver aid and foster reconstruction. Finally, as attacks on aid workers have increased, the presence of donors and NGOs has shrunk, particularly outside major cities in the rural areas where they are needed most.

### Outreach and Education for Political Empowerment

Political participation is seen as a luxury rather than a necessity by much of the Afghan population because basic needs such as food, shelter, clean water, and safety still are not being met. Sadiqa Basiri of the Afghan Women's Network (AWN) says that 70 percent of Afghan women are not interested in poli-

tics, due to poverty and insecurity, and the absence of an adequate network or support structure for women politicians. According to a study on rural livelihoods that was conducted by the Feinstein International Famine Center at Tufts University, despite strong views, the vast majority of rural Afghan women do not know what a

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constitution is or that a new one was recently approved in a Loya Jirga.<sup>112</sup> Outreach and education will be critical in order to realize the promise of the forward-looking policies that have been put in place to empower women.

A wide range of efforts by NGOs, the Afghan government, and international donors already reach out. Afghan women have benefited from a variety of training sessions, including UNAMA's "induction" course for all the female delegates to the Emergency Loya Jirga and training sessions for women who were CLJ delegates or who traveled to the provinces to run CLJ elections. Afghan and international NGOs have also trained hundreds of Afghan women for leadership roles in politics and the economy during sessions with foreign experts and consultants; these sessions often

focus as much on instilling confidence and a spirit of collaboration in a group setting, as on enhancing skills required in public life. The sessions are organized to include women from a variety of ethnic backgrounds and, recently, more women from outside of Kabul. Rina Amiri, a UN political affairs officer who works closely with women leaders, believes that these training sessions have led to a marked improvement in the way women communicate and organize. For example, according to Amiri, there was great improvement in women's organizing ability even in the short period between the Emergency Loya Jirga and the CLJ. Indigenous Afghan organizations such as AWN are also actively training women. AWN, an umbrella organization of over 60 NGOs, has held workshops in several Afghan cities to discuss the constitution, registration for elections, and women's rights.

Radio has emerged as a critical tool for informing and educating women about the political process, because it helps to reach the approximately 65 percent of the total Afghan population that is illiterate.<sup>117</sup> Despite the challenges to the establishment of women's radio programming—such as the conservative culture, threats from warlords, and families that are reluctant to allow women to work—many organizations and donors are

using radio to reach out to Afghan women. For example, the US-based NGO Internews has funded 18 independent radio stations throughout Afghanistan. Each of the stations broadcasts a daily 10-minute women's program that is produced in Kabul, and several have their own women's programs. The UN Educational, Scientific, and Cultural Organization (UNESCO) funded the country's first woman-operated and -managed independent FM station, beginning in March 2003: "The Voice of Afghan Women," which broadcasts from Kabul.<sup>118</sup> AWN produces programs, such as "Women and the Constitution," that reach out to rural women, and will generate additional radio programming to address elections.

There are also independent women's community radio stations in Mazar-i-Sharif, Herat, and Kunduz, and plans to establish others in 7 more cities. The Institute for Media Policy and Civil Society (IMPACS), the Canadian NGO that funded these stations, also launched a women's political magazine in April 2004 that helps prepare women for parliamentary and presidential elections through news, editorials, and cartoons.<sup>119</sup> Jane McElhone, project director for IMPACS, explains, "For many Afghan women who still live very isolated lives, radio can serve as a bridge

### **Afghan Women's Network (AWN)**

One of the most well-known initiatives now operating inside Afghanistan is the Afghan Women's Network (AWN), "a non-partisan network of women and women's NGOs working to empower Afghan women and ensure their equal participation in Afghan society."<sup>113</sup> The AWN began "when seven Afghan women [living in Pakistan] from various organizations attended the UN Fourth World Conference on Women in 1995 Beijing, China. While at the conference, the idea of establishing a network to promote unity and cooperation among Afghan women was born. Inspired by women's movements in different parts of the world, [they] decided to establish the Afghan Women's Network and developed a formal structure in 1996."<sup>114</sup> There are currently about 60 NGO and over 1,000 individual network members.<sup>115</sup>

In 2002, the AWN opened an office in Kabul, although they still maintain an office in Pakistan. As a network, it coordinates initiatives, activities, policies, consultations and advocacy efforts related to women's equality and empowerment. One of the AWN's initiatives involved the organization, with the Ministry of Women's Affairs, of a sit-in for peace and security in August 2003 with 1,000 women participating. The sit-in was held in Kabul's Women's Park; it demonstrated women's solidarity in promoting peace and called on NATO military forces to restore security in the country. The participants then drafted a Declaration for Stability, Peace and Security.<sup>116</sup>

to the outside world. It can help them develop skills to survive in their daily lives. It can help them feel less alone.”<sup>120</sup>

The Afghan government, recognizing the important role that mullahs and elders play in the lives of Afghan women, is trying to use the prominence of some forward-looking religious authorities to further democracy building. Ambassador Jawad says President Karzai is using traditional institutions to “become not an obstacle,” but rather an “engine” for women’s participation. He notes that a *fatwa* has been issued to encourage women and girls to attend school, and points out

that this will enable them to read the Koran. President Karzai is encouraging the clergy to urge women to participate in Afghan reconstruction. Mullahs in the chief Kandahar mosque are examining various interpretations of the Koran to “prove the election, democracy and the registration of women [are] allowed.” The government views the nation’s estimated 150,000 mosques as an opportunity to promote democracy, rather than as inevitable opponents to it.<sup>121</sup> In fact, a *fatwa* issued in Kandahar regarding the elections stated, “All of us need to register our women and support the ongoing registration process.”<sup>122</sup>



### PART THREE: WOMEN'S CONTRIBUTIONS

Although the effort to empower women is still a work in progress, Afghan women have already demonstrated that their participation could meaningfully contribute to promoting democracy. Trends are emerging that illustrate the promise and potential of women's full participation in Afghanistan's post-conflict reconstruction and, specifically, governance. Women in Afghanistan are helping counter the tendency towards political extremism, fostering recognition for ethnic minorities and minority rights, contributing to the fight for moderation and human rights, providing critical services to promote development, and ensuring the productive capacity of Afghanistan by building on their experience in meeting basic needs even during extended periods of conflict.

#### Bulwark against Political Extremism

The violent and conservative elements of Afghan society, most notably the Taliban but also other factions and warlords, have been widely documented. Some Afghan analysts have remarked that the Taliban's brutal and misogynistic absolutism is partly a result of their having grown up as orphans in all-male *madrassas* rather than with a mother and father, sisters and brothers.<sup>123</sup> Whatever their origins, it is clear that confronting these anti-democratic and violent forces remains the most significant challenge to the development of a peaceful, stable, and free Afghanistan.

Afghan women, as a group, could provide an important counter to this extremism. The Afghan Ambassador to the US, Said Tayeb Jawad, has said that Afghan women can serve as a moderating force against extremists, in part because they were the prime victims of political violence and extremist interpretations of Islam before and during the Taliban. He points out that, "Afghan women are liberal voters,

progressive in their views." The Afghan government has an interest in promoting women's rights, claims Ambassador Jawad. By allowing Afghan women to make greater contributions to the peace process, Afghanistan's government is "undermining the extremists and the spoilers."

Individual women have been vocal in challenging the power of the warlords and local commanders. At the CLJ, female delegate Malalai Joya stood up and denounced the attendance of warlords at the event. Referring to the destruction and killing they perpetrated in Afghanistan's civil war, which opened the door to the Taliban takeover, she called them "criminals who have brought these disasters for the Afghan people" and said they should stand before an international tribunal. Because the warlords and armed factions are extremely powerful, and some are *mujahideen*, or holy warriors, who established their reputations by fighting the Soviets, Afghan people are ordinarily

afraid to criticize them in public. At first, the Chair ordered her thrown out of the event, but she stayed, later receiving death threats and having to receive protection from the UN.

Surprisingly, when she returned to her home in Farah she was greeted with rallies of support from students, which continued in Kabul and Mazar-i-Sharif.

Throughout the country Afghan radio stations aired her speech and openly discussed the role of *mujahideen* in

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society.<sup>124</sup> In the months after the CLJ, however, Joya faced constant harassment, including death threats and attacks on the NGO she is involved with.<sup>125</sup>

Unfortunately, most women who attended the CLJ were not received so well in their home provinces. According to Palwasha Hasan, one woman said she would have liked to speak out, but remarked, "I want to live when I go back home." Security was the major

concern for Afghan women. They reported threats and questioning by local commanders about their agendas, allegiances, and the decision by some of them to join in the final vote at the CLJ, in which some political and ethnic factions refused to participate. Some women were called traitors.

Women have also been at the forefront of calls for disarmament of private militias, estimated at 100,000 men. Afghan women have organized protests and signed petitions. Women called for disarmament in the Afghan Women's Bill of Rights, as well as the Declaration of Afghan Women's NGOs.<sup>126</sup>

Women have helped ignite the national debate within government and civil society over a variety of issues related to democracy, religion, and freedom of expression. Earlier this year, for example, Afghan TV aired footage of a female Afghan singer for the first time in 12 years. Chief Justice Shinwari of the Supreme Court called it a violation of Islam and the new constitution. Afghan women activists were quick to enter the debate and raise questions about freedom of the press and the role of Islam in Afghanistan's future. Ultimately the Minister of Information and Culture, with backing from President Karzai, intervened to cite the equal rights clause of the new constitution, and the broadcasts continued. Women are also enrolling in Kabul University to study law, Arabic, and Islam in order to challenge conservative Islamic attitudes and broaden the discussion of religion and democracy. They are emboldening minorities and moderate men to challenge the existing power structure.

Afghan women, in their struggle against extremism, have made strategic alliances with moderate men. Sima Wali says that her best allies during the Bonn negotiations were moderate Afghan men, many of whom had been forced out of the country by the Taliban, the Afghan communists, or other powerful extremists. Afghan men who had lived outside Afghanistan proved particularly cognizant of the role women can play in development. According to Rina Amiri, President Karzai and Minister of Finance Ashraf Ghani, a US citizen and former official at the World Bank, are two of the few men particularly committed to advancing women's participation.<sup>127</sup> She also notes that the US Ambassador to Afghanistan, Zalmay Khalilzad, "has made women a key priority on his agenda." Ambassador Khalilzad, who grew up in Afghanistan but has been living in the US since the 1980s, has stated that the "opportunities are limitless"

for Afghan women "as they advance in society and strive for a well-deserved role in the emerging Afghan democracy."<sup>128</sup>

Afghanistan may also offer a lesson in the capacity of *diaspora* and refugee communities to lead the rebuilding process after years of war and oppression, and help restore human rights to women and men alike. In Afghanistan, like many other post-conflict settings, women from outside the country (and moderate male exiles) worked with those inside to fight for the empowerment of women and an end to political extremism; they helped women develop strategies for ensuring inclusiveness, shaped positions regarding women's rights, and channeled financing for program implementation. One of the enduring legacies of Afghan reconstruction may be the mobilization of women to fight for peace and democracy and against fundamentalism and dictatorship.

### Advancing the Rights of Minorities

Afghanistan's ethnic and religious minorities suffered horribly during the country's more than 25 years of war. The Soviet Union and its Afghan allies killed, terrorized, and violated the rights of millions during their nearly 14 years in power. Afghanistan's majority Pashtuns and minority Tajiks, Uzbeks, and Hazaras, were all among those killed in the communists' slaughter of two million Afghans.<sup>129</sup> Ethnic conflict continued after the fall of communism, with rival militias fighting for control of Kabul, killing and raping members of ethnic minorities, and "systematically looting whole streets."<sup>130</sup> The Taliban massacred thousands of members of the ethnic and religious minority of Hazaras, including up to 8,000 slaughtered by Taliban troops in and around Mazar-i-Sharif in just a few days in 1998.<sup>131</sup> "The Taliban wanted to send Uzbeks to Uzbekistan, Tajiks to Tajikistan, and Hazaras to the grave," explained Hazara leader and current second Vice President of Afghanistan, Karim Khalili.<sup>132</sup>

Women are leading efforts to protect the rights of minorities and foster a climate of understanding. The AIHRC has 11 commissioners, 5 of whom are women. Significantly, a woman, former Women's Minister Dr. Sima Samar, heads the body. The AIHRC has four mandates: transitional justice, human rights education, women's rights, and children's rights. It seeks to

collect the evidence of violations that have caused suffering of the civilians in Afghanistan in order to

identify the nature of crimes. To archive the documents for historical reference. To develop a database of information on past crimes . . . To find the fact and truth of past crimes of human rights, and to develop a mechanism for justice which the majority of the population supports.<sup>133</sup>

One of the Commission's seven sections is dedicated to women's rights and works to empower women and promote and protect their rights and freedoms. Each of the Commission's eleven regional offices (Kabul, Mazar-i-Sharif, Jalalabad, Maimana, Kunduz, Gardez, Badakhshan, Herat, Kandahar, Dai Kundi, and Bamiyan) has a women's rights section as well. The AIHRC, which has been called a "bright light in strengthening the rule of law,"<sup>134</sup> provides training on women's rights, monitors and investigates cases regarding the violation of women's rights, and advocates for legal and social changes on such issues as domestic violence and forced marriage.

This body has investigated numerous complaints of human rights violations against Afghan minorities under the leadership of its Chairwoman.<sup>135</sup> Dr. Samar is herself a Hazara; her organization, Shuhada, lost three staff members when the Taliban massacred hundreds of Hazaras in Yakaolang in 2001.<sup>136</sup>

In addition to symbolic leadership of the country's human rights instrument,<sup>137</sup> Afghan women also have already proved valuable allies in efforts to recognize and manage the country's ethnic conflicts. During the CLJ, women signed onto requests by the Uzbek minority to gain official status for their language in regions where it is most widely spoken in exchange for signatures to increase women's representation in government. Both the Afghan women and minority groups recognized that negotiating and allying with each other is a powerful strategy to increase influence over the political process. When the Chair of the CLJ, Sibghatullah Mojaddedi, opened up two additional seats for deputies, women asked, "if ethnic balance is important, why isn't gender balance?"<sup>138</sup>

One cannot presume, of course, that all women are tolerant or supportive of minority rights. In fact, women have, in some settings, shown themselves to be partisan advocates of their own ethnic groups and chauvinistic in the same ways that some men are. For example, there has been some controversy about MOWA's ability to serve the interests of all women and there have been recent accusations that it may be preferring women from the Hazara group. However,

on the whole, women have promulgated and been supportive of efforts to recognize the multi-ethnicity of Afghanistan and protect the rights of minorities. If a democratic Afghanistan that can serve its entire population is going to emerge from this postwar transition, women's voices must be elevated.

### Supporting Development

Afghan women, both inside and outside the country, are notable for their endurance in struggling to meet their families' basic nutritional, health and educational needs during the worst years of the conflict. Their commitment persists today in a situation of post-conflict recovery, reconstruction, and development.

There are an estimated one million widows in Afghanistan living in extreme poverty, who work every day to put food in their families' mouths and keep their children warm during the bitter winters in many parts of Afghanistan.<sup>139</sup> Women have returned to work in increasing numbers since the fall of the Taliban, obtaining employment in government ministries, schools, newspapers, radio stations, and bread factories, as well as deployment in the field as health providers, police, and voter registration workers.<sup>140</sup> In some sectors, Afghan women have always been integral to Afghanistan's productive capacity. In the agricultural sector as well as at the community level they have been central, even if their role has not been reflected within or recognized by formal Afghan oversight and administrative structures.<sup>141</sup> According to USAID, 70 percent of Afghanistan's labor force works in agriculture, "and Afghan women play a large part in agriculture, especially in raising livestock."<sup>142</sup>

Women are involved in the educational and health reconstruction of the country; they work tirelessly against illiteracy and the highest maternal and infant mortality rates in the world. UNICEF recognized women's effectiveness on these issues during its 2002 vaccination drive. Two Afghan women were included on each of UNICEF's 75 polio vaccination teams because, as program organizer Douglas Higgins explained, "It is important to have more women leading the teams, as women at home with children will be more welcoming."<sup>143</sup>

In addition to the work of individual women who have remained committed to their families and their country and worked to hold society together despite extended periods of conflict, women's organizations are trying to take the lead in addressing social and economic con-

cerns and post-conflict development. See Appendix 3 for a list of Afghan women's organizations and associations.

While there was a predictable flurry of new civil society activity and an explosion of start-up organizations in Afghanistan following September 11 and the US-led war, Afghan women's activism goes back decades. The main catalyst for engagement was the 23-year conflict that engulfed Afghanistan beginning with the Soviet occupation of the country in 1979. As a response, Afghan women—both inside and outside the country—became active in humanitarian work. In the 1990s, there was an emergence of increasing numbers of Afghan women's groups, particularly in Pakistan. As these initiatives grew, they addressed a variety of issues and concerns, but attention to the position of women in Afghan society increased as more conservative and traditional elements came to power during the years of the civil war (1992–2001) and with the installation of the Taliban regime in 1996.

The Taliban's extreme forms of gender apartheid galvanized many Afghan women. The underground schools, health clinics, and income-generating programs secretly established by Afghan women within the country, and in the refugee camps of Pakistan and Iran, gave rise to many of the women's NGOs and initiatives that are active in Afghanistan today.<sup>144</sup> Many of the Afghan women who benefited from a more open period in the country's history, from the 1960s to the 1980s, came forward to lead and were joined by women who gained expertise through work with UN agencies and international NGOs inside and outside Afghanistan.<sup>145</sup>

From the beginning, women's organizations addressed a variety of needs in the areas of health, education, income generation, and, more recently, trauma counseling and rights awareness.

There are a number of [initiatives] run by Afghan women that are used for advocacy, fund raising, awareness raising, and, at times, project implementation . . . . These informal groups have a wide

range of activities and objectives, and can include: business women who organize others for income generation; mosque groups . . . who gather women for sermons on women's rights in Islam, for literacy and for Koranic education; or home schools operating in many parts of Afghanistan.<sup>146</sup>

For example, women are creating maternal health clinics, women's radio programs and magazines, chicken cooperatives, and organizations that sponsor workshops on political campaigning.

Prior to September 11, lack of donor interest in Afghanistan meant that many organizations lived a hand-to-mouth existence, moving from project to project with no additional funds to invest in staff or organizational capacity building.<sup>147</sup> The situation is now different; there is intense international engagement in the country. In theory, local organizations can access funding from the UN and other multinational

organizations, national governments, private foundations, and individual donors. However, a chief complaint of local women's organizations is that they are unable to access these funds. The statistics support their claims; of about \$900 million in US assistance to Afghanistan during fiscal years 2002 and 2003, just \$202,719, or 0.02 percent, went to Afghan women's

NGOs.<sup>148</sup> The Canadian NGO, Rights and Democracy, with funding from CIDA, is trying to redress this imbalance through its Afghan Women's Fund, which provides financial support for gender projects to local NGOs.<sup>149</sup>

There are challenges related to a lack of capacity and sustainability among local organizations, and problems with communications technology, language skills, and reporting requirements. Local women's organizations face these challenges, as well as gender-specific barriers. A perception about the lack of capacity stems from the newness of some Afghan women's NGOs, the resistance of some male Afghan NGO staff who worry about competition, and the perceived difficulties Afghan women face in being mobile and assertive in

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their own communities. Afghan women also face language barriers; fewer are conversant in English than their male counterparts. Afghan women face restrictions in movement and interaction with others, and in some cases lack confidence expressing themselves. For example, some Afghan women running informal groups are illiterate, speak no English, or choose to be fully covered. As a result, although they are dynamic and active in their own communities, Afghan women may not be invited to attend or participate in key meetings.<sup>150</sup>

At the same time, Afghan women and their nascent organizations have the potential to be important service delivery vehicles. Afghan women are particularly focused on service delivery that will be critical to creating stability; they give priority to education, health care, the supply of clean water, and fostering ethnic and gender equity.

Because there are women interested in promoting development throughout the country, with some effort and capacity building (and by creating links with urban women's organizations) they might be engaged to help reach underserved rural communities.

Afghan women's NGOs have achieved a great deal in a short time, especially given the discrimination they contend with from conservative, patriarchal Muslim elements of Afghan and Pakistani communities. Before the Soviet invasion, Afghan women participated in

public life, but the number of these women was relatively small and they were mostly from urban backgrounds. Women studied to become teachers, doctors, engineers, and lawyers, but taking care of their family was still seen as their first and foremost responsibility. As a result, if work interfered with family responsibilities or detracted from the male family members' status (should the woman gain a higher salary or the male be unemployed), the woman was forced to give up her work.<sup>151</sup> This continues to occur today.

Women who lead NGOs must be careful about how they publicize their existence and activities, since their physical security cannot be guaranteed. Afghan women who work for NGOs may be viewed by more conservative elements in Afghan society "as 'brazen women' who have 'improper' relationships with Western donors and

*Women activists—particularly those who attempt to educate and mobilize women around issues related to gender equality and women's empowerment—continue to face a great deal of risk including harassment, threats, loss of livelihood, and even death. Their bravery and commitment, and the vital work they do in supporting development, are critical for the future of Afghanistan.*

agencies."<sup>152</sup> Women activists—particularly those who attempt to educate and mobilize women around issues related to gender equality and women's empowerment—continue to face a great deal of risk including harassment, threats, loss of livelihood, and even death.<sup>153</sup> Their bravery and commitment, and the vital work they do in supporting development, are critical for the future of Afghanistan. Their potential impact is enormous, given that their reach goes deeper into local communities and rural areas than donors or large, international NGOs.

## PART FOUR: AFGHANISTAN—AN APPROPRIATE TESTING GROUND FOR WOMEN'S RIGHTS?

*"The biggest challenge for women in post-conflict Afghanistan will be to ensure that [the international] commitment to gender equality translates into policies that are embraced by Afghan decision makers and provide an adequate framework for programming that actually makes a difference in the lives of women and girls in the country. Of course, Afghan women have already [begun] doing this for themselves."<sup>154</sup>*

Following the ousting of the Taliban, Afghan women's rights became a significant concern for policymakers. For women's rights activists, the sudden attention to women in Afghanistan was a cause for both elation and concern. They recognized that the US position, for instance, provided an opportunity to take positive action in support of women. But many also worried that Afghan women were being used for political reasons, and that they would not receive the sustained support they needed. Sima Wali believes the issue of women's rights was a "soft" target that helped to make the "harder" sell of a war in Afghanistan.

Some Afghan women argued that the focus on gender inequality, and attempts by external actors to influence the status of women in Afghan society, would foment a backlash, especially because of the quick pace of change suddenly expected by the world community. Advocates who focus more narrowly on the issue of women's inclusion in peace processes also had mixed reactions to the sudden focus on Afghanistan and Afghan women. They were pleased with the US recognition of the significance of women's active participation, but were skeptical about the motives behind it. For many it was difficult to reconcile the past US support of Afghan fundamentalists such as Gulbuddin Hekmatyar, a former leader of anti-Soviet fighters who is now an anti-American warlord in hiding, with the sudden emphasis on promoting Afghan women's participation in politics. Some felt a sense of outrage that Afghan women had been reduced to near-slavery under the Taliban before any attention was paid to ensuring their rights.

Finally, some women believe that Afghanistan is not an appropriate place to test the notion that women can make a positive contribution to peace processes and post-conflict reconstruction, given the abject conditions of women in the country. The vast majority of

Afghan women are illiterate,<sup>155</sup> they have rarely participated in the political arena during the past 25 years of war and dictatorship, and the lack of a secure environment means that those women who do step forward will be easy targets for radical fundamentalists.

Despite these many and varied reservations, women's rights activists by and large embraced the opportunity provided by the fall of the Taliban and mobilized to support efforts to build the political capacities of Afghan women. The prevailing sentiment was that "if we can do it in Afghanistan, we can do it anywhere." But the battle is far from won; significant concerns remain about high levels of insecurity, refugees and rural Afghans, enforcing the legal framework that has been put in place, and a waning commitment on the part of the international community. The parliamentary elections in fall 2005 will provide an important measure of how far women have come.

### Continuing Insecurity

Continuing insecurity is the most significant challenge to reconstruction and a democratic transition in Afghanistan. Violence has risen dramatically in the last year. Election and reconstruction efforts are being targeted. In 2003, 23 people working on reconstruction were killed. The number of victims nearly doubled in the first half of 2004, and efforts to disarm and demobilize armed groups remain largely ineffective.<sup>156</sup> As a result, humanitarian groups such as Medecins Sans Frontiers pulled out of the country completely in 2004 and the International Red Cross and various UN agencies reduced operations and pulled out of the most insecure regions of the country.<sup>157</sup> Although the North Atlantic Treaty Organisation (NATO) announced in June 2004 some increase in presence in Afghanistan, organizations such as the international humanitarian organization CARE believe the commitment will be inadequate to keep peace, protect civilians, disarm militias, address the narcotics problem, or intervene militarily to halt fighting among rival militias.<sup>158</sup>

Insecurity is hindering economic and political progress for all citizens, particularly women. Security in Afghanistan's provinces is very poor, and women living there are routinely subjected to rape, kidnapping, and forced and underage marriages.<sup>159</sup> As a result of these dangers and a culture of tribal poverty, women are too

## The Changing Status of Women in Afghanistan

### *Summarized from Transition within Tradition: Restoring Women's Participation in Afghanistan*<sup>1</sup>

Over the last 100 years the status of women in Afghanistan has varied widely. Legislative reform has alternatively emancipated and restricted women's rights.

Efforts to empower women often have been led by male political leaders as a component of state modernization policies. These gender reform efforts have repeatedly been challenged and sometimes reversed by the conservative orthodoxy within the religious community and the rural population. This pattern repeats throughout history, beginning with King Amanullah (1919–1929), continuing with King Zahir Shah (1933–1973), Daoud's presidency after the *coup d'état* (1973–1978), the Marxist regime (1978–1989), the *mujahideen* resistance movement (1979–1994), and the Taliban regime (1994–2001).

The swings have been vast. Afghan women began to be sent abroad for education in 1928, with female teacher training beginning in 1957. The 1964 Afghan constitution granted women full and equal rights to participate in all societal institutions including voting. In the 1970s women represented 15 percent of the Loya Jirga. They also served as members of the national parliament, cabinet, and administrators to government. According the World Development Index, by 1990, 34 percent of the formal labor force was female. In 1996, women made up 50 percent of the civil service.

In 1978, the Russian-dominated Democratic Republic of Afghanistan made education for girls a major social policy. Women participated in all ranks of the Communist Party and government and played key roles in public demonstrations. Literacy campaigns targeted children, teenage girls, and women. The Soviet views and policies regarding women provoked a backlash by traditionalists and ushered in increasingly conservative attitudes towards women's public and political participation.

The last 30 years of political upheaval and war witnessed diminished tolerance for women. Afghan culture has radicalized and attitudes towards gender have hardened. During the Taliban era women were entirely disenfranchised, losing even their most fundamental rights. While female literacy levels were typically less than 20 percent, as of 2001 some 4 percent of women and 30 percent of men in Afghanistan were reported to be literate.

Afghan women remain a study in contrasts, varying based upon ethnicity, religion, language, social class, urban/rural background, education, extended family network, and political affiliation. There are particularly marked differences between rural and urban women, who comprise respectively 85 percent and 15 percent of the total female adult population. Urban women historically have had more opportunities for formal employment and full education, although access is determined largely by the family, its financial resources, and its social standing. In contrast, the vast majority of Afghanistan's women, who live in rural areas, is far more insulated from both progress and vacillations in public policies; their opportunities have traditionally been, and continue to be, far more constrained.

<sup>1</sup>*Transition within Tradition: Restoring Women's Participation in Afghanistan*. Proc. of Conference, 7–9 December 2001, Harvard University. Cambridge, Massachusetts: Harvard University, 2002. 15 December 2004 <[http://www.ksg.harvard.edu/wappp/research/trans\\_w\\_trad.pdf](http://www.ksg.harvard.edu/wappp/research/trans_w_trad.pdf)>.

often limited in their movements “to the confines of the extended family compound.”<sup>160</sup> When queried, Afghan women list insecurity outside of Kabul as the number one obstacle to women’s progress in any area, particularly political participation. Their pleas for more peacekeepers in the provinces reflect the disappointing statistical reality that “Afghanistan has the lowest ratio of peacekeepers to population of any recent post-conflict country,” according to a study by CARE. While NATO’s other missions in Kosovo and Bosnia had a ratio of one peacekeeper to every 48 and 58 people, respectively, the ratio for Afghanistan is one peacekeeper to every 5380 Afghans.”<sup>161</sup> NATO officials have stated that NATO International Security Assistance Force (ISAF) peacekeepers would be deployed in Afghanistan’s provinces by 2007 starting with a westward push towards Herat. NATO troops have so far been restricted to Kabul and the north of the country. President Karzai and the NGO community called for the expansion of ISAF soon after the fall of the Taliban, and women’s groups in particular have been critical of the slow pace of the expansion.

Due to the lingering insecurity, donor pledges for reconstruction in Afghanistan have lagged far behind what Rwanda, Bosnia, Kosovo, and East Timor have received. Aid to Afghans averaged \$67 per person in 2002 and 2003, compared to over \$250 per person in Bosnia and East Timor.<sup>162</sup> Many international aid agencies, too, are reluctant to work outside of Kabul, fearing the murders and kidnappings that have become all too common.

A lack of security affects women dramatically by endangering their lives, limiting their mobility, and impeding their ability to work and care for and feed their families. Sadiqa Basiri, a civil society activist, says, “From my point of view what has not been not very successful until now is the improvement of the living conditions of the women. We should not close our eyes from the fact the international community is doing its best in this regard but still a lot of work must be done to improve the financial and living conditions of the women.”

*Recently in Afghanistan, a few women have enrolled in police training courses, joining the handful of women who served in the police force during the Soviet occupation and have returned since the fall of the Taliban. Of the seven women who registered for training in February 2004, all were widows needing jobs to support their families.*

In post-conflict societies around the world, however, women have demonstrated that they have proactive contributions to make on issues of security. Given their ties to the family and community, women often have first-hand knowledge of the security situation, as well as the needs and concerns of the general population. At the local level, Iraqi women, for example, have noted that such simple steps as installing street lighting can make a real impact on security in their neighborhoods. Recently in Afghanistan, a few women have enrolled in police training courses, joining the handful of women who served in the police force during the

Soviet occupation and have returned since the fall of the Taliban. Of the seven women who registered for training in February 2004, all were widows needing jobs to support their families. Remarking on the registration for police training, Deputy Women’s Affairs Minister Dr. Suraya Rahim explained that, her “country would not be able to progress

without the involvement of women in all elements of society.”<sup>163</sup>

### **An Enduring Refugee Crisis**

More than 3.5 million Afghan refugees remain displaced from their homes. An estimated 65 percent of the refugees are women.<sup>164</sup> There were more refugees after the victory of the US and Northern Alliance in 2001 than there were in 2000 as a result of the Taliban.<sup>165</sup> Over one million Afghans fled cities and towns, fearing a US attack after September 11, 2001.<sup>166</sup>

Since then, the US has provided millions of dollars to facilitate the return of Afghan refugees and help them re-establish their lives. More than two million refugees returned to Afghanistan in 2002, and about one million more have returned since then, with another one million expected to return in 2004. But most of those who have returned are “living in misery,” given the absence of affordable housing or gainful employment.<sup>167</sup> They must compete with 2.7 million Afghans who returned prior to 2002 for homes, jobs, and food, in an environment where the housing stock and economy have largely been destroyed by war and rents



have skyrocketed due to the influx of refugees and international NGOs.<sup>168</sup>

Women confined to refugee camps have suffered “acute psychological distress” from the absence of any privacy in the camps. Many women were denied an education because their male family members believed that refugee workers were “spoiling [their] females’.”<sup>169</sup> Women and girls returning from Iran, in particular, are often bitterly disappointed at the life they find in Afghanistan, and some are turning to suicide to escape the poverty, forced marriages, and lack of freedom that greets them in their home country.<sup>170</sup> In early 2004, an eight-member government delegation visited Herat, in the northwest, to investigate the problem of suicides. Of 56 recent suicides in that region, 93 percent of them were women who set fire to themselves.<sup>171</sup> A spokesman for the delegation said that many women were “suffering from depression because of forced marriages, poverty, and social problems.”<sup>172</sup> Such desperation underscores the need for women’s empowerment and development to reach vulnerable women around the country.

### The Rural/Urban Disconnect

While Western aid agencies and Afghan leaders are justifiably proud of the progress that has been made, their rhetoric sometimes gives the impression that Afghan women now live in freedom and have equality with men. The current situation in Afghanistan is one of renewed hope and there has been some progress towards liberation, but it has been incremental and has not reached far beyond the major cities. Afghanistan, like most other countries, has divisions related to urban and rural, economic classes, ethnic groups, and social status.<sup>173</sup> There are continuing levels of violence and there is utter disregard for women in many areas.

Despite major progress for women in some cities, especially Kabul, Herat, and Mazar-i-Sharif, the approximately 85 percent of Afghan women who live in rural areas have seen little to no improvement in their lives since the fall of the Taliban.<sup>174</sup> For example, while 35 percent of the students enrolled in school are girls, virtually no rural, school-age girls are in school in the south and south-central regions of the country.<sup>175</sup> In almost 40 percent of rural districts nationwide, the majority of people still have no access to health care. Additionally, while many city dwellers are aware of the legislative reforms that have taken place in the last few years, the majority of rural Afghans know nothing about the constitutional reform effort and “rural

women are four times less likely than urban women to be aware of the constitutional process.”<sup>176</sup>

The disparities within the country are partly the result of slow progress and delays in the provision of aid. They are also due to enduring customs, traditions, and conservative male values, which constrain women. Female access to education is limited by family and community opposition to girls leaving the house and traveling, financial investments in girl children, and coeducational schools as well as the relative scarcity of schools for girls.<sup>177</sup> Female access to health care continues to be hindered by the reality that in many places they are allowed to see only women doctors and are constrained in their ability to travel to distant health care facilities.

Many provincial governments, local leaders, and warlords offer no support for women’s empowerment. Frequently, in fact, they are perpetuating and worsening the situation for women. According to a Human Rights Watch report, for example, religious police in Herat have arrested women for appearing in public with men who are not relatives, men have been banned from teaching female students, and women have been banned from driving, participating in political life, and working for international NGOs.<sup>178</sup> Ismail Khan, the powerful warlord that oversaw Herat until he was finally removed as Governor on September 11, 2004, also cancelled activities for International Women’s Day in 2003.

Even today, Afghan women’s choices are often quite limited when it comes to what to wear, whom to marry, how many children to have, whether to pursue literacy and an education, and whether to obtain employment and health care. Maternal mortality in Afghanistan is still among the highest in the world. There is still less than 10 percent literacy among Afghan women.<sup>179</sup> Half of Afghan women are married against their will,<sup>180</sup> and some 54 percent of girls under 18 are already married.<sup>181</sup>

### Enforcing the New Legal Framework

Afghanistan’s new constitution, which is informed by international human rights law, is a major victory for peace and stability, and for women. However, as is the case in much of the world, the protections of a formal constitution make little difference in the daily lives of Afghan woman. Grave violations of women’s human and legal rights continue to occur with impunity in Afghanistan. Despite contravening laws, women are

denied the right to divorce, are frequently forced into marriages by their parents or other family members, and are jailed for “moral crimes” such as refusing an arranged marriage, running away from home, speaking with an unmarried man, or traveling without a male guardian. Those who are jailed for such crimes may, however, be lucky; there are documented cases of families killing women and girls suspected of adultery and flight from marriage or the prospect of unwanted marriage.<sup>182</sup>

Women in Afghanistan face gender-based discrimination in the application of laws, and crimes against them often go unpunished. Few women are aware of their rights under the constitution or the 1977 Civil Code, which establishes a minimum marriageable age of 15, allows women to marry without the consent of a guardian, and regulates polygamy. District court cases against women often charge adultery or refusing a chosen marriage partner; if convicted, women may lose child custodial and visitation rights, even though such punishments are illegal according to the Civil Code.<sup>183</sup> Women and girls accused of a crime frequently do not even have access to the laws under which they are being charged.<sup>184</sup>

It is estimated that 70–80 percent of the law in Afghanistan is applied through the informal justice system (local shuras and mullahs) as opposed to the national court system, and local authorities apply only customary law and Sharia law. The informal system offers little redress for women and girls, as it tends to uphold strict cultural codes.<sup>185</sup> Nonetheless, even if the formal law were to be applied, it does not offer enough protection. Both the new Constitution (Chapter 7, Article 15) and the current Civil Code (Article 1) note that if there is no provision in the formal law regarding certain issues (generally those regarding women), then Sharia law should be applied. The Civil Code states, “In cases [where] the law has no provision, the court shall issue a verdict in accordance with the fundamental principles of Hanafi jurisprudence of Islamic sharia to secure justice in the best possible way.”<sup>186</sup>

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The experience of one woman is instructive. When seeking legal redress for the kidnapping of her children by her husband, an attorney warned “F” not to go to the court. F reported, “She [the attorney] told me not to go to the court because there is [no] system to protect my rights as a women and at the end I will end up in jail. And it happened . . . my husband went to court to obtain a court order for me to be detained for escaping home with my two kids and . . . without a reason they issued a court order for me. There is [no] group or trained attorneys or lawyers to defend women and file cases.”<sup>187</sup>

The concept of defense attorneys is an unfamiliar one in the Afghan criminal justice system. Thus most women are convicted of crimes without the benefit of an advocate or legal representative. Many women are imprisoned without knowing the charge against them or when (and if) their case will be brought to trial. The most common crime women are convicted of is *zina*, which is the crime of engaging in sexual activity outside of a marriage. This can include rape, consensual sex, extramarital affairs, or a woman spending the night in a home of someone who is not a relative; it is, of course, women who are charged more often with this crime than men. It is estimated that upwards of 80 percent of women in prison have been convicted of *zina*.<sup>188</sup>

Very little has been done thus far to modernize the courts, end bribery and corruption, or enforce qualifications for judges, many of whom have received no formal training in Afghanistan’s civil code. While reforms were anticipated under a Judicial Commission, underfunding and a lack of donor attention to judicial reform meant that substantial progress was slow in coming.<sup>189</sup> The Judicial Reform Commission is now defunct and the Ministry of Justice has taken on its duties.<sup>190</sup> While major donors include UNDP, the Italian government, the European Union, and Canada, the overwhelming nature of the needed reforms is a significant challenge. The Afghan Supreme Court, for instance, offers little hope for women. Charged with interpreting the Constitution, these influential

judges—all male—are required to have “a higher education in law or in Islamic jurisprudence.”<sup>191</sup> This means that the judges’ education can be conducted through informal systems in *madrassas* or local villages, which too often favor conservative customs over human rights and civil law. Similarly, despite past experience with family courts, which existed in Afghanistan from 1986 to 1992 and are most familiar to women, as of December 2003 none had been established outside of Kabul.<sup>192</sup>

Afghan woman and international human rights activists recognize the enormous disconnect between the new constitution and the application of its legal protections. Women and men must be educated about the purpose and intent of that document, conservative attitudes must be challenged, conflicts between traditional and modern jurisprudence must be addressed, and the judicial system itself must be reformed. Consolidation of gains made at the Constitutional Loya Jirga is a long way off for most Afghan women.

### Waning Commitment?

Warnings of short-lived media attention to Afghan women’s rights have proved well founded; press coverage began to abate after the Bonn accord was reached in November 2001. Media attention to Afghan women’s situation reached a low point in the summer of 2003 after the invasion of Iraq. The number of articles in June and July 2003 was even lower than it had been in August 2001. Press attention bounced back a bit in October 2003, with increased attention to the Afghan constitution and the proposing of an Afghan Women’s Bill of Rights by participants in a conference convened by Women for Afghan Women.<sup>193</sup> Similarly, it increased around the time of the presidential elections in October 2004.

Notwithstanding reduced public attention, there are still efforts to ensure that the funds for Afghan women do not dwindle. In the US, for example, in January 2004, Senator Barbara Boxer (D-CA) introduced the “Afghan Women Security and Freedom Act,” which

authorizes \$300 million per year through 2007 and earmarks funds for the Ministry of Women’s Affairs, the Human Rights Commission, and women-led NGOs. Several months later, Representative Carolyn Maloney (D-NY) and her colleagues Tom Davis (R-VA) and Corrine Brown (D-FL) introduced the act in the House of Representatives.

The true test will be the long-term commitment to helping bolster security and fund reconstruction. There is significant concern, not misplaced, that aid will diminish following the 2005 Afghan parliamentary elections. While the status of women seems gradually to be improving, progress is slow and very variable. Women have enjoyed a run of remarkable successes given the difficult circumstances, including unpre-

cedented participation by Afghan women in the postwar peace process, constitutional guarantees of equal rights before the law, the participation of substantial numbers of women in government, and a voter registration rate for women that seems to be approaching near-parity with men. Policies and programs are being put in place that help increase the security of women’s rights and roles within society.

*Women have enjoyed a run of remarkable successes given the difficult circumstances, including unprecedented participation by Afghan women in the postwar peace process, constitutional guarantees of equal rights before the law, the participation of substantial numbers of women in government, and a voter registration rate for women that seems to be approaching near-parity with men.*

Financial and human resources continue to flow towards programs to empower and inform women. At the same time, enormous challenges remain. It is those challenges that will ultimately determine whether or not Afghan women will achieve emancipation for the long term.

### Preparing for Elections

Elections are the next challenge for the establishment of a democratic Afghanistan. The Bonn Agreement provided that a new Afghan government would be freely elected in June 2004.<sup>194</sup> But the slow pace of voter registration, the continuing Taliban insurgency, and a climate of lawlessness and warlordism, even in comparatively peaceful areas, resulted in the delay of presidential and parliamentary elections.<sup>195</sup> Presidential elections took place on October 9, 2004 and parliamentary elections are scheduled for September 2005.

### Registration of Voters

Of a total population of 27 million, there are an estimated 10.5 million eligible voters throughout Afghanistan, and as registration closed in August 2004, the UN reported that 10.3 million Afghans had registered to vote.<sup>196</sup> Over 41 percent of those who registered were women.<sup>197</sup> These statistics are impressive, and exceed the expectations of many observers in Afghanistan and the international community.<sup>198</sup> Some, however, call the numbers into question, believing that the number of registered voters exceeds the number of eligible voters, particularly in certain provinces.<sup>199</sup> There are reports of voters obtaining multiple voter registration cards, although the extent of duplication is unknown.<sup>200</sup>

Additionally, the disparity in voting registration rates for women in different provinces is extremely troubling. In the south, the UN estimates that only 19 percent of registered voters were women,<sup>201</sup> in Uruzgan province 9 percent, in Zabul province 10 percent, and in Helmand Province 16 percent.<sup>202</sup>

Women's rights advocates foresaw that registering women to vote would present significant challenges, given the persistent realities of violence against women by the Taliban, fundamentalist warlords, and armed political groups as well as conservative cultural and religious traditions that prevent women from playing any part in public life. Sadly, some Afghan men claim to have the power of not just one vote, but of 10 or 20 votes due to their influence on women—and even other men—in their extended families.<sup>203</sup> This phenomenon, known as “family voting,” is the practice of women being led into polling booths by their husbands who effectively do the voting for them. This is a clear violation of women's right to vote in free and fair elections.<sup>204</sup> By extension, militia commanders and warlords are expected to significantly influence voting in their territories.

Recognizing the challenges they faced, given Afghanistan's culture and history, the UN, US, and

Afghan officials put enormous resources into the 2004 presidential election process. A special effort was made to facilitate registration and voting by women. The UN set up 4,000 separate male and female registration sites to encourage women's participation and permitted women to receive voter registration cards without photographs. The US funded women's participation in training and education programs for voters, political party members, and civic activists. Unfortunately, during the presidential election, although separate polling stations for men and women were set up, insufficient recruiting of female poll workers led election officials to staff some female polling stations with older men.<sup>205</sup>

Beyond registration, it is unclear whether potential women voters (or male voters, for that matter) understand the democratic process and their rights vis-à-vis electoral politics. It is also unclear whether even those women who are registered to vote in parliamentary elections will be able to do so freely and fairly. The results of a major public opinion poll on the 2004 national elections, commissioned by the Asia Foundation and conducted by Charney Research, raised serious doubts about this.<sup>206</sup> The research demonstrated that

*Recognizing that almost all the prominent leaders of Afghanistan were men who had been involved to some extent in parties that had committed atrocities during the decades of war in Afghanistan, she believed that as a woman she was better qualified to be President because she had spent her entire life creating a better life for her family and her country. In her own words, she was “opening a new page in Afghanistan’s political history.”*

“Afghan women's participation in the upcoming [October 2004] elections will be heavily influenced by men.”<sup>207</sup> Seventy-two percent of Afghans believed that men should advise women on who to vote for.<sup>208</sup>

### Women Candidates

Afghan women are seizing the opportunity not only to vote, but also to become candidates. During the initial presidential election process conducted at the Emergency Loya Jirga in 2002, Dr. Masooda Jalal became the first woman in Afghan history to run for President. Dr. Jalal, a pediatrician, mother of three, and aid worker at the World Food Programme, was the only person to challenge Karzai at the 2002 Emergency Loya Jirga. She received 11 percent of the



votes. Recognizing that almost all the prominent leaders of Afghanistan were men who had been involved to some extent in parties that had committed atrocities during the decades of war in Afghanistan, she believed that as a woman she was better qualified to be president because she had spent her entire life creating a better life for her family and her country. In her own words, she was “opening a new page in Afghanistan’s political history.”<sup>209</sup>

Ms. Jalal also ran for president in the October 2004 elections, but cited a lack of funding and the overwhelming international support for the incumbent president as major hindrances to her campaign. Ms. Jalal had no campaign office, no funding, and contemplated starting a business to fund her campaign.<sup>210</sup> As a woman, she was barred from speaking at some venues with other candidates,<sup>211</sup> received numerous death threats, and suffered from attempts to declare her candidacy un-Islamic and even illegal. Despite these challenges, she claims that her candidacy gained acceptance. “I was expecting a negative reaction at first,” she says, “but it’s now becoming accepted everywhere.” Dr. Jalal received 1.1 percent of a total of 8,128,940 valid votes, coming in sixth of 18 candidates.<sup>212</sup> There was also a female vice presidential candidate, Dr. Nelab Mubarez, who ran with presidential candidate Homaoun Shah Assefy.<sup>213</sup>

Although many women are interested in running for parliament, they are hesitating because of insecurity, intimidation, threats, and a lack of faith in the integrity of the process. Human Rights Watch has reported women candidates (as well as female government officials and journalists) who are reconsidering their candidacy, collecting the required 500 voter registration cards secretly, and self-censoring their public comments to avoid harassment and abuse.<sup>214</sup>

### **The Presidential Election**

The presidential election proved to be significant for women. Despite incidents of violence in the weeks beforehand, the election took place in an atmosphere of relative calm, with no reports of significant violence. Some eight million Afghans voted, about 40 percent of

them women. In at least two provinces, female voters outnumbered male voters.<sup>215</sup> In several other provinces, women and men voted in almost equal numbers.<sup>216</sup> Generally women seemed to value and take voting seriously, reporting it to be an emotional day, and wearing their best clothing to vote.<sup>217</sup>

The election was, however, far from flawless. Before the close of the polls, 15 of the presidential candidates protested voting irregularities, most stemming from the indelible ink used on the hands of voters to prevent multiple voting; there were many reports that it could be rubbed off. Some opponents charged that the winner, Hamid Karzai, benefited from men casting votes for their wives and daughters in some parts of the country, as well as ballot box stuffing.<sup>218</sup> They eventually dropped their boycott of the election and accepted the official results, which gave Karzai 55.4 percent of the votes. An independent panel nominated by the UN and convened by the Joint Electoral Management Board declared in its final report that multiple voting “was not a significant problem on election day.”<sup>219</sup> The panel found some evidence of ballot box stuffing and some cases of poll workers directing voters to vote for a favored candidate. Although the candidates’ protests were dropped, election observers found poll workers poorly informed of the rules. In some provinces, officials accompanied voters behind voting screens to show

them how to mark ballots; in others, officials told voters for whom to vote.<sup>220</sup> Because there was no comprehensive election monitoring effort, it is impossible to estimate the impact of irregularities on the validity of the vote.

While better than predicted, women’s partici-

pation in the election was also marred by significant shortcomings. Although female voting rates were high in some places, they were abysmal in others: in Helmand province only two percent of women voted; in Uruzgan provinces only seven percent of women voted.<sup>221</sup> Additionally, the issue of women’s rights was not significantly discussed; in fact, discussion was stifled. When a male presidential candidate, Latif Pedram, proposed debates about polygamy and divorce, his candidacy was challenged by the chief justice of the Afghan Supreme Court, other judges,

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and a powerful warlord on the grounds that he was questioning Islamic marital laws.<sup>222</sup>

The real test of democracy in Afghanistan and the extent of women's empowerment will be the parliamentary elections scheduled for fall 2005. The ability

of women to run and actively campaign for office will be an important test of empowerment. The extent to which insecurity compromises the election process in localities around the country will indicate the true extent of national commitment to democracy.



## CONCLUSION

*"It is perhaps useful to view the totality of Afghan women as a pyramid. The sound base is broad and consists of a majority who live in rural areas cherishing aspirations that are almost exclusively oriented towards children and family. . . . At the tip are a small number of Western-oriented women who have taken a leading part in the emancipation process begun in 1959. . . . In the centre is the solid core of teachers, medical practitioners, engineers, judges, administrators, businesswomen, social workers and civil servants of every sort which has grown in magnitude and strength since the beginning of the [last] century. Largely from middle class, conservative but progressive families, these women neither wish to deny their society's values nor compromise Islam. Over the years they have shown by their comportment that Afghan women can function in the public sphere with no loss of dignity to themselves, their families or the nation."*<sup>223</sup>

Over the past several years, Afghan women have been the subject of unprecedented levels of interest and international attention; much of it has been well intentioned, but much of it is also ill-informed.<sup>224</sup> There has been a tendency to view Afghan women simply through the prism of victimhood and all that implies, without seeing and building on the diversity, pluralism, and strengths generated by over two decades of war and struggle for survival. As such, interventions have often been designed for Afghan women rather than with Afghan women.

The gains made by Afghan women are significant given the degree of oppression they emerged from in late 2001. But progress is not felt in all parts of the country and has yet to dramatically change the overall status and role of Afghan women. In the political sphere, women have increased their representation at each stage of the political process. However, these

gains have, thus far, increased the presence more than the impact of women. They have not yet enabled women to contribute in the ways they most can: by encouraging moderation and democratic norms, delivering critical services, and helping protect the rights of minorities.

Thus far, Afghan women have been focused on trying to maintain international interest in their cause, and to spread scarce resources over a variety of seemingly intractable problems that are inextricably linked. But women activists are often faced with the very abuses they are fighting. Women who advocate against domestic violence continue to suffer at the hands of male family members. Women who encourage rallies and protests must hide out to avoid being attacked.

The lack of health infrastructure makes them unable to do their work if they fall ill. Women involved in political work are prime targets for extremists. According to Amnesty International, insecurity and the failure to protect women has affected their ability to participate in the political process.<sup>225</sup>

Afghan women have linked their own agenda

with the agenda for peace in unique ways. As a result, there is broad recognition that Afghanistan will not be a democracy without the participation of over half of its population. Further, there is recognition that this participation cannot be limited to a few highly visible women and projects. Attaining the full participation of Afghan women will require time, patience, and hard work. While it remains to be seen whether there is the enduring commitment necessary to succeed, the international community must understand that it too stands to lose its democratic transition if Afghan women are left behind.

*Attaining the full participation of Afghan women will require time, patience, and hard work. While it remains to be seen whether there is the enduring commitment necessary to succeed, the international community must understand that it too stands to lose its democratic transition if Afghan women are left behind.*

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<sup>223</sup>Dupree, Nancy (1998), as quoted in Barakat, Sultan and Gareth Wardell. "Capitalizing on Capacities of Afghan Women: Women's Role in Afghanistan's Reconstruction and Development." *Working Paper 4*. Geneva: International Labour Organization, 2001. 15 December 2004 <<http://www.ilo.org/public/english/employment/recon/crisis/download/afghanwomen.pdf>>. xii-xiii.

<sup>224</sup>Barakat and Wardell xii.

<sup>225</sup>"Afghanistan." *Amnesty International Report 2004*. London: AI, 2004. 15 December 2004 <<http://web.amnesty.org/report2004/afg-summary-eng>>.

<sup>226</sup>Ibid.

## APPENDIX 1: MAP OF AFGHANISTAN



Source: University of Texas 11 January 2005

<[http://www.lib.utexas.edu/maps/middle\\_east\\_and\\_asia/afghanistan\\_pol\\_2003.jpg](http://www.lib.utexas.edu/maps/middle_east_and_asia/afghanistan_pol_2003.jpg)>.

**APPENDIX 2: LIST OF ACRONYMS**

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|        |  |
|--------|--|
| AIHRC  | Afghan Independent Human Rights Commission                                 |
| AIA    | Afghan Interim Authority   |
| AWN    | Afghan Women's Network   |
| AWO    | Afghan Women's Organization  |
| CEDAW  | Convention on the Elimination of All Forms of Discrimination Against Women |
| CG     | Consultative Group   |
| CIDA   | Canadian International Development Agency                                  |
| CLJ    | Constitutional Loya Jirga  |
| EU     | European Union   |
| GTZ    | German Technical Cooperation   |
| IMPACS | Institute for Media, Policy, and Civil Society                             |
| ISAF   | International Security Assistance Force                                    |
| JICA   | Japan International Cooperation Agency                                     |
| MOFA   | Ministry of Foreign Affairs  |
| MOWA   | Ministry of Women's Affairs  |
| NATO   | North Atlantic Treaty Organisation   |
| NOW    | National Organization for Women  |
| NGO    | Non-governmental organization  |
| RAWA   | Revolutionary Association of Afghan Women                                  |
| UN     | United Nations   |
| UNAMA  | UN Assistance Mission to Afghanistan                                       |
| UNDP   | UN Development Programme   |
| UNESCO | UN Educational, Scientific, and Cultural Organization                      |
| UNFPA  | UN Population Fund   |
| UNICEF | UN Children's Fund   |
| UNIFEM | UN Development Fund for Women  |
| US     | United States  |
| USAID  | US Agency for International Development                                    |



### APPENDIX 3: SELECT AFGHAN WOMEN'S NGOS AND ASSOCIATIONS

Below is an alphabetical list of Afghan women's NGOs and associations. It is not an exhaustive list of all the initiatives developed and implemented by Afghan women. It is intended to provide a broad overview of the various kinds of groups established by Afghan women.

#### Afghan Women's NGOs

- **Afghan Women Association (AWA)** was established in 2002 and runs computer training courses and other training courses for women, mostly in Kabul.
- **Afghan Women to Development (AWD)** was established in 2003 and offers literacy, typing, English, and tailoring courses. It also has a library of over 2000 books. It focuses on widows and operates in the Kabul area.
- **Afghan Women Educational Centre (AWEC)** was established in 1991 in Islamabad, Pakistan and now has 114 staff members. AWEC provides education programs for children, literacy courses for women, reproductive health services and medical treatment, and vocational training programs (sewing, English language, computer training, etc). AWEC works mostly in Kabul and in the refugee camps in Peshawar and Quetta, Pakistan.
- **Afghan Women Resource Centre (AWRC)** was started in Peshawar, Pakistan in 1989 and has provided literacy training to over 8000 women in Afghanistan and Pakistan. It operates 10 feeding centers, 14 resource and library centers, mobile health information clinics, and training programs in Kabul, 10 provinces in Afghanistan and in Peshawar, Pakistan.
- **Afghan Women's Skills and Development Centre (AWSDC)** was started in 1999 and provides adult literacy programs, sewing, English, and computer courses. AWSDC operates mostly in Kabul.
- **Afghan Women Welfare Department (AWWD)** was started in Peshawar, Pakistan in 1999 and offers the following programs: income-generating (sewing, carpet weaving, soap making, etc), English, literacy, health education, computer training, and provision of loans. AWWD works in Kabul and Peshawar.
- **Afghanistan Women' Council (AWC)** was started in 1986 in Pakistan and operates health clinics, schools, and income-generating programs for Afghan women in both Pakistan and Afghanistan.
- **Asia Women Organization (AWO)** has been operating since 1999; its activities include basic education classes, a mobile health clinic, animal husbandry training, and handicrafts. AWO works mostly in Kabul.
- **Azadi Community Service** was started in 2002 and offers literacy and income-generating (tailoring, handicrafts, etc) courses in Kabul.
- **Bakhtar Community Service** was started in 1998 and operates health education and income-generating projects for women, including spaghetti manufacturing in Kabul.
- **Educational Training Centre for Poor Women and Girls of Afghanistan (ECW)** began in 1997 in Kabul under the Taliban. EWC has income-generating projects and training in human rights, the Constitution, English, literacy, and computers.
- **Hambastagi Foundation Women's Affairs Office** began in 1998 working in refugee camps in Iran and Pakistan. It provides English, computer, math, literacy, and art classes, as well as emergency aid to impoverished families. Since 2002 it has been working in Kabul and one Afghan province.
- **Humanitarian Assistance for Women (HAW)** has been working since 1999 and provides education and income-generating course in Kabul and five provinces in Afghanistan.
- **Humanitarian Assistance for the Women and Children of Afghanistan (HAWCA)** was started in 1999 and works in medical assistance, winter assistance, education, and income-generating projects. HAWCA works in eight provinces as well as in Kabul.



- **Health and Development Centre for Afghan Women (HDCAW)**, which was founded in 1994, offers literacy programs, tailoring and other income-generating programs, water supply programs, kitchen, and teacher training. HDCAW works in Peshawar, Kabul and one province in Afghanistan
- **Humanitarian Organization of Orphans and Widows of Afghanistan (HOOWA)** began in 2002 and distributes emergency aid to widows and orphans in Kabul. It has also distributed supplies to Kabul University and a girls' high school in Kabul. It offers training in tailoring, carpet weaving, etc., as well as literacy courses.
- **Humanitarian Services Organization for Women (HSOW)** began in 2001 and runs a small micro-finance project in Kabul as well as literacy and tailoring training courses in a province in Afghanistan.
- **Rabia-e-Balkhi Rehabilitation and Skill Building Agency (RRSA)** started in 1997 in Kabul and works to improve the capacity building of Afghan women through workshops on such issues as women's rights, NGO management, the Afghan Constitution, etc.
- **Save the Women and Children of Afghanistan (SWCA)** began in 1998 in Iran and moved to Bamiyan, Afghanistan after the fall of the Taliban. SWCA works in the agricultural/animal husbandry sector and provides educational and vocational training as well as workshops on the Constitution and women's human rights.
- **Shams Women's Needs and Help Organization (SWNHO)** worked in the provinces until the arrival of the Taliban in 1995 and then moved to Kabul to provide literacy courses in secret. SWNHO provides English, literacy, and computer courses as well as tailoring and other income-generating projects, such as cultivation and reconstruction projects. It works in Kabul and three other provinces.
- **Shuhada Organization** is the largest Afghan women-led NGO. It began in 1989 in Quetta, Pakistan and now also has an office in Kabul. Shuhada works mostly in the fields of health and education. It operates 12 clinics and 4 hospitals in Afghanistan serving four provinces and Kabul. It also runs training programs for health workers and traditional birth attendants and focus on reproductive health projects. Shuhada runs two shelters for vulnerable and at-risk women, in Kabul and Herat. On the education side, it operates 61 schools for both boys and girls in Afghanistan and 5 for Afghan refugees in Pakistan.
- **Voice of Women Organization (VWO)** began in Kabul in 2001 and offers sewing projects, making uniforms for UNICEF's back-to-school program, as well as English and computer training courses.
- **Women's Assistance Association (WAA)** began in 2000, providing emergency services to women in the refugee camps of the Northwest Frontier province of Pakistan. It is now located in Kabul and provides health education, literacy classes, emergency assistance to impoverished women, and vocational training.
- **Women's Unity for Rehabilitation (WUR)** began in 1995. It provides literacy courses, vocational training in tailoring, fruit and vegetable preservation, embroidery, leather work, and forestry nursery in Kabul and seven provinces in Afghanistan as well as several cities in Pakistan.

### **Afghan Women's Associations**

- Afghan Women's Business Council
- Afghan Women Lawyers Council
- Afghan Women Judges Association
- Afghan Women Lawyers and Professional Association
- Global Voice for Afghan Women (Journalist's Association)

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## ABOUT WOMEN WAGING PEACE

Women Waging Peace, an operating program of Hunt Alternatives Fund, advocates for the full participation of women in formal and informal peace processes around the world. More than 400 women peace builders in the “Waging” network, all demonstrated leaders with varied backgrounds, perspectives, and skills, bring a vast array of expertise to the peacemaking process. They have met with over 3,000 policy shapers to collaborate on fresh, workable solutions to long-standing conflicts.

## ABOUT THE POLICY COMMISSION

The Policy Commission is conducting a series of case studies to document women’s contributions to peace processes across conflict areas worldwide. The studies focus on women’s activities in conflict prevention, pre-negotiation and negotiations, and post-conflict reconstruction—including governance; disarmament, demobilization, and reintegration; and transitional justice and reconciliation. This body of work is pragmatic and operational, offering suggestions, guidelines, and models to encourage policymakers to include women and gender perspectives in their program designs.

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