

## **Presentation By: Horia Mosadiq Human Rights Research and Advocacy Consortium)**

### **Keynote: Women's situation in Afghanistan after war on Terror**

Dear ladies and gentlemen!

I would like to take this opportunity to thank the organizers of this conference for inviting me to talk about women's situation after war against terrorism.

I would like to talk about the facts and what has changed and didn't change after collapse of Taliban regime in Afghanistan especially for women.

#### **Achievements and general situation in Afghanistan:**

After collapsed of Taliban regime and new era for Afghanistan emerged. The international community committed for the reconstruction of Afghanistan and as result a conference was held in Bonn city of Germany in late 2001 to sit an agenda for the reconstruction of Afghanistan and donor community came to gather to seek ways how to help Afghanistan's reconstruction process. This was the reason that the international community, donors, Afghan political groups, civil society members and women sat together and made a strategy for Afghanistan's future. The agenda for Afghanistan reconstruction process was included, presidential elections, adoption of new constitution, parliamentary elections, administrative reforms including judicial reforms and transitional justice, while women's right was raised as an issue and was included in the agenda of the policy makers including donor community.

Through the funds pledged during Bonn to Afghanistan were not to meet the reconstruction needs as result of 23 years conflict and destruction.

An emergency Loya Jirga (Grant Assembly) was held in June 2002 and about 1500 representatives of people participated. During this assembly the transitional government of Afghanistan was established by electing president Karzai as head of the transitional authority. During the elections process of the emergency Loya Jirga the participation of Afghans were more than 90%. Most of the Afghans were hopeful that the transitional government will lead Afghanistan toward accountability and exclude the people who were accused and involved in war crimes and crimes against humanity from holding public offices.

During the years of 2002 and 2003 Afghan government signed some international conventions and laws without any consideration including: CEDAW, ICC, Children rights, Civil and Political, International Human Rights Law and etc...

In year 2003 for the first time in Afghan history more than 4 million children, enrolled in schools which was a big success not only to the Afghan government but also to the donor community.

In October 2004, Afghans elected their president in the presidential elections. The voter's turnout was just over 70%. As a result of these elections president Karzai was re-elected. This was because he had good reputation comparing to other 17 candidates.

HRRAC conducted a research after the presidential elections and most of the respondents said that we voted for president Karzai to exclude warlords and war criminals from the government if Karzai fails to do so his government will fall.

### **Women's Political Participation**

In year 2002 the drafting process and public consultation of the constitution started and in January 2004 the Afghan new constitution was approved by more than 500 representatives of people in which 89 of them were women. These women representatives tried hard to approve the provisions within the constitution in which the rights of women are guaranteed. In post Bonn constitution women and men are entitled of equal rights, and in another provision it guarantees the age of marriage for girls which is 16 years old.

During the presidential elections the female voters participation was more than 40%, but while HRRAC conducted a research after the presidential elections in six major provinces of Afghanistan, (Kabul, Bamyán, Herat, Kandahar, Jawzjan and Paktia) and interviewed more than 500 people at the rural and urban areas of the mentioned provinces. It was discovered that most of illiterate female voters voted because they were told by their male members of the family that they should vote and to whom they should vote. In some cases members of the family and tribal elders voted on behalf of the women and tried to get more votes for their candidates by using female ballot.

The last post Bonn process was the parliamentary elections which was held on September 18<sup>th</sup> 2005. As it states in the Afghan new constitution 25% of the parliament members should be women, it means from 249 seats 75 seats are reserved for women by law. Voters turnout was quite dismal during the parliamentary elections and it was just over 50% as stated by JEMB (Joint Electoral Management Body).

By conducting parliamentary elections in Afghanistan the Bonn process is coming to end, and apparently Afghanistan is considered as a success story of the international community's involvement, comparing to many other post conflict countries. Lets see what gaps and challenges has remained for Afghans and Afghan government and compare them with the achievements that Afghan government and international community during the past four years in Afghanistan.

### **Challenges and constrains remaining for Afghan women**

In Afghanistan, the widespread use of violence over the past 25 years has caused massive physical and social upheaval for the people. Women in particular have become increasingly vulnerable to the long-term effects of militarization and the pervasive culture of violence, as do women and children in most other conflicts situation. During the years of conflicts in Afghanistan, women were targeted by different armed groups and used as a military tool against their military opponents. Women were raped, kidnapped, forced into marriages and forced to leave their homeland. Women in Afghanistan have suffered more than any one else during the war and continue today to bear the burden of suffering.

The international community and US government promised to the Afghan women that they will not compromise the right of Afghan women, unfortunately it never happened and international community especially donors failed to pressure Afghan government to meet the international and human rights conventions to which Afghanistan is member party. Women are still facing lack of physical protection not only in the society but also at the family level. The Afghan judiciary has failed to provide protection for women who are victims of domestic and other type of violence by armed groups and other people.

After the US military invasion of Afghanistan in 2001 which resulted in the collapse of the Taliban regime most of the women in Afghanistan were hopeful that the new government and the international community would pay considerable attention to their situation plight. Unfortunately did have not happen.

The culture of impunity in Afghanistan can only be seen as supporting the criminals and is encouraging them to continue violating the human rights of Afghans. This lack of accountability and culture of impunity has been going on for years.

Afghanistan is a member party to CEDAW convention but it has failed to meet the provisions of the mentioned convention and couldn't provide protection for women at the society and judiciary. It's the failure of the international community and UN that couldn't put enough pressure on Afghan government to address the widespread violence against women and bring perpetrators to the justice.

### **Funding and Donor Community**

Most of the members of the donor community in Afghanistan are interested to fund the short term projects with visible results. It means that most of them are willing to have their organization's and country's name on the boards, bridges and roads. The willingness for funding the long term projects with lasting results as peace building, education, women's rights and health are very little among the donor countries.

Education like many other priorities and as very important part for the reconstruction of Afghanistan and gender development hasn't developed much due to lack of funding by donors.

Education system in Afghanistan which was not existed as the result of the 23 years of conflict is highly in need of re- habilitation. This is true that having four million kids in school was a great success not only for Afghan government but also for the international community and policy makers of Afghanistan affairs. But no one is looking into the rate and figure of drop out of school children and reasons.

According to the research that HRRAC has conducted in the year 2003, it discovered that the drop out rate is 74% among girls and 56% among boys just at the time that they reach grade five. The drop out of school for children has different reasons including: cultural constraints, economic constraints, security, distance to school, poor teaching and inadequate teachers, building and supplies.

Factors affecting enrollment and drop out impact much more on girls than boys, and girls face additional problems as they try to access education and distance to school has

major implication for girls. Schools very close to villages with female teachers would have a dramatic positive impact on girls attendance.

Some of the national and international NGOs implement projects on different type of educations like: home based education, community education, literacy programs and etc which are very essential elements for human development programs and it needs long term commitment by donors.

While we have 75 seats out of 249 seats, reserved by law for women in the parliament, female candidates faced certain barriers during the campaigning not only from lack of security but also lack of financial resources and absence of proper protection by the government. Women candidates never had the same opportunity for their campaigning as male candidates did. It was not only because security threats for female candidates but also from the economy point of view. Lack of financial resources and security for female candidates caused that they were not able to campaign properly and travel to different part of their provinces for campaigning. Even some female candidates were targeted by armed groups, and as a result one female candidate's home was sit into fire in Logar province (South East), an attempt to life against another female candidate in Eastern province Nangarhar which she escape safe but her two male colleagues were badly injured and finally another female candidate was shot and seriously injured in the Eastern province Nuristan while she was doing campaigning for her candidacy.

Women who were standing for the parliamentary elections never gave up with all the threats which were existed; women bravely stood and run the parliamentary campaigns. Interestingly in conservative areas women were the second winner from the vote rate point of view like: Nangarhar, Farah and Herat provinces.

That's true that we have women within the government cabinet and female provincial governor, its not enough! We have women in the government cabinet but they should be involved in decision making and their decisions must be taken seriously by their male counterparts.

### **New Political Era for Afghanistan and End of Bonn Process**

The elections for the Lower House of Parliament (Wolesi Jirga) and for the provincial councils on 18 September went well, but were marred by a very low turnout.

Technically, these elections were a success. The United Nations and the Afghan Government were better prepared than during the previous elections, despite the daunting logistical and security problems. Some 12.4 million Afghans were registered to vote for the national legislature and provincial assemblies at more than 6,000 polling stations nationwide. They were guarded by some 100,000 Afghan police and soldiers and 30,000 foreign troops.

The elections were thus well organized. A few security incidents did happen, but the nationwide tally of less than a dozen deaths, very few of them actually involving the voting process directly, showed that once again security threats by the Taliban and the fears of the international community were exaggerated. In previous electoral processes also, security concerns disturbed the elections more than actual violence

In the same research the biggest concern of the Afghans were the unjust representation and security for the parliamentary elections, they were highly concern that the local commanders, and people with the support of the local commanders will get into the parliament by pressuring not only over voters also on the other independent candidates.

During the parliamentary elections the voters turnout was very dismal and was just above 50%. This correspondent saw that in the country's biggest polling center, in Kabul, only 82 women of about 1000 registered had cast votes by the end of the day.

Why did Afghans participate so little in this elections? here are specific reasons for the lack of interest in the parliamentary elections. One is that voters found it hard to choose among the multitude of candidates. A second reason is that most of the candidates are unknown to the Afghan public. Those that are well known are the warlords, former high communist officials, commanders etc, who most of them have been in the black list of the human rights organizations, are usually not trusted.

### **Post Bonn Afghanistan:**

With the Parliamentary Elections the Bonn process comes to an end. The political future of Afghanistan, and the international community's involvement in it, are uncertain. Afghanistan is by and large considered a success, which means that it is not necessary to remain as strongly involved as in the past. Indeed, the institutions of state have been built, and peace has been kept, while economic development keeps most of the population busy and reasonably content. But which future prospects does democracy have in Afghanistan? The Afghans are skeptical when democracy is mentioned, and the Parliament and provincial councils which will result out of the elections will probably be ineffective, weak, and unheeded by both the government and the people. The gap between the government and the Afghan people will increase. The executive power, not held accountable by either a strong legislative or by an independent judiciary force, will rule alone in Afghanistan. But in a country where the different ethnic and socio-political groups have often fought violently to accede to power, an open, fair democratic system seems the best safeguard against further civil conflict.

It is now urgent to restore confidence in democracy – for example, by supporting the National Assembly, building the capacity of the Parliamentarians and the National Assembly staff, promoting transparency of the government and ensuring multiple channels remain open between the population and the representatives it elected, and gradually increasing the powers of the elected institutions.

### **Recommendations:**

We may not have lasting peace and security in the country if Afghan people feel less trust to the elected representatives and elected bodies.

It's very important for international community to build capacity of those female parliamentarians as legislatures to be able to amend discriminatory laws against women.

The international community especially donor community should take an active role in supporting Afghan women in both at the government and society level, and put pressure on Afghan government that violence against women should take under serious considerations and to be identify as a crime within the civil and family law.

The international community should take more active part in helping Afghan government to decreasing the power of local commanders and their armed men who are ruling most parts of the country and maintain rule of the law beyond capital Kabul

The international and donor community should provide more funding for re- habilitation of education system and support organizations that are working on education field especially at the rural areas.

The donor and international organizations should provide funding and implement projects based on the needs and priorities of Afghans, before designing any projects the needs and priorities of Afghans specially women should take under consideration.

The involvement of international community in Afghanistan for the past four years had a positive impact on organizational capacity building of Afghans, specially by providing more opportunities for women, it resulted that now more women leaders are taking lead of the organizations in Afghanistan.

The international community and organizations should take more active role in building the capacity of Afghans themselves for Afghanization of organizations for more long term policy impact.

Thanks