

Women's Rights, Gender Equality, and Transition: Securing gains, moving forward

Afghanistan Research and Evaluation Unit

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Afghanistan Research and Evaluation Unit
Research for a Better Afghanistan



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**Afghanistan Research and Evaluation Unit
Issues Paper**

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and Transition: Securing gains,
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About the Afghanistan Research and Evaluation Unit

The Afghanistan Research and Evaluation Unit (AREU) is an independent research institute based in Kabul. AREU's mission is to inform and influence policy and practice through conducting high-quality, policy-relevant research and actively disseminating the results, and to promote a culture of research and learning. To achieve its mission AREU engages with policymakers, civil society, researchers and students to promote their use of AREU's research and its library, to strengthen their research capacity, and to create opportunities for analysis, reflection, and debate.

AREU was established in 2002 by the assistance community working in Afghanistan and has a board of directors with representation from the donor community, the United Nations and other multilateral agencies, and non-governmental organisations. AREU currently receives core funds from the Embassy of Finland, the Swedish International Development Cooperation Agency (SIDA), and the Swiss Agency for Development and Cooperation (SDC).

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Director, AREU
September 2013

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Glossary

<i>Baad</i>	The practice of compensating a murder (or even an accidental killing) by the family of the killer by giving either one or two never-married girls in marriage to the victim's family.
<i>jirgas</i>	meetings held to resolve disputes which have an ad-hoc membership
<i>Meshrano Jirga</i>	upper house of the Afghan parliament
<i>Pashtunwali</i>	Pashtun code of conduct
<i>Shuras</i>	council or group of people who discuss particular issues
<i>Wolesi Jirga</i>	the lower house of the National Assembly
<i>Hadiths</i>	oral traditions recording the sayings, habits and actions of the Prophet Muhammad, and serving as an important source to the <i>sunnah</i> and to <i>fiqh</i> .
<i>Sharia</i>	Islamic law
<i>Chaderi</i>	a long veil covering all parts of the body with a mesh screen for the eyes
<i>imam</i>	religious leader of a mosque or community, usually with some formal training
<i>Mahram</i>	male chaperone
<i>Loya Jirga</i>	A traditional form of participatory decision making process, similar to a grand traditional assembly. In the 19th century Loya Jirga became a formal national consultative decision making body on critical national issues. Currently recognized by the constitution as an official body authorized to amend the constitution. The heads of state in Afghanistan also calls informal consultative Loya Jirga.
<i>UlamaShuras</i>	Committee of Islamic clergy or educated religious leaders and arbiters of Sharia law

Acronym

AHRDO	Afghanistan Human Rights and Democracy Organization
AIHRC	Afghanistan Independent Human Rights Commission
AMICS	Afghanistan Multiple Indicator Cluster Survey
AMS	Afghanistan Mortality Survey
ANA	Afghanistan National Army
ANDS	Afghanistan National Development Strategy
ANP	Afghanistan National Police
ANSF	Afghan National Security Forces
APHI	Afghan Public Health Institute
APRP	Afghan Peace and Reintegration Program
AREU	Afghanistan Research Evaluation and Unit
AWEC	Afghan Women's Educational Centre
AWN	Afghan Women's Network
AWRC	Afghan Women's Resource Centre
CAT	Convention against Torture
CDC	Community Development Council
CEDAW	Convention on the Elimination of All forms of Discrimination Against Women
CHR	Commission on Human Rights
CIA	Central Intelligence Agency
CRC	Convention on the Rights of the Child
CRC	Convention on the Rights of the Children
CSO	Central Statistics Organization
DHA	Department of Humanitarian Affairs
EMRO	Eastern Mediterranean Regional Office
EVAW	Elimination of All Violence Against Women
FGD	Focus Group Discussion
GoA	Government of Afghanistan
GPI	Gender Parity Index
GRB	(Gender Responsive Budget)
HAWCA	Humanitarian Assistance for the Women and Children of Afgha
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDS	Institute of Development Studies
IIHMR	Indian Institute of Health Management Research
ILO	International Labour Organisation

ISA	Islamic State of Afghanistan
ISAF	International Security Assistance Force
JICA	Japan International Cooperation Agency
JNYP	Joint National Youth Program
MDG	Millennium Development Goals
MMR	Maternal Mortality Rate
MoPH	Ministry of Public Health
MoWA	Ministry of Women Affairs
MP	Member of the Parliament
NAPWA	National Action Plan for the Women of Afghanistan
NATO	North Atlantic Treaty Organisation
NESP	National Education Strategic Plan
NGO	Non-Government Organization
NSDP	National Skills Development Program
NSP	National Solidarity Programme
ODA	Official Development Aid
OECD	Organization for Economic Cooperation and Development
PDPA	Democratic Party of Afghanistan
PTRO	Peace Training and Research Organization
RHDR	Regional Human Development Report
SCR	Security Council Resolution
SIGI	Social Institutions and Gender Index
SY	School Year
UK	United Kingdom
UN	United Nation
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nation Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations Commissions on Human Rights
UNICEF	United Nations Children’s Fund
UNSCR	United Nations Security Council resolution
US	United States
USA	United States of America
USD	United States Dollars
USIP	United States Institute for Peace
VAW	Violence Against Women
WHO	World Health Organization

Executive Summary

The ouster of the Taliban in 2001 ushered in a new era of opportunity for women in Afghanistan. This paper examines the gains made over the past decade for Afghan women and girls and explores the obstacles that continue to impede progress toward gender equality. With their eyes on the 2014 transition, the authors argue that failure to adequately invest in women and girls will impede the country's economic growth and stymie further development.

The study was conducted primarily as a desk review of laws, research reports and articles, whose findings were confirmed in interviews with donors, development partners, government agencies, and civil society activists. In order to represent the situation outside Kabul, the authors specifically sought out reports from rural areas. The report's analysis is grounded in an understanding of gender as a social construct that influences all aspects of daily life. This means that gender - or what it means to be a man and a woman in a particular time and place - is framed by prevailing social norms and institutions. The authors use this definition to develop a multi-scale analytical framework for gender equality and women's rights against which to assess current approaches to gender integration applied by state and non-state actors in Afghanistan.

A brief overview of the history of the Afghan state's role in the advance and retreat of gender equality illustrates how politically charged this question remains for many Afghans. Top-down efforts to promote reform have repeatedly met with a political backlash from more conservative, mostly rural segments of society. At the same time, Afghanistan's history illustrates that social rules on women's unequal status are not always strictly enforced: from the time of the first such reforms, women and men have risked potentially dire consequences to support gender equality.

In response to the September 11, 2001, terrorist attacks in the US, the issue of Afghan women's rights became a global concern. Reversing the human rights abuses suffered by women under the Taliban became an explicit policy item for key donor governments, raising high expectations for sweeping changes in the lives of Afghan women and girls. Some improvements came quickly: girls and boys returned to school in large numbers; discriminatory laws were reviewed and revised; and women became more visible in public life, including at high levels of leadership. Other issues have proven more intractable. The paper examines the role played by the Afghan government, international governments, and national and international civil society organisations in promoting gender equality, and the constraints these actors have faced. The authors also examine the influences of religion and culture in defining gender norms and expectations.

Efforts to create an enabling environment supporting gender equality and women's rights have been mixed. While the international community remains committed to gender equality in words, its actions have fallen short of what is needed. Domestic political pressures and discomfort with intervening in what is seen as a cultural matter have stymied the actions of bilateral actors. The Afghan government has committed on paper to many conventions and laws that uphold women's rights and gender equality. The 2004 Constitution formally guarantees women equal status as citizens of the state. With the constitution as a reference, numerous laws have been passed to legally support the rights of women and girls. However, translating these commitments into political will and capacity to act on the ground has been more complicated. Difficulties with accurately assessing and verifying data, particularly from conflict-affected provinces, have also hampered the government's ability to develop and implement appropriate policies.

The primary institutional mechanism used by the Government of Afghanistan (GoA) to promote gender equality is gender mainstreaming. A lack of political will, limited funding and weak capacity among key national and international stakeholders has meant that mainstreaming has had little effect on standard operations. Compounding the situation, gender mainstreaming is typically supported by different donors and international agencies; there is little coordination across the ministries. All of these factors contribute to confusion that hinders progress.

The international community's rhetoric around women's rights was forceful and its promises were broad and well-intentioned. But during the earliest phases of the reconstruction of post-Taliban Afghanistan it did not take the steps necessary to give substance to the rhetoric. There was a

lack of coordination, and too little time spent considering how to engage appropriately to foster gender equality or reflecting on whether and how existing efforts were working. Money was not earmarked or allocated in a way that allowed advocates to hold donors accountable for their promises to Afghan women. Finally, little to no investment was made in documenting existing conditions around gender equality and women's rights to track progress and as a means to hold all actors accountable to their rhetoric. Now, with the approach of the transition, there appears to be a willingness to compromise women's rights for the ongoing peace and reconciliation negotiations with the Taliban.

Civil society organisations have come to play an important role in Afghanistan as advocates for women's rights and gender equality. However, networks of women's NGOs need to work together better to achieve a clear and coherent voice through which to influence transition and development processes. Religion and culture cut across all efforts to frame an enabling social environment within which women and men, and boys and girls, can define and achieve their goals. All actors at the national level need to do more to take into account religious and cultural norms: to acknowledge them when these can support efforts to improve women's and girls' lives, and to design focused counter-efforts when they impose gender-based constraints.

While gender-specific norms are among the most pervasive and resistant to change in any society, change is happening. But these often co-exist with resistance to change among other groups, particularly in rural areas. To secure and expand gains made in gender equality and women's rights, it will be necessary to proactively reach out to rural Afghans - both men and women.

Increasing interaction with the outside world has raised Afghans' awareness of competing gender norms and practices. The media also play an important role in portraying alternative scenarios and conveying competing discourses about women's place in Afghan society. Demographic change represented by Afghanistan's young population can play a role in fostering progressive social change. Finally, gender equality and women's rights will progress further if set within an Islamic framework.

Looking at the micro level, the authors assess progress towards gender equality in the daily lives of Afghan women. Their analysis focuses on the key areas of health, education, economic and social development, local leadership, and peace and security. While there has been progress in all these areas, due in part to the emergence of a legal discourse around gender equality and women's rights actively promoted by the international community and the GoA, these efforts have not been sufficient to challenge and change prevailing gender norms and practices.

The education sector in Afghanistan has made considerable progress toward gender equality since 2001. There have been large increases in primary school enrolment for girls over the last decade. These advances have been translated into law, providing for mandatory and free education up to the secondary level for all citizens. However, insecurity continues to impede access to education in some parts of the country, especially in the south, where Taliban and other extremists have threatened or attacked schools, teachers and students. Attitudes towards girls' education continue to represent a stumbling block to gender parity, particularly at the secondary level and in some regions more than others. Progress in addressing adult literacy, particularly for women, has been slow.

Afghanistan has been at the very bottom of the international development index for health indicators for decades, with high child and maternal mortality rates. Both have shown a positive declining trend over the past decade, but significant challenges remain. While health facilities and services have become increasingly available, even in more remote rural areas, significant disparities remain between urban and rural areas. Particularly in more conservative, rural communities, women still face difficulties gaining access to medical care. Family power relations and community norms about acceptable health-seeking behaviour largely determine a woman's ability to access care. Significant financial and social development investments are required to further decentralise services, develop capacity among health workers who serve in the most remote and disadvantaged areas of the country, and challenge local norms about health care for women.

Efforts in Afghanistan to promote women's involvement in the economic sphere have met with varying degrees of success, often stymied by strong cultural traditions that limit women's mobility and spheres of activity. Over the last decade, initiatives have focused on increasing women's access to work in the formal sector, and encouraging recruitment of women in non-traditional jobs, such as in the Afghan National Army (ANA) and the Afghan National Police (ANP). However, significant change has been difficult, as traditional gender stereotypes identify men as income earners and women as dependents. Microfinance has opened up some opportunities for women, but these opportunities tend to accommodate existing gender norms, or lack a viable market link. While inroads have been made over the last ten years to improve women's economic options and allow space for their participation, actual gains have been small, and much work remains to be done.

The need for formal social protection, particularly for the most vulnerable members of society, has begun to gain acceptance in Afghanistan, but cultural norms curtail women's ability to access available social services by making it unacceptable in general for women to place their individual rights above the perceived needs of the family. There is growing concern that social protection services will slip further down policy agendas as the country approaches the 2014 transition.

Women's representation in key leadership positions varies considerably across levels, regions and agencies. While their participation in elections has improved due to efforts to promote women's candidacies and access to the polls, women remain poorly represented at all levels of sub-national governance. Informal institutions, such as *jirgas* and *shuras*, where much of the critical decision-making takes place at the community level, remain largely all-male. Few women are employed in the police and judiciary sectors despite efforts to promote their employment. The National Solidarity Programme (NSP), a flagship programme designed to empower rural communities to manage their own development projects, has made some progress by establishing separate female community development councils. While advances have been made, the path to women securing their voice in leadership and their space in public is still in the early stages of development and will require much more time and effort before a secure foothold is ensured.

Women's involvement in key diplomatic fora has been low in recent years. Low representation of women in the Afghanistan Peace and Reintegration Programme (APRP), in particular, augurs poorly for representation of women's diverse needs and interests in future formal peace talks leading into the transition. The central challenge of the transition period is to extend peace throughout the country, without compromising the hard won gains women have made in realising some rights.

Insecurity and violence shape the everyday lives of many Afghans --women and men-- adversely affecting opportunities, aspirations and quality of life. Much of it stems from the continuing armed conflict, but violence also occurs closer to home, among family, kin and community. Violence against women has been a prominent concern of the GoA, women's rights groups and the international community over the last decade. Efforts have focused on raising awareness and building policy and legal frameworks, but the GoA's outreach and monitoring capacity cannot effectively deal with the scope of the problem, and girls and women continue to face human rights violations and abuse.

Afghanistan has made marked progress over the past decade in establishing its legislative and policy framework to ensure that they include provisions around women's rights in line with international standards. Important gains have been made to narrow gender differences in education, and women's participation in public life and their political representation has increased in some areas. Data on declining trends in infant, child and maternal mortality rates also offer an encouraging picture for the future. However, women's rights in Afghanistan can only be secured, sustained and expanded into the transition period if the domestic and international actors who frame and implement policies and programs across scales intentionally embrace gender equality as a core underlying foundation for development and stability. This is a considerable challenge, one which requires attention to incentives and approaches geared not only to technical fixes, but also to motivating changes to mindsets and entrenched practices.

1. Introduction

After the fall of the Taliban everyone wanted to come and work for women's rights, they were proud to say they were here to help Afghan women. Slowly, slowly this disappeared...Women are not a priority for our own government or the international community. We've been forgotten.

- Shinkai Karokhail, Member of Parliament, Kabul, June 4, 2009¹

As Afghanistan approaches transition in 2014, more than ten years after the fall of the Taliban, the various gains made in the position of and opportunities available to women and girls are by no means secure. National and international actors have made important contributions over the past decade to reverse many of the injustices and human rights abuses perpetrated under the Taliban regime. However, translating these contributions into meaningful equality in the daily lives of women and men across Afghanistan's diverse provinces remains a challenge, as Afghanistan's poor scores on global indicators for gender equality attest.² A long and uneven road lies ahead for women and girls to enjoy the full realisation of their rights.

This report is designed to contribute to the growing body of research on gender issues in Afghanistan with a specific focus on identifying gains and losses over the past decade at both the macro and micro levels. It assesses in what areas significant progress has been made in effecting sustained positive change in the lives of women and girls, and where it has been slower in coming, and it identifies some of the reasons for the varied progress. The paper highlights obstacles to making future advances in gender equality during and after the upcoming transition period and recommends priority areas for action through which to protect and advance women's positions.

Full attainment of women's rights and gender equality is a critical component of Afghanistan's efforts to continue to develop its human and material resources during the transition and beyond. From a humanistic, rights-based perspective, women's rights and gender equality are inalienable components of broader guarantees that all people be allowed to achieve their full capabilities without exclusion or discrimination. From a socio-economic development perspective, gender equality is a critical means of maximising the development potential of the country. Failure to adequately invest in women and girls will impede the country's economic growth and stymie the achievement of development outcomes.³ Afghanistan, quite simply, cannot afford to systematically restrict the ability of half of its population to contribute to the country's collective development.

Methodology and scope

The study was conducted primarily as a desk review of existing literature including laws, conventions, research reports and articles pertaining to the subject matter. The analysis and findings from the desk review were triangulated and tested through interviews and consultations with donors, development partners, government agencies, and civil society organisations based in Kabul as well as through semi-structured focus group discussions (FGDs) with female activists, youth, and lawyers in Kabul. In order to represent the situation outside Kabul, the desk review sought out reports from rural areas, and accessed data on the situation of women in rural areas through recent AREU-led field studies, particularly one on women's and men's perceptions of the outcomes of women's participation in microcredit programs and in the National Solidarity

¹ As quoted in Human Rights Watch, "We Have the Promises of the World' Women's Rights in Afghanistan," 2009, http://www.hrw.org/sites/default/files/reports/afghanistan1209web_0.pdf, (accessed 26 June 2012).

² United Nations Development Programme (UNDP), "2011 Human Development Report," http://hdr.undp.org/en/media/HDR_2011_EN_Table4.pdf (accessed 4 July 2012). Afghanistan ranked 141 out of 173 countries scored against UN global gender inequality composite indicators. In 2012, Social Institutions and Gender Index (SIGI) ranks Afghanistan 69 out of 86 countries, up from 101 out of 102 countries in the 2009 rankings. <http://genderindex.org/country/afghanistan> (accessed 4 August 2012).

³ World Bank, "Gender Equality as Smart Economics: A World Bank Group Gender Action Plan," September 2006, <http://siteresources.worldbank.org/INTGENDER/Resources/GAPNov2.pdf> (accessed 7 August 2012), 2. World Bank, "World Development Report 2012 - Gender Equality and Development," <http://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1315936222006/Complete-Report.pdf> (accessed 7 August 2012), 3.

Program(NSP), and another on perceptions of gender norms and women's agency. The authors also carried out new in-depth interviews and focus group discussions with villagers from rural areas of Afghanistan, focusing on the programs implemented (e.g. NSP) and how women were involved and how they benefitted.

The study draws from these sources to document variations in experiences and outlooks regarding women rights and gender roles and responsibilities in Afghanistan. The authors have worked to draw links between individual experiences and broader social and institutional patterns, recognizing that gender is a social phenomenon and not just an individual characteristic. The objective is to take stock of progress made and explore realistic ways to preserve and expand on these gains in order to continue to improve the lives of women and girls.

The inquiry was guided by the following research questions:

- What were the goals and intentions of the national and international community in regard to promoting gender equality and women's rights ten years ago? What motivated these intentions?
- How has the country context evolved over time in terms of women's rights and gender equality in policy, legislation, and development practice?
- In what sectors did the most and least significant changes occur for Afghan women and girls? How and why did these patterns emerge?
- What recommendations for maintaining and expanding the realisation of women's rights and gender equality in the transition period and beyond emerge from this analysis?

2. Concepts in context: Framing the analysis of women's rights and gender equality in Afghanistan

This chapter briefly sets out the conceptual framework used in the paper. It first defines gender as a social relation and then uses this definition to develop a multi-scale analytical framework for gender equality and women's rights against which to assess current approaches to gender integration applied by state and non-state actors in Afghanistan, and their outcomes.

2.1 Understanding gender

This report's analysis is grounded in an understanding of gender as a social construct that influences all aspects of daily life. This means that gender - or what it means to be a man and a woman in a particular time and place - is framed by prevailing social norms and institutions. Gender influences and is influenced by society and how society works, and is not simply a characteristic of individuals that enables comparisons between men and women on the basis of sex alone.⁴ Therefore, what it means to be a man and a woman, or what women and men can rightfully be, do, own and control, changes as societies change across time and place. Gender also can be actively changed as people act outside prevailing norms, intentionally or not, and reshape what is accepted and acceptable gender behaviour. Gender therefore affects how women and men conceive of themselves and their capabilities; how women and men interact within the framework of social expectations; and how institutions like the state or market structure opportunities and distribute resources to women and men.⁵

This understanding of gender has two broad implications for efforts to achieve gender equality and advance women's rights. First, it implies that efforts that focus on women as individuals, in isolation from men and wider social processes and institutions, cannot successfully challenge the underlying causes of gender inequality which are embedded in how society functions. Many efforts to address gender inequality through development programs focus on identifying gender gaps in access to resources and services, such as education, microcredit, technologies or land, and work to enhance the availability of these items so women have the same access as men. This approach assumes first, that women necessarily want the same things as men, and second, that availability of these resources and services is sufficient to ensure that women gain access to or control over them and their benefits.⁶ It obscures the need to enable women and men to have the same range and quality of choices, and ignores how expanding individual access to resources does not address the underlying reasons why the differences exist in the first place. The approach focuses squarely on the visible symptoms of gender inequality, and not the wider social causes.

The understanding of gender given above acknowledges that men also experience gender through social understandings of masculinity (e.g. male roles of breadwinner, protector, etc.) and can have a role in maintaining gender inequality through what has been defined as the patriarchal dividend. This dividend comes from the positional and material benefits men gain through prevailing patriarchal gender structures.⁷ Different men will gain more or less from this system, based on their class, ethnicity or other cross cutting forms of difference. Men can purposefully choose to set aside these benefits as allies of gender equality. Therefore, efforts to advance women's rights and achieve gender equality should not and cannot leave men out.

The second implication of this understanding of gender for efforts to achieve gender equality is that such efforts must cross scales from the local level through national and international institutions. Neither focusing on individual women and men and their resources, opportunities, attitudes or behaviour nor focusing on macro level legal or policy changes alone will be sufficient to achieve gender equality. Advancing women's rights and achieving gender equality requires coordinated and complementary action focusing on individual relations, beliefs and practices, on social expectations embodied in community norms and values, and on how gender is embedded in the way institutions like the family, market, religion and state operate.

4 Okali 2012; Peterson 2005.

5 Kabeer 1994.

6 Okali 2012.

7 Connell 2009.

Box 1: Lessons from the history of state engagement

Imposing gender equality

King Amanullah's Royal Decree in 1927 obliging all civil servants to send their daughters to school spurred serious discontent particularly among the very conservative rural population. His decision to promote the unveiling of women and more Western styles of dress had even more serious consequences. The rapidity and top down nature of the reforms sparked a rebellion that eventually brought an end to his reign. While schools for girls remained, other progress toward women's emancipation was halted; it was not until 1959 that a significant number of urban Afghan women began to rid themselves of the *chadari*.

Urban bias

During the 1980s rule of the Soviet-backed People's Democratic Party of Afghanistan (PDPA), women played a more prominent role on the public stage, further challenging traditional gender roles. Women were especially well-represented among teachers and civil servants during this era. However, national-level data obscures how women's growing presence in public life was an almost entirely urban phenomenon linked to an expanding state sector.¹ Early PDPA efforts to reform marriage and land ownership laws and encourage girls' education led to similar reactions as Amanullah's reforms. The eventual collapse of the PDPA eroded the existing institutional support for women's visibility in public roles, and a period of upheaval and insecurity followed the collapse of Najibullah's government in 1992.

Islam, Sharia and resistance

The establishment of the Islamic State of Afghanistan (ISA) produced profound changes in social relations and reversed many formal gains made in women's rights.² The ISA (1992-1996) invoked Sharia law to restrict women's dress, movement, and educational opportunities.³ Women's freedoms and rights were even more severely restricted in terms of access to education, health, employment, and public spaces under the Taliban rule (1996-2001).⁴ The rigidity of the Taliban rule rose in part as a response to the excesses that had permeated society during the final days of the ISA.⁵ For some women and men, including older women interviewed in 2010 in Kabul, the loss of rights was, at least initially, accepted as a small price to pay for the resumption of security.⁶ Moreover, rural areas under Taliban control were among the most conservative regions of Afghanistan; Taliban policies, therefore, were generally in line with traditions.⁷ That said, despite severe restrictions during the Taliban era, some Afghan women took risks to carve out space in which to exercise a measure of autonomy and agency. Small numbers of women continued to work in agencies headed by women or supported by international aid agencies.⁸ Clandestine women's organisations, such as the Women's Association of Afghanistan, organised secret sewing, knitting, and handicraft courses for women.⁹ Some girls managed to continue their education in secret, hiding their books and pencils under their burqas.¹⁰

1 United Nations Commission on Human Rights (UNCHR), "Final report of the Special Rapporteur on the Situation of Human Rights in Afghanistan," 1996/75, E/CN.4/1997/59, 20 January 1997, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G97/105/81/PDF/G9710581.pdf?OpenElement> (accessed 3 June 2012).

2 Deniz Kandiyoti, "Old Dilemmas or New Challenges? The Politics of Gender and Reconstruction in Afghanistan," *Development and Change* 38:2 (2007): 169-199, accessed 27 July 2012, doi: 10.1111/j.1467-7660.2007.00408.x.

3 United Nations Department of Humanitarian Affairs, "Report of the DHA Mission to Afghanistan," 15 June 1997, (30 March - 5 May 1997), Executive Summary.

4 The treatment of women and girls under the Taliban rule has been well documented. See for example, United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 1997 - Afghanistan," 30 January 1998, <http://www.unhcr.org/refworld/docid/3ae6aa5d20.html> (accessed 14 June 2012), Section 5: Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status; Emily Winterbotham et al, "Wartime Suffering: Patterns of Violations in Afghanistan," (Kabul: AREU, 2011).

5 United Nations Department of Humanitarian Affairs, "Report of the DHA Mission to Afghanistan," 15 June 1997, (30 March - 5 May 1997), Executive Summary.

6 Emily Winterbotham, "Legacies of Conflict: Healing Complexes and Moving Forwards in Kabul Province," (Kabul, AREU, 2011).

7 Emily Winterbotham, primary research, AREU; Emily Winterbotham et al, "Wartime Suffering: Patterns of Violations in Afghanistan," (Kabul: AREU, 2011), 37.

8 United Nations Commission on the Status of Women, "Discrimination Against Women and Girls in Afghanistan," *Report of the Secretary-General*, E/CN.6/2002/5, 24 January 2002, http://reliefweb.int/sites/reliefweb.int/files/resources/FC71AD8067FF82ED85256B6500795ED1-uncsw_afg_24jan.pdf (accessed 5 July 2012).

9 Elaheh Rostami-Povey, *Afghan Women: Identity and Invasion*, (London, New York: Zed Books, 2007), 29-33.

10 United Nations Commission on Human Rights (CHR), "Question on the Violation of Human Rights and Fundamental Freedoms in Any Part of the World: Report on the Situation of Human Rights in Afghanistan" submitted by Mr. Karmal Hossain, Special Rapporteur, in accordance with Commission resolution 2000/18", E.CN.4/2001/43, 9 March 2001, [http://www.unhcr.ch/huridocda/huridoca.nsf/b617b62bcb39ea6ec1256610002eb7a6/461f1be09f16cecb4c1256a10004e40e3/\\$FILE/G0111632.pdf](http://www.unhcr.ch/huridocda/huridoca.nsf/b617b62bcb39ea6ec1256610002eb7a6/461f1be09f16cecb4c1256a10004e40e3/$FILE/G0111632.pdf) (accessed 7 July 2012), para. 46; Elaheh Rostami-Povey, *Afghan Women: Identity and Invasion*, (London, New York: Zed Books, 2007), 29-33.

The history of the Afghan state's role in the advance and retreat of gender equality demonstrates the need for a deft hand in introducing positive change in women's positions. Successful change requires a balance between bottom up and top down initiatives that include not only the urban elite but also the rural majority (See Box 1). This history also illustrates that social rules on women's unequal status are not always strictly enforced—from the time of the first such reforms, women and men have risked potentially dire consequences to support gender equality.

2.2 Analytical framework for gender equality and women's rights

The above definition of gender informs the analytical framework used to assess progress towards women's rights and gender equality in Afghanistan since 2002. The framework is based on classifications of gender integration approaches developed by scholars and activists, broadly defined as either gender accommodating or gender transformative.⁸

Both of these approaches to gender integration invest in developing an understanding of how gender and other cross-cutting forms of social difference matter in a specific context, such as in relation to norms about women's mobility and responsibility for domestic duties, or appropriate occupations for women and men. They differ in what they do with this understanding. Accommodating approaches take this understanding of the social context and work within it to advance individual women's status. They tend to focus on women and on delivering improved access to resources and services to enable individual achievement or security.⁹ As noted in the previous discussion, they tend to alleviate the symptoms of gender inequality, such as by providing shelters for abused women or equal access to economic resources, and do not work to change the underlying reasons why gender inequality exists and persists.

Gender transformative approaches see the institutional context as a key barrier to gender equality and seek to change it, not to work within it.¹⁰ Proponents of transformative approaches identify progressive social change as the goal; they seek to accomplish this by creating more equitable systems and structures and to expand the types and quality of life choices open to women and other marginalized groups. Gender transformative approaches therefore respond to the multi-scale and complex understanding of gender as a social construct, and are composed of actions that engage with both women and men; enhance individual capabilities, resources and confidence; challenge oppressive gender norms, attitudes and practices that shape opportunities in communities, local and national governance structures, markets, aid institutions and beyond; and address unequal power dynamics. They do so through engaging key actors from the state, aid community, and religious and cultural organisations and communities in processes of critical reflection and action that raise questions about the obstacles existing gender norms and practices embody and what changes are possible. At their core is the intent to identify and address the underlying causes of gender inequality in order to support a social environment that enables all women and men to define and achieve better lives and livelihoods.

The paper uses this understanding of gender accommodating and transformative approaches to frame the analysis of progress towards gender equality and women's rights in Afghanistan from 2002-2012. It holds transformative approaches as the ideal through which sustained progress towards gender equality can be reached in Afghanistan and therefore assesses current efforts in light of this standard. The next chapter provides this analysis for the macro institutional environment while Chapter 4 does the same for outcomes at the micro level in selected key sectors. While the micro and macro levels are separated here for simplicity's sake, in reality, complex, context-dependent interactions between the two determine progress towards gender equality, with progress at the macro level influencing outcomes in daily life, and vice versa.

8 See www.igwg.org; Kabeer 1999.

9 Okali 2012.

10 Kabeer 1999.

3. Institutionalizing progress on gender equality and women's rights: Barriers and opportunities, 2002-2012

The ouster of the Taliban in 2001 ushered in a new era of opportunity for Afghan women. In response to the September 11, 2001 terrorist attacks in the US, the issue of Afghan women's rights became a global concern, as part of the objective in overthrowing the Taliban. Reversing the human rights abuses suffered by women under the Taliban became an explicit policy item for key donor governments, raising high expectations for sweeping changes in the lives of Afghan women and girls.¹¹ Some improvements came quickly: girls and boys returned to school in large numbers; discriminatory laws were reviewed and revised; and, women became more visible in public life including at high levels of leadership.¹² Other issues have proven more intractable. This chapter assesses the changes occurring in the macro enabling environment to see how well they have been able to foster sustained change in the conditions creating inequality. It does so by examining the role of each important actor and/or institutional setting, starting with changes in the national government, before moving on to look at the aid environment through the lens of international governments and the national and international civil society organisations. Finally, the influences of religion and culture are described, as they interweave with all of the above to play a significant role in defining gender norms and expectations.

3.1 National Government: Commitment and capacity issues

A sense of anxiety about what might happen after 2014 pervades Afghan society, and was caused primarily by the sidelining of human rights as a political commitment by both the Afghan government and its international partners since 2007. While the government has demonstrated increasing hostility to its human rights obligations, its international supporters have voiced only muted criticism, lacking penalties or action of any kind.

- Nader Nadery, "Getting Human Rights Wrong is Not an Option," Foreign Policy, May 17 2012¹³

The Government of Afghanistan (GoA) has made notable progress post-2001 to put into place various legal and institutional structures to improve the status and protect the rights of women and girls in the country. Over the past decade, Afghanistan has explicitly declared a commitment to promote women's human rights in each of the nine key conference declarations and communiqués from Bonn 2001 until Tokyo 2012.¹⁴ The 2001 Bonn Agreement¹⁵ established national machineries for women's affairs and human rights,¹⁶ furthermore mandating female leadership in the Ministries of Women's Affairs and Public Health.¹⁷ In 2002, Interim Chairman Karzai signed the "Declaration of the Essential Rights of Afghan Women", which promises equal protection under the law, freedom of movement and speech, political participation for women, and the right to wear or not to wear the burqa.¹⁸

The 2004 Constitution formally guarantees women equal status as citizens of the state.¹⁹ With the constitution as a reference, numerous laws have been passed to legally support the rights of

11 Elaheh Rostami-Povey, *Afghan Women: Identity and Invasion*, (London, New York: Zed Books, 2007).

12 Dr Sima Samar became the deputy prime minister and first minister of women's affairs in Afghanistan. Human Rights Watch, "The 'Ten-Dollar Talib' and Women's Rights: Afghan Women and the Risks of Reintegration and Reconciliation," July 2011, <http://www.hrw.org/sites/default/files/reports/afghanistan0710webwcover.pdf> (accessed 26 June 2012), 21.

13 Nader Nadery, "Getting Human Rights Wrong is Not an Option," The ACPAK Channel, 17 May 2012, http://afpak.foreignpolicy.com/posts/2012/05/17/getting_human_rights_wrong_is_not_an_option (accessed 11 September 2012).

14 See Annex 3 for complete listing of relevant excerpts from conferences.

15 First International Bonn Conference on Afghanistan, "Bonn Agreement," December 2001, https://www.cimicweb.org/cmo/afg/Documents/Governance/CFC_Afghanistan_Agreements_June2012.pdf (accessed 10 September 2010).

16 OrzalaAshratNehmat, "Afghan Women at the Crossroads: Agents of Peace - Or Its Victims?" *The Century Foundation*, 2011, http://www.peacewomen.org/assets/file/Resources/NGO/hr_afghanwomenatthecrossroads_march2011.pdf, (accessed 26 June 2012).

17 United Nations Commission on the Status of Women, Report of the Secretary-General, "Discrimination Against Women and Girls in Afghanistan," E/CN.6/2002/5, 24 January 2002, http://reliefweb.int/sites/reliefweb.int/files/resources/FC71AD8067FF82ED85256B6500795ED1-uncsw_afg_24jan.pdf (accessed 5 July 2012).

18 Declaration on the Essential Rights of Afghan Women was signed on 12 January 2002 in Dushanbe, Tadjikistan. For an overview of the full text please see <http://www.bdr.freeservers.com/custom.html> (accessed 18 August 2012).

19 See Annex 4 for a compilation of 2004 constitutional guarantees for equality and human rights for women.

women and girls, including: The Law on Marriage; The Education Law; The Public Health Law; The Penal Code; and the Law on Elimination of All Violence Against Women (EVAW) that outlawed harmful practices such as rape, beating, child marriage and *baad* (exchange marriage as a form of conflict resolution). Developed as a response to Security Council Resolution 1325, the Law on EVAW was launched by a presidential decree in 2009, but debate in the National Assembly was closed after a rancorous few minutes when the law was brought up in May 2013. So it has yet to be approved by this body. Regardless of this situation, a National Action Plan for the EVAW Law is being drafted. The plan will outline concrete steps to implement the law through raising awareness and carrying out preventive and protective measures including monitoring and reporting on VAW cases. An examination of the performance of judges, prosecutors and police from March 2010 to August 2011 found some progress in the application of the EVAW law, but the fact remains that it is applied in only a small percentage of the Government's handling of cases of violence against women.²⁰ Most cases, including serious cases of murder and rape, are still mediated through a variety of informal mechanisms, rather than prosecuted in the formal system as required by the law. The passing of the EVAW Law is only one piece of a complex puzzle that must involve legislators, policy makers, the police and administrators at all levels to work in concert to break down cultural barriers and translate the law into action.

In addition to laws, legally mandated quotas and targets have been used to bolster women's presence in the country's legislative bodies. The 2004 Constitution mandates a quota for both the Wolesi Jirga (lower house) and Meshrano Jirga (upper house) of Parliament. For the Wolesi Jirga, at least two seats from each province are reserved for women (68 seats out of 249 total seats), while for the Meshrano Jirga, at least 50 percent of the one-third of the seats appointed by the President (17 out of 102 total seats) must be held by women. These quotas were reiterated in the 2010 Electoral Law, which also mandated the allocation of at least one-fourth of seats in each provincial council to be reserved for women. These allocations at the national and highest sub-national levels are important to establishing women's presence in governmental decision-making; however there are currently no quotas for district or village level governance, where women's voices may have the most impact on their daily lives. In a potential harbinger of the erosion in progress on women's rights to come, the 2013 Electoral Law passed in July 2013 in the lower house of Parliament, reduced the share of seats allocated to women in provincial councils from a quarter to a fifth.

Afghanistan has ratified and/or acceded to a large number of international conventions and human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, signed 1980, ratified 2003) and the Convention on the Rights of the Child (CRC, signed 1990, ratified 1994).²¹ CEDAW and CRC cover a broad range of rights provisions that apply to girls and women, and are supported by other conventions and human rights instruments ratified by Afghanistan, such as: ILO Convention on Child Labour; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and, the Equal Remuneration Convention. The 2009 Universal Periodic Review at the Human Rights Council in Geneva concluded that Afghanistan had in place a sound human rights framework, although implementation of conventions and instruments was deemed problematic.²²

Afghanistan, the Millennium Development Goals and national development plans

Afghanistan signed the Millennium Declaration in 2004 with an extended implementation timeframe of 2020, adding a ninth MDG on security to enable the attainment of the other eight goals.²³ The GoA incorporated the MDGs into the 2009-2013 Afghanistan National Development Strategy (ANDS) under the applicable ANDS pillars. Since 2008, the GoA has regularly reported

20 United Nations Assistance Mission in Afghanistan (UNAMA) and Office of the High Commissioner for Human Rights (OHCHR), "A Long Way to Go: Implementation of the Elimination of Violence Against Women Law in Afghanistan," November 2011, http://unama.unmissions.org/Portals/UNAMA/human%20rights/November%2023_UNAMA-OHCHR-Joint-Report-on-Implementation-of-EVAW-law_ENG.pdf (accessed 19 August 2012).

21 See Annex 1 for full list of Conventions and human rights instruments.

22 United Nations Human Rights Council (HRC), "Universal Periodic Review Report - Afghanistan" 20 July 2009, A/HRC/12/9, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/146/14/PDF/G0914614.pdf?OpenElement> (accessed 5 September 2012).

23 For a full overview of the goals, see United Nations Development Programme - Afghanistan, "Millennium Development Goals Status in Afghanistan," <http://www.undp.org.af/MDGs/MDGstatus07.htm> (accessed 15 August 2012)..

on the progress of MDG implementation.²⁴ However, difficulties with accurately assessing and verifying data, particularly from conflict-affected provinces, have hampered the GoA's ability to draft these progress reports. Since data collection and management is required to monitor and report actual progress, the establishment of a gender-sensitive information management system to collect and verify data on the indicators as well as broader development processes is critical. On-going efforts to establish a system for gender-sensitive monitoring and reporting on progress must be supported and sustained during the post-2014 transition.

The 2010 MDG report shows progress in some areas, but the potential to achieve the third goal (MDG-3) on gender equality and women's empowerment is judged low.²⁵ MDG-3 in Afghanistan includes targets for increased female participation and reduced gender disparity in education, economics, politics, and justice. According to the report, targets for MDG-5 on improving maternal health show improvements, but Afghanistan remains in the lowest category globally with respect to maternal health indicators.

Though progress toward achieving MDG targets has generally been slow, efforts made by the GoA to use the MDGs as a basis for national development planning through the ANDS and other instruments is commendable. Participation in the global MDG agenda offers a means of holding the GoA accountable for its commitment to its female and male citizens and to the international community. Engagement with the MDG global agenda offers a chance for Afghanistan to reckon openly with its global human development standing which, as of 2011, was the second-lowest in the world according to the Human Development Index.²⁶

The government's 2008 National Action Plan for the Women of Afghanistan (NAPWA) provides a mechanism for furthering women's rights that includes a comprehensive matrix of goals, indicators, and strategies.²⁷ NAPWA serves as the government's primary vehicle for implementing its commitments on women's empowerment and gender equality under the overarching Afghanistan National Development Strategy. Since gender equality is a cross cutting concern of National Development Strategy, all National Priority Programmes are required to incorporate a gender perspective; efforts are currently underway to facilitate this process, with the Ministry of Women's Affairs providing leadership and coordination supported by additional technical expertise.²⁸

NAPWA was developed following the Afghan delegation's participation in the Beijing Plus-Ten conference in New York in 2005. It, along with the ANDS, is a sound document and a valuable advocacy and gender mainstreaming tool, but questions remain as to the existing capacity and political will to implement it and the other laws and conventions related to women's rights and gender equality to which Afghanistan has committed. An AREU study²⁹ of gender mainstreaming in six ministries (Counter Narcotics, Education, Interior Affairs, Justice, Public Health, and Rural Rehabilitation and Development) underline these concerns. The primary institutional mechanism used by the GoA to promote gender equality is gender mainstreaming, wherein ministries use an array of institutional mechanisms to bring attention to gender-based issues and inequalities, including gender units, gender focal points, national/international gender advisors, and women's associations. The study concluded that mainstreaming had had little effect on standard operations. It suggested a lack of political will and weak capacity among key national and international stakeholders was partly to blame for the failure of gender mainstreaming to function effectively. Compounding the situation, gender units and other mechanisms are typically

24 United Nations Development Programme (UNDP) Afghanistan, "Afghanistan Millennium Development Goals Report 2010," October 2010, <http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Country%20Reports/Afghanistan/MDG-2010-Report-Final-Draft-25Nov2010.pdf> (accessed 8 August 2012).

25 United Nations Development Programme (UNDP) Afghanistan, "Afghanistan Millennium Development Goals Report 2010," October 2010, <http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Country%20Reports/Afghanistan/MDG-2010-Report-Final-Draft-25Nov2010.pdf> (accessed 8 August 2012).

26 United Nations Development Programme, "2011 Human Development Report," http://hdr.undp.org/en/media/HDR_2011_EN_Table4.pdf (accessed 4 July 2012).

27 Islamic Republic of Afghanistan, National Action Plan for the Women of Afghanistan (NAPWA), "The Government's Main Vehicle for Implementing Policies and Commitments to Advance the Status of Women, 2007 - 2017," <http://www.svri.org/Afghanistanpolicy.pdf> (accessed 26 June 2012).

28 UN Women advertised in August 2012 for a gender mainstreaming advisor to work on a six-month contract to facilitate gender mainstreaming in the NPPs. http://jobs.undp.org/cj_view_job.cfm?cur_job_id=31368 (accessed 29 August 2012).

29 Anna Larson, "A Mandate to Mainstream: Promoting Gender Equality in Afghanistan," (AREU: Kabul, 2008).

supported by different donors and international agencies; there is little coordination across the ministries; and some use multiple mainstreaming mechanisms while others may have only one or none at all. Stories of overlapping mandates and ineffective appointments abound in Kabul.³⁰ All of these factors contribute to confusion that hinders progress.

Policies, conventions and laws: necessary but insufficient

Despite measurable progress over the last decade in building a sound legal and policy framework for the protection of women's rights as outlined above, further work is needed to secure and promote women's and girls' rights. The existing legal and policy framework has not been sufficient so far in supporting significant shifts in the realisation of women's rights and gender equality in everyday life, as chapter 4 demonstrates. There are a range of reasons for this, related to challenges in translating national policies and legal frameworks into practice at the provincial and local levels, and low political will related to the reality of competing pressures from the international community and domestic powerbrokers regarding the place of women's rights and gender equality, pressures that are only likely to increase as the transition approaches.

From paper to practice

The tangible steps taken to promote women's equality in the policy arena have been met with entrenched cultural patterns, resulting in significant discrepancies in the realisation of women's rights between generations, socioeconomic classes, ethnicities, and geographical areas. Formidable social and cultural barriers remain, and many of the rights accorded to women on paper have yet to be established in practice.³¹ Therefore, while the post-Taliban era saw a proliferation of activity to ratify outstanding conventions, and monitor and implement 'dormant' instruments, the rapid pace of change in discourse (if not always in implementation) led to a form of backlash among parts of the population who perceive human rights and gender equality as western concepts and a form of imperialism.³² This harkens back to King Amanullah's reign and the PDPA's time in power and the problems of top down measures to effect change in gender norms and practices.

A group of female lawyers interviewed for this study criticised the money spent at the highest levels on policies and frameworks that ultimately have had little impact on the average woman, dubbing such efforts as tokens offered in exchange for self-gain or support in pushing other agendas.³³ Gains made over the last decade have not been established in the national psyche, and are therefore at risk of erosion or reversal during transition. As noted by one key high-level informant:

The CSOs and Afghan intellectuals feel that the political and security transition is moving forward at the expense of women's need for dignity and the right to be a basic human being.³⁴

The key missing piece at this point in time resides in empowering local institutions and individuals to facilitate and realise the rights that exist on paper. This corresponds to the understanding that gender is something that is understood, created and maintained across levels of society, such that change at the macro policy level cannot be sufficient without norm and practice changes from the local to the national level. Policies and legislation, therefore, must be understood as necessary but insufficient preconditions for gender equality. In order to safeguard and expand the progress made at the policy level, the period leading up to and through the early stages of transition requires coordinated efforts across actors to build awareness and acceptance of these frameworks and to identify contextualized means of moving them into practice. This is a medium

30 Key informant interviews, Kabul, September 2012.

31 United Nations Human Rights Council (HRC), "Report of the High Commissioner for Human Rights on the Situation of Human Rights in Afghanistan and on the Achievements of Technical Assistance in the Field of Human Rights," A/HRC/10/23, 16 January 2009, <http://www.ohchr.org/Documents/Countries/HRC2009.pdf>, (accessed 25 June 2012).

32 Lina Abirafeh, *Gender and International Aid in Afghanistan: The Politics and Effects of Intervention*, (Jefferson: McFarland and Co., 2009), 50-52. See also DenizKandiyoti, "Old Dilemmas or New Challenges? The Politics of Gender and Reconstruction in Afghanistan," *Development and Change* 38:2 (2007): 169-199, doi: 10.1111/j.1467-7660.2007.00408.x (accessed 27 July 2012).

33 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

34 Key informant interview, Kabul, September 2012.

to long term process, but will move the gender agenda in the country into a transformative space that may have more potential to facilitate lasting, if slow, advances in gender equality.

Politics and political will

The GoA is duty-bound to facilitate and support implementation of Afghanistan's obligations to women and girls. The presence of a broad range of donors and international partners in Afghanistan offers a structural basis to advocate for and support girls and women to fully realise their rights, and to hold the Afghan state accountable for its commitments. However, competing political priorities and interests, particularly as the transition comes closer, make the situation increasingly complex.

The Afghan state itself is part of the institutional environment creating and maintaining the conditions for gender equality in the country. Hence, the interests of the state's component members influence the direction of change, and these interests have been shaped by Afghanistan's existing patriarchal norms and values. Many individuals consulted for this research recognise this interplay of personal and institutional interests and believe that the government has never been serious about women's and girls' rights.³⁵ Instead, recognizing the political reality of the international community's interest in gender equality, the GoA supported women's rights and gender equality on paper as a means of placating international demands, without the intention of supporting transformative change. An assessment of budget expenditures can be read to support this argument since a well-resourced women's machinery is required to support mainstreaming gender commitments within Ministry implementation plans. MOWA's actual budget expenditure was just 0.14 percent of the national budget expenditures in 2010-11.³⁶

The complex political pressures operating in Afghanistan also influence the GoA's commitment to gender equality and women's rights. While the international community may promote gender equality, other domestic forces, from the Taliban to other conservative elements, clearly do not favour such change. With the approach of the transition, the challenge of balancing competing interests and the weakness of state support for gender equality objectives may become more apparent. One example of the fragility of the status of women's human rights in Afghanistan, and their role in political manoeuvring ahead of the transition, is the passing of the Shia Personal Status law³⁷. The law restricts Shia Muslim women's freedoms, including those related to choice over marital relations and over the ability to work, and women's rights to their children.³⁸ Karzai's support for the law was seen as a strategic move to trade women's rights in exchange for pre-election political support from the fundamentalist Shia community. The move, together with other signs³⁹, has rights watchdogs deeply concerned that similar deals will be made with the Taliban and other conservative factions as part of peace negotiations, reversing women's hard-won rights in the transition period and beyond.

3.2 International Community: strong rhetoric, strong domestic pressures

The magnitude of gender inequality and the starkness of the human rights violations under the Taliban elevated the profile of Afghan women on the international agenda at the turn of the century. The urgency for women's rights was invoked as a key entry point, together with the "war on terror", justifying the need for coordinated international intervention. Rhetoric at the highest levels of power was heavily focused on the need to fight for women's rights, often conflating

35 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

36 Central Statistics Organization (CSO), *Afghanistan Statistical Yearbook 2010-11*, (Kabul: Central Statistics Organization, 2012).

37 Although it is unclear whether this law was actually passed by Parliament before being signed by President Karzai; see Lauryn Oates, "A Closer Look: The Policy and Law-making Process Behind the Shiite Personal Status Law" (Kabul: AREU, September 2009).

38 Human Rights Watch, "Afghanistan: Law Curbing Women's Human Rights Takes Effect," 14 August 2009, <http://www.hrw.org/news/2009/08/13/afghanistan-law-curbing-women-s-rights-takes-effect> (accessed 10 September 2012).

39 For example, the shelving of the progressive Media Law and tacit government approval for regressive statements put forth by the Ulema Council. See Nader Nadery, "Getting Human Rights Wrong is Not an Option," *The AFPak Channel*, 17 May 2012, http://afpak.foreignpolicy.com/posts/2012/05/17/getting_human_rights_wrong_is_not_an_option (accessed 11 September 2012).

the issues of terrorism and female oppression.⁴⁰ As Mark Malloch Brown, the former UK Foreign Office Minister for Africa, Asia and the UN, reflected in 2009, “The rights of women was one of the reasons the UK and many in the West threw ourselves into the struggle in Afghanistan. It matters greatly to us and our public opinion.”⁴¹

The international community responded to the need in Afghanistan with a large aid, commercial and military presence over the last decade. Official Development Aid (ODA) data illustrate the expanding financial commitments donor governments made, with disbursements increasing from 15 USD per person in 2001 to 187 USD per person in 2010.⁴² Donor countries disbursed 6.45 billion USD in 2010 alone.⁴³ This commitment offers both opportunities and challenges, as the need to coordinate increases with the size of the intervention, as does the complexity of the coordination challenge.

The international community’s rhetoric around women’s rights was forceful and its promises were broad and well intentioned. But the earliest phases of the reconstruction of post-Taliban Afghanistan did not take the steps necessary to give substance to the rhetoric. There was a lack of coordination, and too little time spent considering how to engage appropriately to foster gender equality or reflecting on whether and how existing efforts were working. Money was not earmarked or allocated in a way that allowed advocates to hold donors accountable for their promises to Afghan women. Finally, little to no investment was made in documenting existing conditions around gender equality and women’s rights to track progress and as a means to hold all actors accountable to their rhetoric.⁴⁴

Therefore, while the Afghan Constitution, CEDAW, and the CRC provide a framework for coordination and accountability, the international community as a group seldom used them in this way. The UN conventions have tended to remain with the UN and are seldom used as reference in bilateral planning and negotiations with Afghanistan or as a basis for guiding bilateral collaboration.⁴⁵ Donor agencies have tended to use their own national policies for development cooperation as reference, rather than international obligations. This can create disorder and discord when donor and national priorities do not match. Such a planning paradigm also risks diverting needed funds from gender equality goals, and undermines Afghanistan’s ability to effectively coordinate progress in priority areas for girls and women. As emphasised by one key informant, “the international donors have been disparate actors doing their own things, and the UN who is supposed to coordinate the international community did not have the stature to lead on women’s rights.”⁴⁶

As countries increasingly tied their aid to military objectives in efforts to win hearts and minds in insecure areas, the ongoing conflict in Afghanistan is believed to have diverted focus and money away from many of the neediest in the country, including women and girls.⁴⁷ The security situation also has generally pushed donors out of contact with the Afghan rural poor in insecure locations. Donor representatives in Kabul reported that they have increasingly lost contact with people on the ground, and few are able to travel freely around the country due to security restrictions.⁴⁸

Furthermore, there has been a tendency to focus on ‘easy fixes’ and ‘concrete outcomes,’ such as schools and other infrastructure and to avoid cultural aspects of social change processes that challenge traditions and require attitudinal shifts.⁴⁹ Evidence from interviews and FGDs

40 See ActionAid, “A Just Peace? The Legacy of War for the Women of Afghanistan,” (London: ActionAid, 2011) page 3 for a strong account of statements made in 2001 in support of Afghan women’s rights by, amongst others, Prime Minister Tony Blair and Cherie Blair, First Lady Laura Bush, and Senator Hilary Clinton.

41 As quoted in Julian Borger, “Pressure on Hamid Karzai to Scrap Afghan Women’s Law,” *The Guardian*, 1 April 2009. www.guardian.co.uk/world/2009/apr/01/afghanistan-womens-rights-hamid-karzai (accessed 11 September 2012).

42 World Bank, Databank, “Net ODA received per capita” <http://data.worldbank.org/indicator/DT.ODA.ODAT.PC.ZS> (accessed 10 September 2012).

43 This amount excludes ISAF funds. Organization for Economic Cooperation and Development (OECD), Development Assistance Committee, “International Development Statistics 2010” <http://stats.oecd.org/Index.aspx?datasetcode=TABLE2A> (accessed 10 September 2012).

44 Kandiyoti 2005.

45 Consultations with donor agencies, embassies and UN agencies, Kabul, May 2012.

46 AREU Key informant interview, Kabul, September 2012.

47 Consultations with international organisations, Kabul, May 2012.

48 Consultations with donor agencies, embassies and UN agencies, Kabul, May 2012.

49 This tendency is not unique to Afghanistan, but may be more pronounced due to high degrees of inequality and

conducted for this research suggests that some donors and international partners in Afghanistan feel uncomfortable discussing human and women's rights within the current political climate. As one consultation participant stated:

I think it would be impolite and inappropriate in the current peace and reconciliation process to go to the President and talk about women's rights to participate in the peace and reconciliation process, it is too sensitive.

Box 2: Local level impacts for women: Small improvements from low benchmarks

Female provincial representatives reported that tangible results for women at the local level are low, despite acknowledging that foreign assistance has been provided to their provinces. They expressed concern about the commitment of Western governments to Afghan women, given the real pressures of domestic political concerns that to outweigh their accountability to Afghan women. They further note that the Ministry of Women's Affairs has not taken the lead role as an active agent for change in women's lives. The representatives granted that women are better off now than during the Taliban period when the place of a woman was "either in the house or in the grave," but they also noted that small improvements from such low benchmarks are not worthy of the international community's commitment to Afghanistan. They believe that the international community has done little to obtain an independent assessment of the impact of projects at the field level on the daily lives of Afghan women and men.

- FGDs with female representatives from Baghlan, Balkh, Helmand, Kunar, Nangarhar and Paktika Provinces - September 2012

This focus clearly influences how donors engage around gender issues, with gender accommodating approaches fitting better within the quick fix mentality and the discomfort around engaging with sensitive social change processes. However, while such approaches may provide short term 'successes' in terms of numbers participating in programs (e.g. in NSP shuras, schools, or microcredit programs), their potential to foster the long term, lasting shifts in the factors underlying gender inequality, which could have stood up to and through the transition process, are far more questionable.

The perception of many women's rights activists and sympathisers is that the international community is too focused on their respective withdrawal of troops from Afghanistan to bother with the rights of women and women's participation in the peace and reconciliation negotiations.⁵⁰ According to Sima Samar, Chairperson for the Afghanistan Independent Human Rights Commission (AIHRC):⁵¹

The sad part is that the international community's actions do not reflect what they say. It talks about women's rights, but then they don't include them [in peace talks]. Women's involvement should be one of the conditions [of peace talks].

While donors today continue to express support for women to be recognised as full members of society, in line with official rhetoric at the time of the start of the military intervention, their actions have generally been inadequate to the scale and source of the challenge. Moreover, there appears to be a willingness to compromise women's rights for the ongoing peace and reconciliation negotiations with the Taliban. Indeed, few women were present at the latest NATO conference in Chicago, USA and those who were present were relegated to the back of the conference room.⁵² There has been little pressure from the international community on the GoA

insecurity. Analysis of similar weaknesses in aid programs globally has over the past decade brought forth an increasing focus on aid effectiveness, results-based management and accountability systems including gender-responsive budgeting.

50 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

51 Quoted from Tom A. Peter, "Afghanistan Women: 'Give Us a Seat at the Peace Table'," Christian Science Monitor, 26 January 2012, <http://www.csmonitor.com/World/Asia-South-Central/2012/0126/Afghanistan-women-Give-us-a-seat-at-the-peace-table> (accessed 10 September 2012).

52 Howard LaFranchi, "At NATO Summit on Afghanistan, Few Women's Voices Heard" Christian Science Monitor, 20 May 2012, <http://www.csmonitor.com/USA/Foreign-Policy/2012/0520/At-NATO-summit-on-Afghanistan-few-women-s-voices-heard> (accessed 27 August 2012).

to include women delegates at the suggested level that would facilitate meaningful participation⁵³ in line with Article 7 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW).⁵⁴

At the 2012 Tokyo conference, major donors pledged another 16 billion US dollars in aid to Afghanistan over the 2012-2016 four-year transitional period⁵⁵. While it remains to be seen how much of the pledges will materialise in the coming years and how funds will be allocated against major development priorities, the commitments indicate a continued strong influence of international actors on the country's development agenda. However, as agreed in the London⁵⁶ and Kabul Communiqués⁵⁷ and reaffirmed in the Tokyo Declaration,⁵⁸ 50 percent of aid monies shall go through the GoA mechanism to enhance GoA's accountability toward the people of Afghanistan and the international community. The previous discussion of the GoA's political will and capacities to mainstream gender in its programs, and the lack of gender budgeting and/or gender responsive data collection system all raise concern that women's rights will be less prioritised under this model of disbursement and that programmes targeting improvements in women's situation will disappear from balance sheets.⁵⁹

3.3 National and international civil society organisations: diversity and coordination

National and international civil society organisations have an important role to play in articulating and driving forward the gender equality and women's rights agenda in Afghanistan. The large number and diverse agendas and capacities of these organisations make realizing this role challenging. However, national women's organisations have made great strides over the last decade that should not be discounted against unrealistic expectations.

One challenge facing civil society is the diverse agendas pursued by its members. These agendas range from provision of humanitarian assistance in remote and underserved areas to implementing social development programmes and projects for disadvantaged groups, enhancing women's economic participation, acting as human rights watchdogs on the ground, and advocating for women's rights. Their role in understanding and addressing women's, and men's, strategic needs and interests is particularly important within the current context of questionable and limited government commitment to advancing gender equality and women's rights.

Women's rights organisations that participated in AREU-facilitated FGDs noted that individual agency agendas were generally defined by their ideals and by donor agency mandates. Critics label CSOs as generally project-driven. As a sub-group, women's rights organisations are not always unified in goals and priorities with respect to women's human rights.⁶⁰ Civil society respondents interviewed as part of this study described how internal divisions and lack of coordination among CSOs and between CSOs and the government is weakening the effectiveness of civil society. In particular, women's rights organisations have been criticised for a debilitating competition

53 Thirty percent is the generally accepted target for meaningful participation of women in various fora. See, for example, Dana Theus, "Introducing The Woman Effect!," 21 February 2012, <http://www.inpowerwomen.com/what-is-the-woman-effect/> (accessed 14 September 2012).

54 Article 7 safeguards the following rights of women on equal footing with men: (a) *To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;* (b) *To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*(c) *To participate in non-governmental organizations and associations concerned with the public and political life of the country.* UN Convention on the Elimination of All Forms of Violence Against Women (CEDAW), <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> (accessed 21 August 2012).

55 BBC News, "Afghanistan Aid: Donors Pledge \$16bn at Tokyo Meeting," 8 July 2012, <http://www.bbc.co.uk/news/world-asia-18758148> (accessed 12 August 2012).

56 London Conference: Afghan Leadership, Regional Cooperation, International Partnership, "London Conference Communiqué," January 2010, https://www.cimicweb.org/cmo/afg/Documents/Governance/CFC_Afghanistan_Agreements_June2012.pdf (accessed 10 September 2012).

57 Kabul International Conference on Afghanistan, "Kabul Conference Communiqué," July 2010, https://www.cimicweb.org/cmo/afg/Documents/Governance/CFC_Afghanistan_Agreements_June2012.pdf (accessed 10 September 2010).

58 William Byrd, "Mutual Accountability in Afghanistan Post-Tokyo: Will it make a difference?," 20 August 2012, United States Institute of Peace (USIP), International Network for Economics and Conflict, <http://inec.usip.org/blog/2012/08/20/mutual-accountability-afghanistan-post-tokyo-will-it-make-difference> (accessed 14 September 2012).

59 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

60 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012..

among themselves for money and influence that ultimately undermines the overarching struggle for women's rights.⁶¹ These challenges notwithstanding, civil society in Afghanistan has been able to exert some influence on gender equality legislation and policy debates at the national level. These successes have tended to come through coordination networks such as the Afghan Women's Network (AWN), which has a membership of over 3000 individual women and 96 CSOs.

CSOs focusing on women's rights also help bring to the table information and perspectives from grassroots women, voices that are usually absent. In many fora, activists speak on behalf of marginalised groups to voice their needs and to demand their rights. While this has led to some criticism, women's rights activists point out the fact that they speak from first-hand experience of working in the communities, and that their voice is needed to represent the many others who cannot be present at national and international fora.⁶² Conversely, CSOs play a pivotal role in feeding information back to the local level about women's rights and changes to laws in Afghanistan, a need that is widespread throughout rural areas where illiteracy and poverty make access to information difficult, as was highlighted in AREU-organised FGDs in Boyina Bagh, Kabul province. In response to a question about women's rights, one male youth offered,

*Dear brother, you are talking about women's rights, but to be honest we don't even know the Afghan constitution... how could it be possible that we would be informed about women's rights?*⁶³

Government (notably MoWA and AIHRC) and civil society also have worked to educate the populace, providing women with legal advice and offering seminars and workshops to improve understanding of women's legal and religious rights. Women-led organisations working in remote areas, like the Afghan Women's Educational Centre (AWEC), Afghan Women Resource Centre (AWRC) and, Humanitarian Assistance for the Women and Children of Afghanistan (HAWCA) are working to bridge socio-cultural as well as geographical divides.⁶⁴ The Afghanistan Human Rights and Democracy Organisation (AHRDO) has adopted an innovative approach to promote women as agents of change, using "legislative theatre" as a forum to discuss women's political participation and legal problems.⁶⁵ All of these efforts make important contributions, but it is important to note that they tend to focus primarily on women. While many of the approaches are innovative and could have considerable influence on gender norms and attitudes, more thought needs to be given to whose attitudes and beliefs need to go through a process of change? Men and women, as well as opinion leaders, are all important targets for critical action and reflection processes focused on gender norm and behaviour change.

The AIHRC is an example of one organisation that has taken a different approach by focusing on influential leaders as change agents. It conducts training sessions to improve their understanding of human rights, including women's rights, to extend the reach of human rights discourse to constituencies, mosques, and communities. Some results are promising, as a trainee from Bamiyan offered:

*My behaviour against my wife and children has been changed. In the past when my wife or children expressed their views on some matters, I paid no attention to them, but now, when they speak and I want to prevent them, immediately I remember the workshops held by AIHRC and I correct my behaviour.*⁶⁶

However, despite inroads made through training and media programmes such as those noted above, women's rights are still not widely understood in Afghanistan and perceptions of rights vary widely.⁶⁷ There even remains among some women's rights organisations in Kabul a low

61 Key informant interviews with civil society representatives, Kabul, September 2012.

62 Key informant interviews with women's rights activists, Kabul, September 2012.

63 Based on primary data collected while conducting field research for Chona R. Echavez, "Community Synthesis Report: BoyinaBagh," Gender and Economic Choice, (Kabul: AREU, 2011).

64 Palwasha Hassan, "The Afghan Peace Jirga: Ensuring that Women are at the Peace Table," United States Institute of Peace (USIP) Peace Brief, 12 May 2010, http://www.usip.org/files/resources/PB29%20Afghan%20Peace%20Jirga_Hassan.pdf (accessed 13 September 2012).

65 Afghanistan Human Rights and Democracy Organization, "Afghan Women after the Taliban: Will History Repeat Itself?" (Kabul: AHRDO, February 2012).

66 Afghanistan Independent Human Rights Commission (AIHRC), "Annual Report 1389 (2010/2011)," 2011, <http://www.aihrc.org.af/media/files/Reports/Annual%20Reports/inside.pdf>, (accessed 25 June 2012).

67 Afghanistan Human Rights and Democracy Organization, "Afghan Women after the Taliban: Will History Repeat Itself?" (Kabul: AHRDO, February 2012), 24.

level of knowledge and understanding of human rights, including the details of CRC, CEDAW, and Afghanistan's international obligations. Women's rights are generally discussed without any reference to international conventions and treaties, and often lumped together as an amorphous group of rights. There is a strong focus on protection against harm and violence against women, but there is at best an unclear picture of girls and women as holders of individual rights as enshrined in the CRC and CEDAW.⁶⁸ On top of this, it remains an on-going challenge for local and international civil society actors to find ways to talk about women's rights across the regions and provinces of Afghanistan in ways that make the ideas and ideals relevant to the neediest segments of society.

Even with these challenges, the presence of foreign donors and international CSOs has encouraged growth in both the number and strength of national women's groups working to shift traditional perceptions, influence policymakers, and raise awareness of women's rights in the country over the last decade. There is a growing ability of women's rights groups to come together in response to threats, hence suggesting that a more cohesive voice is emerging. The MP for Kabul, Shenkai Zahir Krohel, argues that the past decade has brought considerable changes for organisations promoting women's rights:

I think in the last ten years, we have learned how to understand, how to advocate for rights, and how to react to issues that happen. These have been incredible years for women. I think the past ten years of our life is absolutely different from the way it used to be. We have used these years for advocacy. We have learned how to advocate amongst policymakers, the international community, and to create a good foundation for the future.⁶⁹

On the cusp of the transition period, many women's rights organisations expressed concern regarding the anticipated reduction in funding for their programmes and activities. There were fears that some may lose their financial support entirely when major donors withdraw or scale back in 2014⁷⁰. This concern was audible among NGOs,⁷¹ while donor agencies and embassy representatives stressed that their financial commitments to fostering gender equality would remain and would not be affected by the withdrawal of their troops.⁷² The Tokyo Declaration commitment of the GoA towards girls' and women's rights is seen as a positive sign that support to the many active women's rights NGOs in Afghanistan will continue after 2014.⁷³ It remains to be seen whether CSOs promoting women's rights will have the coherence and capacity to exert the influence required during the forthcoming transition period to protect and broaden the rights that have been gained. In the struggle for resources that is likely to mark this period, the ability of organised women's constituencies in civil society to form broad political alliances may prove crucial.

3.4 Culture and Religion

Neither security nor development is possible without respect for human rights and the full participation of women. U.S. policy in Afghanistan must endorse these rights-based values and not allow deference to traditional culture and religion to excuse failures to protect human rights and women's rights.

- Sima Samar, Chair, AIHRC⁷⁴

Understanding the subordinate status of women in Afghan society requires practitioners to reckon with the continued centrality of religion and family in women's lives, and the historical weight

68 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

69 Author interview, Shenkai Zahir Krohel - Member of Parliament, Kabul, June 2012.

70 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

71 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

72 Consultations with donor agencies, embassies and UN agencies, Kabul, May 2012.

73 Tokyo Conference on Afghanistan: Partnership for Self-Reliance in Afghanistan, From Transition to Transformation, "Tokyo Declaration," 8 July 2012, http://www.mofa.go.jp/region/middle_e/afghanistan/tokyo_conference_2012/tokyo_declaration_en1.html (accessed 10 September 2012). Also see Annex 3 for summary of key international commitments made with regards with women's rights.

74 Sima Samar, "A New Way Forward in Afghanistan: A Request for Change in US Policy," *American University, Washington College of Law, HR Brief*, 2012, <http://www.wcl.american.edu/hrbrief/16/3samar.pdf> (accessed 21 August 2012).

of norms and traditions.⁷⁵ Restrictions on women in the public sphere are often justified within the framework of religious teachings. Networks of religious leaders and mosques in Afghanistan play an important role in shaping public opinion, especially in the area of women's issues. The voice of religious leaders, therefore, is vital in raising awareness and acceptance of women's rights, as demonstrated when Afghan clerics issued a declaration which called on women to participate in the 2009 elections and on men to encourage women's participation.⁷⁶ Some mosques have used Friday prayers as a medium for challenging and/or reinforcing women's traditional roles.⁷⁷ Discriminatory gender norms have therefore emerged in part from uninformed interpretation of religious edicts, and are therefore embedded in an intertwining of religion with culture.⁷⁸ This is particularly significant in a society like Afghanistan where large sections of the population are illiterate and understandings of Islam are often built through oral narratives.

Box 3: Increased Mobility, Limited Decision-Making

Village women today have greater liberty of movement than during the Taliban period. However, their mothers had greater freedom of movement and a stronger voice in decision-making processes. The majority of women may now go beyond their homes without an escort, provided they don their burkas. Only when they are working in the village fields can they move about with a simple veil on their heads.

- Women FGD in Shakardara Valley - July 2012

Prevailing conservative traditions, customary practices, and religious interpretation shape the Afghan cultural environment and function collectively to impede the realisation of women's rights. While patriarchal patterns in Afghanistan share some general features, it is also important to recognise that there are considerable variations across the country by class, ethnicity, and location. Adding further complexity, religious understanding and interpretations in Afghanistan are heavily influenced by local and tribal norms and behaviours. One of the most repressive tribal norms in relation to women is perhaps *Pashtunwali*, "the way of Pashtuns," where the seclusion of women is prevalent and the *chaderi* or burqa are worn when the Pashtun woman leaves her home. By adhering to *Pashtunwali*, a Pashtun possesses honour and is therefore able to receive the rights, protection and support of the Pashtun community.⁷⁹ Critics note that there is nothing in the teachings of Islam to support women's seclusion, and indeed many teachings support equality between the sexes.⁸⁰

The lives of Afghan women and girls are governed by deeply rooted cultural practices that impose restrictions on their personal lives. Normative relations between men and women are largely based on the idea of a patriarchal contract⁸¹, drawing on religion to outline gendered rights and responsibilities. Men are given primacy in the public sphere and are responsible for providing for the family and for upholding the family honour through the protection of women's virtue.⁸² Women's economic and social security rely on their submission to the patriarchal authority structure within

75 Naila Kabeer, Ayesha Khan and Naysan Adlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No. 387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012), 12.

76 Louise Hancock and Orzala Ashraf Nemat, "A Place at the Table: Safeguarding Women's Rights in Afghanistan," *Oxfam Briefing Paper*, October 2011, <http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf> (accessed 12 September 2012).

77 AREU Focus Group Discussion (FGD) with women's rights activists and civil society representatives, Kabul, May 2012.

78 Afghanistan Human Rights and Democracy Organisation, "Afghan Women after the Taliban: Will History Repeat Itself?" (Kabul: AHRDO, February, 2012), 29.

79 Palwasha Kakar, "Tribal Law of Pashtunwali and Women's Legislative Authority," *Islamic Legal Studies Program, Harvard Law School*, <http://www.law.harvard.edu/programs/ilsp/research/alhp.php> (accessed 27 June 2012), 1-5.

80 See Annex 2 for sample of Hadiths that support women's rights. Leila Ahmed, *Women and Gender in Islam: Historical Roots of A Modern Debate*, (New Haven: Yale University Press, 1993).

81 Naila Kabeer, Ayesha Khan and Naysan Adlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No. 387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012).

82 Naila Kabeer, Ayesha Khan and Naysan Adlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No. 387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012), 8; Afghanistan Human Rights and Democracy Organization, "Afghan Women after the Taliban: Will History Repeat Itself?" (Kabul: AHRDO, February 2012), 30.

the family.⁸³ These requirements and the norms and traditions underlying them can make the family a site of oppression for many women, rather than a refuge.⁸⁴ This reality supports the need for greater efforts across development actors to understand intra-household relations and track intra-household outcomes.

Box 4: “In the next ten years *our* voices must be heard”

Women in a focus group held in Kandahar identified men as the principle beneficiaries of development programs, ignoring the needs of women. When comparing their lives with their mothers, they expressed deep gratitude towards their mothers for protecting them from the dangers of war, abuse, and from the risk of forced marriage to a man of their fathers’ choice. The general consensus was that their lives were only marginally better than their mothers, citing availability of health facilities, and freedom of expression and choice as clear advantages. However, they noted that “on important issues, such as the level of education we want for our children or for ourselves, we have little say in the matter...our greatest fear is that instability will curtail the few liberties that we have attained; that men will have even greater control over our lives; and, that our daughters will have no say in their future because they will be forced into marriage against their will at a very early age.”

The women’s greatest wish for the future is that their daughters and sons have equal rights and opportunities within a secure environment. They struggled to contemplate the future because the withdrawal of the NATO forces was upper-most in their minds. “If there is chaos yet again, we will have to flee to Pakistan once again and live in refugee camps once again. But, if the fighting stops, then we would be able to live according to our own choice and our daughters will have a better future.” Their vision of the future was clouded by a lack of information on the political situation. They noted that such issues are discussed amongst men who do not encourage women’s participation. “In the last ten years, men’s voices have been heard, in the next ten years our voices must be heard. Our rights, needs, and participation in society must be secured.”

- FGD with 15 women aged 22-44 years old, Dand District of Kandahar - September 2012

The constraints of religion and culture are not just abstract realities for women and girls in Afghanistan. They have material consequences for women’s and girls’ well-being, and shape many of the outcomes described in the next chapter. Some macro level indicators of these consequences include Afghanistan being one of a few countries in the world where women may have the same or shorter life expectancy than men;⁸⁵ and the estimate that gender inequality has led to a cumulative impact on women’s mortality equivalent to one million missing women, or 3.7 percent of the female population, according to an analysis of demographic data from 2000.⁸⁶ “Missing women” refers to women who are missing from demographic count as a result in unequal allocation of critical goods/services needed for survival.⁸⁷ Unequal access to health care driven by gender norms around mobility and entitlement to care are the most important factors

83 Naila Kabeer, Ayesha Khan and Naysan Adlparvar, “Afghan Values or Women’s Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan,” IDS Working Paper - Volume 2011, No. 387, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012), 14.

84 For further elaboration, see Anju Malhotra, Sidney Ruth Schuler and Carol Boender, “Measuring Women’s Empowerment as a Variable in International Development,” Background paper prepared for World Bank Workshop on Poverty and Gender: New Perspectives, 28 June 2002, <http://siteresources.worldbank.org/INTGENDER/Resources/MalhotraSchulerBoender.pdf> (accessed 21 August 2012).

85 United Nations Development Programme (UNDP) - Afghanistan, “Afghanistan Millennium Development Goals Report 2010,” October 2010, <http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Country%20Reports/Afghanistan/MDG-2010-Report-Final-Draft-25Nov2010.pdf> (accessed 8 August 2012). Note that data differs between sources with most reporting near parity in life expectancy. UNFPA data shows that the life expectancy for both men and women is 49 years. United Nations Population Fund (UNFPA), “State of World Population 2011,” <http://foweb.unfpa.org/SWP2011/reports/EN-SWOP2011-FINAL.pdf> (accessed 13 September), 115. CIA Factbook shows men live 44.79 and women live 45.25 years suggesting a closed gender gap. United States Central Intelligence Agency (CIA), “World Factbook 2012 - Afghanistan,” <https://www.cia.gov/library/publications/rss-updates/june-14-2012.html> (accessed 13 September 2012). According to the Afghanistan Mortality Survey from 2010, however, life expectancy for women is set at 64.2 years, while for men it is set at 63.6 years. Afghan Public Health Institute, Ministry of Public Health (APHI/MoPH), Central Statistics Organization (CSO), ICF Macro, Indian Institute of Health Management Research (IIHMR), and World Health Organization Regional Office for the Eastern Mediterranean (WHO/EMRO), “Afghanistan Mortality Survey (AMS) 2010,” November 2011, <http://measuredhs.com/pubs/pdf/FR248/FR248.pdf> (accessed 24 July 2012), 123.

86 Stephan Klasen and Claudia Wink, “‘Missing Women’: Revisiting the Debate,” *Feminist Economics*, (2003) vol. 9 No. 2-3, 263-299, <http://csde.washington.edu/~scurran/files/readings/April28/recommended/MissingWomen.pdf> (accessed 10 September 2012).

87 Amartya Sen, “More Than 100 Million Women Are Missing,” *New York Review of Books*, (1990) vol. 37 No. 22, <http://ucatlans.ucsc.edu/gender/sen100m.html> (accessed 12 September 2012)..

driving excess female mortality.⁸⁸The way that prevailing religious and cultural norms create such a social dis-enabling environment for women and girls calls for efforts to transform patriarchal structures at all levels. While gender-specific norms are among the most pervasive and resistant to change in any society, change is happening.

Agents of cultural change - migration, youth, media and mullahs

Afghanistan is engaged in a complicated and uneven cultural change process that challenges traditional gender roles, rights and responsibilities. Currently there are signs of a positive shift and genuine change in the attitudes of some segments of Afghan society, particularly in major urban centres such as Kabul, Mazar-i Sharif, and Herat. But these often co-exist with signs of resistance to change among other groups, particularly in rural areas. This rural-urban divide is not new and should raise concern because the limited success of past efforts to reform women's status in Afghanistan has been blamed in part on the influence of international activists and urban elites.⁸⁹ Women's rights agendas often have been established without inclusive participation of women and men across the country. Change agents only had limited ability to engage women from lower classes in general, and hardly reached most rural women, who continued to live much of their lives secluded within the domestic domain. Existing efforts to secure and expand gains made on gender equality and women's rights must learn from these experiences and proactively reach out to rural Afghans - both men and women.

There are many drivers of change that if harnessed strategically could successfully contribute to efforts to support gender transformative change. One of these is exposure to other places and ways of organising society and its effects on gender attitudes and practices. Large-scale internal and external migration and displacement of the population as a result of war and economic strife has sparked if not hastened cultural change processes. Migration and displacement provided large numbers of citizens with reflexive distance from which to evaluate their own society and compare it with the political, economic, and socio-cultural models in other countries or milieu. Increasing interaction with the world outside the village and outside the country has raised awareness of the responsibility of the government in Afghanistan. This exposure, combined with the experience of years of international intervention, has resulted in new demands and expectations on the state from a diverse populace.⁹⁰Collectively, urban returnees and rural migrants have sparked and spread new ideas, including ideas about gender roles and responsibilities.⁹¹

Demographic change is another process that can be harnessed to foster progressive social change. In Afghanistan, as in all countries, gender differences vary considerably over time and space, and meaningful gender-based change is often best observed inter-generationally. Afghanistan's age structure depicts a 'youth bulge' with 68 percent of the population under the age of 25.⁹² Afghan youth are well positioned to help drive progress toward greater gender equality and universal rights. Those who had been children at the start of the international intervention are now becoming adults as the country enters into transition. Boys and girls are better educated, healthier, and more globally engaged than their forbears. Afghanistan's youth are socially connected through electronic media networks and the expanding reach of other information sources. These connections contribute to growing expectations and demands, including in the area of gender equality. Afghan youth are by no means a homogenous group, however, and there are some who feel strongly that women should remain and/or revert to traditional roles and limited spheres of

88 Other causal factors include differential nutrition and sex-selective abortions in some countries. See Klasen and Wink (2003:280-281) for a comprehensive review of the literature.

89 Huma Ahmed-Ghosh, "Voices of Afghan Women. Human Rights and Economic Development," *International Feminist Journal of Politics*: (2006) Vol. 8 No. 1, 110-128, http://content.ebscohost.com/pdf17_20/pdf/2006/5BC/01Mar06/19701891.pdf (accessed 21 June 2012); Naila Kabeer, Ayesha Khan and Naysan Adlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No. 387, December 2011*, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf> (accessed 26 June 2012).

90 This observation is discussed further in Rebecca Gang, "Community-Based Dispute Resolution Processes in Kabul City," (Kabul: AREU, 2011).

91 Mamiko Saito, "Searching for my Homeland: Dilemmas between Borders - Experiences of Young Afghans Returning "Home" from Pakistan and Iran," (Kabul: AREU, 2009). Emily Winterbotham, "Healing the Legacies of Conflict in Afghanistan: Community Voices on Justice, Peace and Reconciliation," (Kabul: AREU, 2012).

92 United Nations Development Programme (UNDP) Afghanistan - Joint National Youth Program "January 1 2008 - December 31 2008 Annual Report," 2008, <http://www.undp.org.af/whoware/undpinafghanistan/Projects/AnnualReport08/JNYP-AnnualReport08.pdf>, (accessed 11 September 2012).

activity.⁹³ Afghanistan's diverse youth population, with its wide a range of perspectives, must be fully engaged in Afghanistan's political, development and transition processes to help shape and drive the push toward gender equality within them. This engagement will help ensure that the related social changes emerge from and reflect the next generation's values, and therefore are more likely to be sustained within the social fabric of the country.

Media plays an important role in portraying alternative scenarios and conveying competing discourses about women's place in Afghan society. Though many households still lack access to television,⁹⁴ television, radio and other media have been an important means of disseminating information about women's rights. Government and non-government institutions have used various media to raise people's awareness of women's rights.⁹⁵ Although Afghanistan faces a "digital divide" in terms of access to media, there are programs that reach a wide swath of citizens and that can be better leveraged to effect changes in gender norms and practices.

In addition, Islam is an important but underutilised means to improve the status of Afghan women. Gender equality and women's rights will progress further if set within an Islamic framework, since gender-based strictures are often assumed to be based on religious principles.⁹⁶ Quranic verses that prescribe gender equality are likely to hold stronger sway than UN resolutions or international covenants to the ordinary Afghan, and could serve as drivers of change for Afghanistan's patriarchal mindset. Many national and international actors have been reluctant to refer to and utilise Islam, treating it as part of the problem rather than part of the solution of inequality in Afghanistan.⁹⁷ One program outside of this mould is The Asia Foundation's 'Promoting gender equity and women's rights within an Islamic framework in South Asia'.⁹⁸ It is part of a regional program across Afghanistan, Bangladesh, and Pakistan, and focuses on developing a training curriculum for Muslim leaders on women's human rights; fostering an exchange of ideas and discourse in South Asia on the relationship of Islam, human rights, and women's rights; creating a locally appropriate training curriculum for religious leaders in South Asia to advance social justice for women; and expanding and strengthening regional networks of Muslim scholars and leaders working to advance women's rights in the context of Islam.

3.5 Institutionalizing gender equality: Summary

Efforts to create an enabling macro environment supporting gender equality and women's rights have been mixed. While the international community remains committed to gender equality in words, its actions can at times fall short of what is needed. Domestic political pressures and discomfort with intervening in what some classify as cultural matters have a role in stymying the actions of bilateral actors. The Afghan government has committed on paper to many conventions and laws that uphold women's rights and gender equality. However, translating these commitments into political will and capacity to act on the ground has been a more difficult undertaking.

Civil society is strengthening and has a very important role to play in the run up to and through the transition, as advocates for women's rights and gender equality. Networks of women's NGOs exist but need to work better together to achieve a clear and coherent voice through which to influence transition and development processes. Religion and culture cut across all efforts to frame an enabling social environment within which women and men, and boys and girls, can define and achieve their goals. This is not going to change, thus all actors at the national scale need to do more to engage with religious and cultural norms, to acknowledge when these can support efforts to improve women's and girls' lives, and when focused efforts may be needed to counter gender-based constraints emerging from these sources.

93 Author interview with a government employee, Kabul, June 2012.

94 Barry Bearak, "A Massive Phenomenon in Afghanistan: Television," *New York Times*, 31 July 2007, http://www.nytimes.com/2007/07/31/world/asia/31iht-kabul.4.6921752.html?_r=2&pagewanted=all (accessed 26 August 2012).

95 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), Art. 2.

96 Anna Larson, "A Mandate to Mainstream: Promoting Gender Equality in Afghanistan," (Kabul: AREU, 2008).

97 Some donor-funded programs have however incorporated an Islamic-based approach, involving moderate religious leaders in rights-building efforts. Key informant interviews, Kabul, September 2012.

98 See <http://asiafoundation.org/resources/pdfs/WomeninIslam2012final.pdf>.

4. Progress toward Gender Equality in Women's and Girls' Daily Lives, 2002-2012

This section assesses progress towards gender equality in the key areas of health, education, economic and social development, local leadership, and peace and security. The path to attaining gender equality in these sectors in Afghanistan has been marked by a complex mixture of gains and set-backs. Efforts to foster gender equality have been supported by the emergence of a legal discourse around gender equality and women's rights in the post-Taliban era, actively promoted by the international community, donor agencies and NGOs, as well as by the GoA itself, as noted in the previous section. Gender mainstreaming in some program designs and implementation has offered opportunities for some women to realise their rights. However, these efforts have not been sufficient to challenge and change gender norms and practices, meaning scaling out and sustaining these advances to the majority remains a challenge.

The analysis below contrasts the situation of women and girls at the start of the post-Taliban period (or as close to that time as data allow) with the situation today. A three-point 'rating' is given for each area for quick comparison of relative strengths and weaknesses of performance over the last decade. Rating scale criteria are presented below. The ratings are designed to be forward-looking to the transition period. However, measuring progress in women's rights in Afghanistan over the last decade is extremely difficult due to a lack of data, and specifically a lack of gender sensitive and sex-disaggregated baseline data. Data used to establish the baseline in this paper are drawn from as close to 2001 as possible; exact years are noted. Some data are simply missing. Furthermore, aggregate data conceal the fact that gains show variation across sectors and geographic areas. While imperfect, available data offer a good indication of areas of progress and stagnation, and demonstrate the urgent need to invest in improved data collection to improve process and outcome monitoring in order to enhance learning and guard against the real possibility of reversals in the gains made to date.

Table 1: Rating Scale of Outlook for Women's Rights Realisation

Rating	Characteristics
Good outlook	<ul style="list-style-type: none"> Strong legislative/legal framework Data indicate significantly improved access for women, narrowing gender gap Evidence of strong institutional capacity to deliver
Moderate outlook	<ul style="list-style-type: none"> Improved but incomplete legislative/legal framework Data indicate some improvements for women and narrowing of gender gaps, but progress has not been consistent or significant Some institutional capacity established for delivery
Poor outlook	<ul style="list-style-type: none"> Weak legislative/legal framework Data indicate little or no improvement or narrowing of gender gaps Weak institutional capacity

4.1 Education: good to moderate outlook

The education sector in Afghanistan has made considerable progress toward gender equality since 2001. There have been large increases in primary school enrolment for girls over the last decade, starting from a very low base arising from the ban on education for women and girls in place under the Taliban. These advances have been translated into law under Afghanistan's Education Law (2008) which provides for education to be mandatory up to the secondary level and free up to the college level.⁹⁹The Law guarantees all citizens equal rights to education without discrimination.¹⁰⁰Afghanistan's 2010-2014 National Education Strategic Plan (NESP) targets an

⁹⁹ *Afghanistan Education Law*, Decree No. 56 (Official Gazette No. 955), 2008 (SY 1387), http://planipolis.iiep.unesco.org/upload/Afghanistan/Afghanistan_Education_law.pdf (accessed 15 September 2012), Art. 4.

¹⁰⁰ *Afghanistan Education Law*, Decree No. 56 (Official Gazette No. 955), 2008 (SY 1387), http://planipolis.iiep.unesco.org/upload/Afghanistan/Afghanistan_Education_law.pdf (accessed 15 September 2012), Art.2 and 3..

increase in gross enrolment rates to ten million children and in gross enrolment rates among girls from 72 to 90 percent by 2014.¹⁰¹The impact has been considerable in some communities.

Nowadays, even if people go to sleep hungry, they send their sons and girls to school....It is better than the past. In the past, if a woman crosses from the road everyone will look at that woman until she is disappeared but now everyone is busy with their own activities and no one interferes with other issues.

- Male elder, Balkh Province.¹⁰²

The GoA, with international support, conducted wide-scale education campaigns to increase the number of girls in school over the last decade. By 2012, 2.7 million Afghan girls were enrolled in schools, compared to just 5,000 in 2001.¹⁰³While there are good reasons to celebrate this major achievement, girls' enrolment, retention and completion rates still lag behind boys, with fewer girls advancing to secondary or tertiary levels of education and many girls who are enrolled do not regularly attend school.¹⁰⁴¹⁰⁵The gender parity index (GPI) at the primary school level is 0.74, dropping to 0.49 at the secondary level.¹⁰⁶Girls comprise only 20 percent of university students.¹⁰⁷Girls' enrolment in some regions remains exceptionally low. For example, there are no girls enrolled in secondary schools in around 200 districts¹⁰⁸ and girls represent less than 15 percent of the total enrolment in many southern provinces.¹⁰⁹Reasons for girls' continued low enrolment in some areas, and for their lack of retention beyond primary school, include poor school conditions; lack of separate schools for girls in some districts and provinces; early marriage due to tradition and/or poverty; conservative attitudes and gender discrimination; and insecurity.¹¹⁰It is important to note that boys in poor families are also at risk of losing out on an education due to the need to work to support the family.¹¹¹

Girls leave school after finishing the first and the second class, because the school is far. Boys go to school, and if there was school near the village, I want to go to school.

- Female youth, Naw Da, Parwan.¹¹²

Insecurity continues to impede access to education in some parts of the country, especially in the south, where Taliban and other extremists have threatened or attacked schools, officials, teachers, and students, especially in girls' schools. In 2009, the Special Representative of the Secretary General for Children and Armed Conflict expressed grave concerns about the increase in the number of child victims of attacks against schools by Taliban insurgents, including the

101 Islamic Republic of Afghanistan, Ministry of Education, "National Education Strategic Plan for Afghanistan: 2010-2014," 8 March 2010, http://planipolis.iiep.unesco.org/upload/Afghanistan/Afghanistan_NESP_II_2010-2014_draft.pdf (accessed 15 September 2012).

102 Primary research conducted during AREU's study by Chona R. Echavez with Sogol Zand and Jennefer Lyn L. Bagopor, "The Impact of Microfinance Programmes on Women's Lives: A Case Study in Balkh Province," (Kabul: AREU, 2012).

103 As quoted in Oxfam, "High Stakes: Girls' Education in Afghanistan," Joint Briefing Paper, 24 February 2011, <http://www.oxfam.org/sites/www.oxfam.org/files/afghanistan-girls-education-022411.pdf> (accessed 13 September 2012).

104 Oxfam, "High Stakes: Girls' Education in Afghanistan," Joint Briefing Paper, 24 February 2011, <http://www.oxfam.org/sites/www.oxfam.org/files/afghanistan-girls-education-022411.pdf> (accessed 13 September 2012), 10.

105 United Nations Committee on the Rights of the Child (CRC), "Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Convention on the Rights of the Child: Concluding Observations: Afghanistan," 8 April 2011, CRC/C/AFG/CO/1, <http://www.unhcr.org/refworld/docid/4dc7bd492.html> (accessed 10 September 2012).

106 Central Statistics Organization and United Nations Children's Fund (UNICEF), "Afghanistan Multiple Indicator Cluster Survey 2010-2011 (AMICS)," 24 June 2012, <http://cso.gov.af/Content/files/AMICS-Jun24-2012-FINAL.pdf> (accessed 2 September 2012).

107 Afghanistan Independent Human Rights Commission (AIHRC), "Fifth Report on the Situation of Social and Economic Rights in Afghanistan," November/December 2011, http://www.aihrc.org.af/media/files/Reports/SECR/Report%20on%20ESCR_Final_English_12_2011.pdf (accessed 21 August 2012).

108 Afghanistan Independent Human Rights Commission (AIHRC), "Fifth Report on the Situation of Social and Economic Rights in Afghanistan," November/December 2011, http://www.aihrc.org.af/media/files/Reports/SECR/Report%20on%20ESCR_Final_English_12_2011.pdf (accessed 21 August 2012), 83.

109 World Bank, "Education in Afghanistan," July 2012, <http://www.worldbank.org.af/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/AFGHANISTANEXTN/0,,contentMDK:21682753-pagePK:141137-piPK:141127-theSitePK:305985,00.html> (accessed 12 September).

110 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

111 Pamela Hunte. Beyond Poverty: Factors Influencing Decisions to Use Child Labour in Rural and Urban Afghanistan. (Kabul: AREU, 2009).

112 Chona, R. Echavez, "Community Synthesis Report: Naw Da," Gender and Economic Choice, (Kabul: AREU, 2011).

throwing of acid to prevent girls and female teachers from going to school.¹¹³ Over an 18-month period from 2007 to 2008, UNICEF documented 311 confirmed attacks on schools, resulting in 84 deaths and 115 injuries to school children, teachers, and employees.¹¹⁴ Such ongoing resistance to girls' right to education has led to school closures, lower enrolment, and higher dropout rates among girls in insecure areas. Additionally, female students in higher education institutions and at universities are often harassed both verbally and sexually.¹¹⁵ However, young people do grasp the importance of girls' education to the future of the nation.

...the school is very far from this village and most of the families, due to kidnapping problems, can't send their children to school... there are more constraints on girls to go to school because of the distance and the kidnapping cases. Families are more protective of girls.

- Male youth, Shirabad Ulya¹¹⁶

We are a country destroyed by war. People value boys' education more than girls. But as human beings we all have the right to go to school. Families must change their attitudes. They must do the right thing - girls have the right to study and learn as boys do. And girls are even more important for the future of Afghanistan. It is us girls who will care for the home and country.

- Female student, 17, northern Afghanistan¹¹⁷

Attitudes towards girls' education remain a stumbling block to gender parity, particularly at the secondary level and in some regions more than others.¹¹⁸ AREU research on child labour found that many families recognise the value of educating their girl and boy children, but differ in their abilities to fulfil this dream.¹¹⁹ In some cases community norms valuing work over schooling pressure families to send children to work or keep maturing girls from school to protect their and the family's honour; in other cases, strong leadership in favour of education helps poor families find ways to meet the opportunity costs involved in investing in education for girls and boys. Role models - families who invested in education and have children working in good jobs, help some families envision a different future for their children, based on education.

While gender norms influence decisions about schooling for girls, the quality of the education also matters. If parents do not see their children - boys or girls - learning, the benefits of sending children to school will soon sink below the social and economic costs. More must be done to ensure that the large numbers of girls and boys now going to school obtain a quality education; ideally this includes curricula addressing gender and social equality.

Afghanistan has one of the lowest literacy rates in the world, and low literacy among adults persists despite vast improvements in basic education among the younger generation. Progress in addressing adult literacy has been slow. Data from 2010 reveal that only 22.2 percent of women between the ages of 15-24 are literate,¹²⁰ and the literacy rate for women in rural areas is more than three times lower than in urban areas.¹²¹ Only 12 percent of women above the age

113 United Nations Human Rights Council (HRC), "Universal Periodic Review Report - Afghanistan" 20 July 2009, A/HRC/12/9, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/146/14/PDF/G0914614.pdf?OpenElement> (accessed 5 September 2012).

114 IRIN News, "Top UN official highlights plight of children" <http://www.irinnews.org/Report/79078/AFGHANISTAN-Top-UN-official-highlights-plight-of-children>. 3 July 2008 (access 24 June 2012).

115 Key informant interview, Kabul, May 2012.

116 Chona R. Echavez, "Community Synthesis Report: Shirabad Ulya," Gender and Economic Choice, (AREU: Kabul, May 2011).

117 As quoted by Oxfam, "Gains in girls' education in Afghanistan are at risk: Real lives" <http://www.oxfam.org/en/campaigns/health-education/afghanistan-girls-education-risk> September 2012 (accessed 20 September 2012).

118 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

119 Pamela Hunte. Beyond Poverty: Factors Influencing Decisions to Use Child Labour in Rural and Urban Afghanistan. (Kabul: AREU, 2009).

120 United Nations Development Programme (UNDP), "Power Voice and Rights. A Turning Point for Gender Equality in Asia and the Pacific," *Asia Pacific Human Development Report 2010*, <http://hdr.undp.org/en/reports/regional/asiathepacific/RHDR-2010-AsiaPacific.pdf> (accessed 3 August 2012).

121 Central Statistics Organization and United Nations Children's Fund (UNICEF), "Afghanistan Multiple Indicator Cluster Survey 2010-2011 (AMICS)," 24 June 2012, <http://cso.gov.af/Content/files/AMICS-Jun24-2012-FINAL.pdf> (accessed 2 September 2012).

of 15 in 2007 were literate, compared to 39 percent of men.¹²²In other words, 88 percent of Afghanistan's girls and women above 15 are illiterate, demonstrating a huge unmet demand for specially targeted literacy programs. The situation in rural areas is even more acute, with an estimated 93 percent of women (and 65 percent of men) lacking basic literacy.¹²³Programs designed to meet this demand should both enable women to participate through ensuring their acceptability in the community and through making locations and timing convenient for women across the life cycle. They should also include adult education materials and methods that subtly foster critical questioning about gender norms and attitudes among female and male participants. Literacy programs can be an important force in facilitating social change.¹²⁴

4.2 Health: moderate outlook

Afghanistan has been at the very bottom of the international development index for health indicators for many years. The most basic indicator of the health of the population is average life expectancy. As noted previously, life expectancy of both males and females is exceptionally low, and Afghan women's life expectancy compared to men's hovers around the parity level.

Afghanistan also records high rates of infant mortality, under-five mortality and maternal mortality. Infant mortality declined from 111 to 77 per 1,000 live births from 2008 to 2010, and under-five mortality fell from 161 to 97 per 1,000 live births in the same time period.¹²⁵Declines in child mortality rates have been aided by Afghanistan's National Health and Nutrition Strategy (2009), which focuses on nutrition, exclusive breast feeding, complementary feeding, growth monitoring and promotion, and prevention of disease and infection.¹²⁶The newest figures for mortality rates in Afghanistan show promising trends, but the above figures still mean that 20 percent of children die before reaching their fifth birthday and most mothers can expect to lose at least one child in the early years. Furthermore, child mortality data lacks sex disaggregation, making it difficult to ascertain the extent to which son preference may affect children's access to health and basic care.¹²⁷

Maternal mortality is an important measure of women's health and overall status. It is an indicator of the extent to which the health care system meets women's needs, and women are entitled to access health care. Like child mortality data, Afghanistan's maternal mortality rate (MMR) data show a positive declining trend, with 500 deaths per 100,000 births in 2010,¹²⁸down from an estimate of 1,600 deaths per 100,000 live births in the early years of the post-Taliban era.¹²⁹While promising, current MMR data still mean that an Afghan woman dies from pregnancy-related causes every two hours. Factors contributing to high MMR in

122 United Nations Development Programme (UNDP), "Bridging Modernity and Tradition - the Rule of Law and the Search for Justice," *Afghanistan Human Development Report 2007*, <http://hdr.undp.org/en/reports/nationalreports/asiathepacific/afghanistan/nhdr2007.pdf> (accessed 10 September 2012).

123 Abdul Samad Haidari, "High Rates of Illiteracy: the Worst Threat Toward Stability Efforts in Afghanistan," *The Daily Outlook*, 18 June 2011, http://outlookafghanistan.net/topics.php?post_id=931 (accessed 16 September 2012).

124 Paolo Freire. *Pedagogy of the Oppressed*. (New York: Continuum, 1986).

125 Afghan Public Health Institute, Ministry of Public Health (APHI/MoPH), Central Statistics Organization (CSO), ICF Macro, Indian Institute of Health Management Research (IIHMR), and World Health Organization Regional Office for the Eastern Mediterranean (WHO/EMRO), "Afghanistan Mortality Survey (AMS) 2010," November 2011, <http://measuredhs.com/pubs/pdf/FR248/FR248.pdf> (accessed 24 July 2012), 91-103.

126 Ministry of Public Health, Afghanistan Public Health Institute, Health Promotion Department, "National Health and Nutrition Communication Strategy - 2008 to 2013" March 2009, http://moph.gov.af/Content/Media/Documents/National_Health_Nutrition_Communication_Strategy-June09281220101594529.pdf (accessed 26 July 2012).

127 Afghanistan's sex ratio for youth is 1.05, which suggests that son preference has not skewed demographic structures. Sex ratios outside of the typical range of 1.03 - 1.07 boys to girls require investigation. See United States Central Intelligence Agency (CIA), "World Factbook 2012 - Afghanistan," <https://www.cia.gov/library/publications/rss-updates/june-14-2012.html> (accessed 13 September 2012).

128 Afghan Public Health Institute, Ministry of Public Health (APHI/MoPH), Central Statistics Organization (CSO), ICF Macro, Indian Institute of Health Management Research (IIHMR), and World Health Organization Regional Office for the Eastern Mediterranean (WHO/EMRO), "Afghanistan Mortality Survey (AMS) 2010," November 2011, <http://measuredhs.com/pubs/pdf/FR248/FR248.pdf> (accessed 24 July 2012), 126-134.

129 United Nations Development Programme (UNDP), "Afghanistan: Millennium Development Goals: Progress at a Glance," *Millennium Development Goal Annual Progress Reports 2005*, <http://www.undp.org.af/MDGs/AfghanMDGs-ProgressataGlance.pdf>, (accessed 1 July 2012)..

Afghanistan include high fertility rates (6.3 children per woman), inadequate water and sanitation, malnutrition, general poor health among women and gender inequality.¹³⁰

The nation's MMR has declined as health services have become increasingly available. Interventions have focused on increasing the number of health facilities and training and deploying community health workers—including women—throughout the country.¹³¹ A growing 36 percent of pregnant women now receive ante-natal care (ANC), although ANC rates in urban areas are more than twice those in rural areas.¹³² About 57 percent of the population lives within one hour's walking distance from a public health facility, and 85 percent can access a basic package of health services through district health care providers.¹³³ However, this high percentage demonstrates proximity and availability of services and not entitlement to access them. The deeper challenges revolve around whether women themselves feel empowered to use the services. Family power relations (with mothers-in-law, husbands and others) and community norms about acceptable health-seeking behaviour around child birth also influence women's ability to access care. Significant financial and social development investments are required to bring down the MMR ratio further, including further decentralisation of services, capacity development of health workers who serve in the most remote and disadvantaged areas of the country, and efforts focused on challenging and changing norms about appropriate levels of care for pregnant women.

Acceptance of birth control and access to child-spacing resources are low. Promotion of women's sexual and reproductive health rights has been met with scepticism and resistance in many rural conservative communities and has made it difficult to provide men, women and community leaders with information, or to enhance women's ability to negotiate use of these resources.¹³⁴ Education for adolescent girls and boys on their reproductive health has met with even more resistance. To the extent that they exist, such activities are mainly run by international NGOs, often under the guise of other activities. Female youth focus group participants in Parwan said they wanted fewer children than their parents had, but they were worried because such decisions were made only by husbands. Male youths reinforced this attitude: "Here women are uneducated; they don't know how to use family planning services, just they are busy in their home chores."¹³⁵ These realities reinforce the need for programming to really address *gender* by engaging men and boys as well as women and girls, and to seek to influence the attitudes and norms underlying the clearly visible symptoms of gender inequality.

While child and maternal health indicators signal a positive trend, aggregate data conceal the reality of significant disparities between and within urban and rural areas. Quality health and nutrition services are particularly lacking to women and girls in the most remote and insecure areas. The fact remains that Afghanistan's rates of infant, under-five, and maternal mortality are still among the highest in the world.¹³⁶ Therefore, the current gains in the health sector should not be lost in the run up to and during transition. Progress to date must be maintained where it has happened, expanded to rural and remote areas, and the pace of improvement quickened. Interventions also need to emphasise the quality of available services, and work to address the norms and attitudes that keep many women from being able to use these services.

130 Ministry of Public Health (MoPH), United Nations Children's Fund (UNICEF), Centers for Disease Control and Prevention, National Institute for Research on Food and Nutrition-Italy, Tufts University, *2004 Afghanistan National Nutrition Survey*, (Atlanta: CDC, 2009).

131 World Bank, "Afghanistan Country Overview 2012," <http://www.worldbank.org.af/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/AFGHANISTANEXTN/0,,contentMDK:20154015-menuPK:305992-pagePK:141137-piPK:141127-theSitePK:305985,00.html> (accessed 13 September 2012).

132 United Nations Development Programme (UNDP), "Afghanistan Millenium Development Goals Report 2010," October 2010, <http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Country%20Reports/Afghanistan/MDG-2010-Report-Final-Draft-25Nov2010.pdf> (accessed 8 August 2012).

133 Afghan Public Health Institute, Ministry of Public Health (APHI/MoPH), Central Statistics Organization (CSO), ICF Macro, Indian Institute of Health Management Research (IIHMR), and World Health Organization Regional Office for the Eastern Mediterranean (WHO/EMRO), "Afghanistan Mortality Survey (AMS) 2010," November 2011, <http://measuredhs.com/pubs/pdf/FR248/FR248.pdf> (accessed 24 July 2012).

134 Mary Stopes International, "Managing Reproductive Health with a Gender Perspective," *Project Report Afghanistan*, October 2003, <http://www.eldis.org/fulltext/ManagingReproductiveHealth.pdf> (accessed 17 August 2012).

135 Chona R. Echavez, "Community Synthesis Report: Naw Da," Gender and Economic Choice, (Kabul: Afghanistan Research and Evaluation Unit, 2011).

136 United Nations Committee on the Rights of the Child (CRC), "Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Convention on the Rights of the Child: Concluding Observations: Afghanistan," 8 April 2011, CRC/C/AFG/CO/1, <http://www.unhcr.org/refworld/docid/4dc7bd492.html> (accessed 10 September 2012).

4.3 Economic and social development: poor outlook

Economic development

Women's participation in the economic sphere is critical to their own well-being, as well as that of their children, families and the country as a whole. Data on the rate of women's economic activity in Afghanistan vary. World Bank data show that 16 percent of the female population was economically active in 2010, a small increase from 13 percent in 2001.¹³⁷ Other sources show that approximately 40 percent of women are officially in the labour force compared to around 85 percent of men.¹³⁸ However, these figures conceal major disparities between socio-economic classes and geographic areas. Women's rates of participation are driven by an agrarian economy and high poverty rates.¹³⁹

Efforts in Afghanistan to promote women's involvement in the economic sphere have met with varying degrees of success, often stymied by strong cultural traditions that limit women's mobility and spheres of activity. Initiatives over the last decade have included a focus on increasing women's access to work in the formal sector, and government-led initiatives to encourage the recruitment of women in non-traditional jobs, such as in the Afghan National Army (ANA) and the Afghan National Police (ANP).¹⁴⁰ Government pledges to increase the number of female government employees to 30 percent by 2013 under the MDGs¹⁴¹ ring hollow as women's share of civil servant positions has actually decreased in recent years from over 30 percent in 2005 to less than 20 percent in 2010.^{142,143} Women are nearly invisible in government positions in many provinces, particularly in the southern and eastern parts of Afghanistan.¹⁴⁴

Opportunities to earn an income can be a critical entry point to shifting unequal gender relations in Afghanistan. However these shifts depend on women being able to maintain some control over the income, thereby gaining increased respect, value and decision-making responsibility in the family or beyond. FGDs and interviews with educated Afghan women conducted for this study emphasised the significance of women's access to economic resources for enhancing their positions in the family. Salaries were associated with positive impacts on women's independence, and on relations within their families. Many identified a positive connection between women working and family finances; some had encouraged relatives to seek advice about work and education opportunities for their own daughters. Urban, educated, working women in Kabul expressed awareness of the potential for women's economic advancement to improve gender relations in Afghanistan.¹⁴⁵ This finding is supported by AREU research on microfinance conducted

137 World Bank, Databank, "Labour Participation Rates," <http://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS> (accessed 16 September 2012).

138 Islamic Republic of Afghanistan, Ministry of Economy, and the World Bank, "Poverty Status in Afghanistan: A Profile Based on the National Risk and Vulnerability Assessment (NRVA) 2007/08," July 2010, <http://siteresources.worldbank.org/AFGHANISTANEXTN/Resources/305984-1264608805475/6739619-1286210806756/AFPovertyReport.pdf> (accessed 21 August 2012); Afghanistan Independent Human Rights Commission (AIHRC), "Fifth Report on the Situation of Social and Economic Rights in Afghanistan," November/December 2011, http://www.aihrc.org.af/media/files/Reports/SECR/Report%20on%20ESCR_Final_English_12_2011.pdf (accessed 21 August 2012).

139 World Bank, "Afghanistan: National Reconstruction and Poverty Reduction: The Role of Women in Afghanistan's Future" March 2005, <http://siteresources.worldbank.org/AFGHANISTANEXTN/Resources/AfghanistanGenderReport.pdf> (accessed 21 August 2012).

140 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), 101.

141 The Afghan Millennium Development Goals (MDGs) outline a number of targets to promote women's rights under Goal 3 of Promote Gender Equality and Empower Women. These include increasing female participation in elected bodies at all levels of governance to 30 per cent by 2020 with the indicator of increasing the proportion of seats held by women in national, provincial and district representative bodies. United Nations Development Programme, "Millennium Development Goals in Afghanistan: Afghanistan's MDGs Overview," 1 April 2012, http://www.undp.org.af/demo/index.php?option=com_content&view=article&id=62&Itemid=68, (accessed 28 June 2012).

142 Afghanistan Independent Human Rights Commission (AIHRC), "Fifth Report on the Situation of Social and Economic Rights in Afghanistan," November/December 2011, http://www.aihrc.org.af/media/files/Reports/SECR/Report%20on%20ESCR_Final_English_12_2011.pdf (accessed 21 August 2012), page 73.

143 UNIFEM, "Afghanistan Factsheet 2010," <http://www.unifem.org/afghanistan/media/pubs/factsheet/10/index.html> (accessed 13 September 2012).

144 Zarin Hamid, "Security Council Resolution 1325: Afghanistan," *Civil Society Monitoring Report 2011, A project of the Global Network of Women Peacebuilders*, <http://www.gnwp.org/wp-content/uploads/2012/02/afghanistan1.pdf> (accessed 1 July 2012).

145 Observations based on field research conducted with urban, educated, working Afghan women, May - June 2012.

in rural Kabul Province, which found that earned income enhanced some women's sense of satisfaction and self-confidence in their families.¹⁴⁶

These positive outcomes are not guaranteed, and depend on a range of complex factors associated with women's own sense of self and agency, the family's perception of the positive and negative features of women working, and community norms about women's economic participation. In fact, the reality is that most Afghan women's work in the home and for pay inside or outside of the home is often invisible, undervalued, and unpaid, providing few benefits.¹⁴⁷ Women who are employed outside of the home work less frequently for fewer hours and in less secure jobs than do men.¹⁴⁸ They earn on average 49 percent of the wages paid to men in non-farm occupations despite laws forbidding discrimination in pay.¹⁴⁹ Article 9 of the Labour Law, in line with Article 11 of CEDAW, forbids discrimination in recruitment, salary, benefits, or profession.¹⁵⁰ However, these ideals are notoriously difficult to realise in the Afghan context where jobs are few and tend to be in the unregulated informal economy. Discrimination in the economic realm starts in the household and continues into the public sphere, influenced by traditional gender stereotypes that identify men as income earners and women as dependents.¹⁵¹

Findings from FGDs with men in BoyinaBagh, Kabul¹⁵² revealed the complexity of the situation, showing a mix of reservations and openness to the idea of women working. The men wanted to adhere to tradition but they were also cognizant of the economic difficulties facing their households. Such conflicts between accepted norms and actual practices provide an opening to facilitate dialogue around the costs and benefits associated with the norms. Such dialogue can lead, in time, to changes that make a new set of opportunities acceptable for women and men.

Some FGD participants recognised the dire need for jobs regardless of tradition.

If there is job, no problem if they are separated or together with men. But now we need to find work and jobs whether separated or not, it is okay for us.

As the discussion continued, men suggested that in order to help the community, the best step would be to help the men first, reverting to traditional gender role constructs.

Based on the present situation of the community there is no work for men. If someone wants to help...the first step they will do is to help the men because the men [are] responsible for food and the overall maintenance of the family.

Box 5: Lack of opportunities impedes women's economic contribution

Working outside their homes was not an issue for any of the women with respect to their husbands. The problem they face is the total lack of job opportunities for the majority of women who are illiterate. Most earn a meagre livelihood by selling dairy or other farm products. While the area is well-known for its nuts and fruits, little has been done in the last decade to create food-preservation industries that could generate jobs for these women who are all too ready to earn an income.

- Women FGD in Shakardara Valley, Kabul Province, July 2012

146 Sogol Zand, "The Impact of Microfinance Programmes on Women's Lives: A Case Study in Kabul Province," (Kabul: AREU, 2011), 19.

147 World Bank, "Afghanistan: National Reconstruction and Poverty Reduction: The Role of Women in Afghanistan's Future" March 2005, <http://siteresources.worldbank.org/AFGHANISTANEXTN/Resources/AfghanistanGenderReport.pdf> (accessed 21 August 2012), 4.

148 Samuel Hall Consulting and International Labour Organization (ILO), "Time to Move to Sustainable Jobs: The State of Employment in Afghanistan," June 2012, <http://samuelhall.org/REPORTS/Time%20to%20move%20to%20sustainable%20jobs,%20A%20Study%20on%20the%20State%20of%20Employment.pdf> (accessed 12 September 2012).

149 UNIFEM, "Afghanistan Fact Sheet 2008," <http://afghanistan.unifem.org/media/pubs/08/factsheet.html> (accessed 23 August 2012).

150 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), 64.

151 Chona R. Echavez, "Gender and Economic Choice: What's Old and What's New for Women in Afghanistan Results from a Rapid Qualitative Assessment in Kabul and Parwan Provinces", (Kabul: AREU, 2012).

152 Extracted from primary data collected for Chona R. Echavez, "Community Synthesis Report: BoyinaBagh," *Gender and Economic Choice*, (Kabul: AREU, 2011).

Women continue to face considerable social and economic barriers to entering the labour market and accessing economic opportunities, including resistance to their economic participation; limited employment choices; lack of education and skills; limited mobility outside of the home due to insecurity, cultural barriers and responsibility for domestic and care giving tasks; and limited access to and control over assets. There has been little or no change in the gendered division of labour over the last decade, and women comprise the vast majority of unpaid family workers.¹⁵³ The situation is compounded by a poor economic climate in which relatively few work opportunities are available to anyone.

The international community has been instrumental in the past several years in supporting the development and expansion of microfinance institutions (MFIs), many of which earmark funds for women. This is a new phenomenon in Afghanistan, and the loans allow some women to establish their own businesses in areas such as handicrafts, embroidery, carpet-weaving, bee-keeping, and poultry.¹⁵⁴ Human rights organisations, particularly the AIHRC, have contributed by raising public awareness of women's rights to earn livelihoods, and by providing information about these loans.¹⁵⁵ A study of Hazara women involved in MFIs in Kabul City documented how some women beneficiaries were able to use increased income flows to have a greater say in household finances, and to achieve their goals such as educating their children, particularly their daughters.¹⁵⁶ Some women involved in micro-finance also reported that they were viewed with greater respect by their husbands and family members as well as their local communities.¹⁵⁷

While positive on many levels, it is important not to simplify either the impact of microfinance loans on women's participation in the economic sphere or the economic and social benefits flowing from this participation. AREU research¹⁵⁸ found that in rural areas particularly, microcredit programs often do not design loan products to match cash flows, making repayment a struggle for many borrowers. In addition, returns on farming activities often do not enable repayment on top of reinvestment of earnings in agricultural inputs and provision for a family's needs. The same could be said for the enterprise activities women engage in using loan funds. Activities promoted for women tend to accommodate existing gender norms, and may not be financially viable (i.e. handicrafts or dairy) particularly if the programs do not provide support to the women in establishing good market links. MFIs often target women for their own benefit, and not women's, since women are more likely to repay the loan on time. Women are more often present in the homestead to make repayments, and are less argumentative. In addition, having a woman default on a loan is a considerable stain on family honour.¹⁵⁹ Hence, micro-finance loan programs are shaped by cultural context, and most tend to do little to shape these contexts in ways that deliver on claims about women's empowerment. For example, two major loan providers target their loans to women, but require husbands' consent. This runs a risk in some families of males co-opting or controlling the loan, thereby side-lining efforts to support women's economic advancement.¹⁶⁰

153 AREU research found that there was no change in the gendered division of labour as a result of MFIs. See Sogol Zand, "The Impact of Microfinance Programmes on Women's Lives: A Case Study in Kabul Province," (Kabul: AREU, 2011) and Samuel Hall Consulting and International Labour Organization (ILO), "Time to Move to Sustainable Jobs: The State of Employment in Afghanistan," June 2012, <http://samuelhall.org/REPORTS/Time%20to%20move%20to%20sustainable%20jobs,%20A%20Study%20on%20the%20State%20of%20Employment.pdf> (accessed 12 September 2012).

154 NailaKabeer, Ayesha Khan and NaysanAdlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No.387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012), 23.

155 SogolZand, "The Impact of Microfinance Programmes on Women's Lives: A Case Study in Parwan," (Kabul: AREU, 2010), Section 4.5.

156 NailaKabeer, Ayesha Khan and NaysanAdlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No.387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012), 24-25.

157 NailaKabeer, Ayesha Khan and NaysanAdlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No.387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>, (accessed 26 June 2012), 31.

158 Paula Kantor and Erna Andersen, *From Access to Impact: Microcredit and Rural Livelihoods in Afghanistan*. (Kabul: AREU, 2009).

159 Paula Kantor and Erna Andersen, *From Access to Impact: Microcredit and Rural Livelihoods in Afghanistan*. (Kabul: AREU, 2009). AminurRahman, *Women and Microcredit in Rural Bangladesh: An Anthropological Study of Grameen Bank Lending*. (Perseus: Philadelphia, PA, 1999).

160 Naila Kabeer, Ayesha Khan and Naysan Adlparvar, "Afghan Values or Women's Rights? Gendered Narratives about Continuity and Change in Urban Afghanistan," *IDS Working Paper - Volume 2011, No.387*, December 2011, <http://www.ids.ac.uk/files/dmfile/Wp387.pdf>.

Some inroads have been made over the last ten years to improve women's economic options and allow space for their participation, but gains have been small, and much work remains to be done, particularly on overall employment generation in the country. It is vital that in the run up to and during the transition, Afghanistan escalates its focus on economic development and employment creation, and within these efforts seeks to increase the acceptability of women's economic participation in new and more viable occupations for their own benefit and for the contribution they will make to the country's development.

Social development

Afghan households traditionally have strong social networks to help ensure household security and the provision of basic goods.¹⁶¹ However, decades of conflict combined with changing political and economic systems have weakened some longstanding, informal sources of support. There is a growing understanding of the need for formal social protection, particularly for the most vulnerable members of society.

Box 6: One-off Support to Women as Publicity Stunts?

Little assistance has been forthcoming from government bodies. Initially, some essential food rations (wheat, vegetable oil, sugar) had been allocated to women through the Ministry of Women's Affairs. However, by 2002 the quantities had decreased so much that the women's representative designated to fetch the items from Kabul stopped going - pointing out that she risked being accused of having taken the meagre quantities for herself. Like the rations, initiatives to create general awareness about women's issues and/or to support income-generating projects, were one-off exercises. The general opinion is that the whole exercise was a publicity stunt and that the poor remain poor.

- Women FGD in Shakadara Valley, Kabul Province - July 2012

Women's high levels of illiteracy and limited participation in public and economic spheres restrict their ability to effectively protect and provide for themselves and their families. Many women must contend with multiple layers of discrimination based on gender, class and other social differences.¹⁶² Cultural norms further curtail women's ability to access available social services by making it unacceptable in general for women to place their individual rights above the perceived needs of the family.¹⁶³

Afghanistan's commitments to social development are laid out in the National Social Protection Strategy (2008-2013).¹⁶⁴ The strategy targets vulnerable groups, including households with disabled members, female-headed households, and landless households. The NSPS addresses the vulnerable status of women with the stated goal of eliminating discrimination against women, especially those who are chronically poor, by building their capacities and ensuring their leadership and equal participation in all aspects of national development. It outlines a five-year strategic benchmark to reduce the number of female-headed households that are chronically poor by 20 percent and increase employment rates by 20 percent.¹⁶⁵ The ANDS also aims to deliver improved social inclusion of women.¹⁶⁶

In accordance with ANDS and the National Social Protection Strategy, women and girls are

ac.uk/files/dmfile/Wp387.pdf, (accessed 26 June 2012), 24: Sogol Zand, "The Impact of Microfinance Programmes on Women's Lives: A Case Study in Parwan," (Kabul: AREU, 2010), Section 4.2.

161 Paula Kantor and Adam Pain, "Poverty in Afghan Policy: Enhancing Solutions through Better Defining the Problem," (AREU: Kabul, 2010).

162 E.g. gender, class, age, ethnicity. ODI, nd. "Afghanistan Addressing Vulnerability, Social Exclusion, and Social Cohesion in the Post Conflict Era, Country Literature Review Support."

163 See, for example, cultural restrictions on women accessing shelter homes in instances where they have been abused.

164 Government of the Islamic Republic of Afghanistan (GoA), Social Protection Sector Strategy 2008-2013 (Kabul: GoA, 2008), Government of the Islamic Republic of Afghanistan (GoA), "Afghanistan National Development Strategy (ANDS)," 2008, http://www.undp.org.af/publications/KeyDocuments/ANDS_Full_Eng.pdf (accessed 5 June 2012).

165 Government of the Islamic Republic of Afghanistan (GoA), Social Protection Sector Strategy 2008-2013 (Kabul: GoA, 2008), 152.

166 ODI, nd. "Afghanistan Addressing Vulnerability, Social Exclusion, and Social Cohesion in the Post Conflict Era."

targeted by a number of social protection programmes implemented by the GoA, its donors and international agencies, including: National Skills Development Program (NSDP); credit funds; poultry and dairy projects; food-for-education programs that provide a take-home rations of vegetable oil to 600,000 girl students; and, employment protection for women during pregnancy and after childbirth.¹⁶⁷

While some programmes and projects have aimed to protect women and promote their participation in economic and social life, the extent to which these projects have spurred tangible gains for women is debatable. The targeting efficiency of safety net programmes is low, due to corruption and ineffective targeting methods; it is not uncommon for ineligible individuals or households to receive benefits while eligible households are left out.¹⁶⁸ The coverage of social protection programmes is also inadequate given the high number of households at risk. Donor-funded programmes for social protection are generally small-scale and of limited geographical coverage.¹⁶⁹ Furthermore, some social protection programmes continue to lack gender sensitivity in design.¹⁷⁰ For example, while the social protection strategy refers to child protection, there is no direct mention of the girl child.¹⁷¹

Afghanistan continues to face security challenges, weak governance, corruption, limited financial resources, weak service delivery, and human capacity limitations. The situation is exacerbated by the current global economic situation and the anticipated decline in some donor financial support in the transition period. There is justified concern that gender sensitive social protection will slip further down policy agendas as the country approaches the transition, given the increasing focus on security concerns.¹⁷² Government capacity to broaden the scope of social services beyond existing interventions is limited - and the most vulnerable, including girls and women, are likely to be hardest hit if current commitments to social protection are not maintained and ultimately expanded. Their needs also are likely to continue unabated if approaches to social protection are not expanded. Given the high vulnerability of women and children, particularly girl children, to poverty and discrimination, targeting the practical needs of vulnerable groups for material assistance is appropriate. However, relying on these approaches alone risks simplifying the problems of poverty and gender inequality by ignoring their wider social causes and the need to engage with men as well as women across classes and institutional locations (i.e. communities, government, market, religion) in seeking structural and systemic changes in attitudes and beliefs. Strategies that target vulnerable groups with immediate assistance, as well as those addressing root causes of inequality and poverty are necessary to create lasting improvements in the well-being of poor Afghan families.

4.4 Local leadership: moderate to poor outlook

No nation can achieve sustainable peace, reconciliation, stability, and economic growth if half the population is not empowered.

- US Foreign Secretary, Hillary Clinton¹⁷³

The institutional structure of governance in Afghanistan is divided into four levels: national, provincial, district, and village. Women's representation in key leadership positions varies considerably across levels, regions and agencies. Three women hold top level ministerial

167 United Nations World Food Program, "Learning from Experience - Good Practices from 45 years of School Feeding," <http://documents.wfp.org/stellent/groups/public/documents/communications/wfp223424.pdf> (accessed 25 June 2012); World Bank, "Afghanistan Social Protection Review," (World Bank, forthcoming), 75; United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), 234.

168 World Bank, "Afghanistan Social Protection Review," (World Bank, forthcoming).

169 Recognising this gap, the EU Social Protection Programme has a strong urban focus, see European Union (EU), "Afghanistan - The State of Play September 2011," 2011, http://eeas.europa.eu/delegations/afghanistan/documents/content/state_of_play_september_2011_en.pdf (accessed 25 June 2012).

170 World Bank, "Afghanistan Social Protection Review," (World Bank, forthcoming), 33.

171 Rachael Woloszyn, "NGO Voices on Social Protection," ACBAR Advocacy Series, April 2008, <http://www2.adb.org/Documents/Reports/APPPA/Social-Protection.pdf> (accessed 26 June 2012).

172 Although donor governments are signing agreements to provide long-term financial support, experience suggests that withdrawals of international troops reduce civilian aid.

173 Hillary Clinton, US Secretary of State, Intervention at the Tokyo Conference on Afghanistan, 8 July 2012, <http://www.state.gov/secretary/rm/2012/07/194672.htm> (accessed 13 September 2012)..

positions, comprising 14 percent of total ministers. Women comprise only a handful of judges, attorneys, and prosecutors,¹⁷⁴ and none of the current nine members of the Supreme Court is female.¹⁷⁵ Only one woman serves as provincial governor representing just three percent of the total. With the introduction of a quota in the 2004 Constitution, women today hold 21 percent of the seats in parliament, compared to none during the Taliban time, indicating the effectiveness of a quota system to enable women's presence in national government, though perhaps not the representation of women's diverse interests. Achieving presence is an important step to representation, but how and why the women gain office tends to influence their willingness and ability to represent Afghan women's needs and interests.

Women's participation in elections has improved drastically over the last ten years, aided by an enormous push in the 2009 elections to enhance women's candidacies and access to the polls. This outcome was achieved through widespread advocacy and mobilisation campaigns to register women voters and encourage their candidacy.¹⁷⁶ Field research reveals the role that women's rights groups and religious and political leaders play in shaping changes to cultural attitudes and improving women's representation in elections as both candidates and voters.

During the first round of elections, mullahs did not agree with women's participation and were opposed to the election... we started awareness campaigns in the rural area. AWN helped us...I went to the mosque and talked with a mullah. He told me that he didn't agree with me, that it is sinful for women to participate in the election, especially in the cities where they print colourful pictures of themselves. But I told him they had to print in order for people to recognise them!

- Female NGO Worker, Kabul.¹⁷⁷

Today, women have enough courage to take part in elections. But... most of the people prevent women's participation and even during their participation they create problems for them. The government must make the mullahs and clergy agree to talk about the value of women's participation in the elections and in other places where women work. Also they should talk in the mosque as well because their words and speech are very useful and acceptable for both educated and illiterate people.

- Female MP Candidate, Rural Kabul.¹⁷⁸

Women remain poorly represented at all levels of sub-national governance, thereby limiting the extent to which their opinions and priorities factor into development processes at local levels. The Ministry of Women's Affairs is one of the few ministries to have decentralised their offices to the provincial level, offering some opportunities for meaningful women-centred outreach and service delivery. Norms about women's appearance in public and fear of the consequences of doing so are strong influences on women's ability to access their right to participate in formal sub-national governance structures. Other forces at play are customary informal justice practices that infrequently include women. *Jirgas* and *shuras* (councils)¹⁷⁹ tend to be all-male assemblies,

174 2006-2007 data showed women made up just six percent of judges, attorneys and prosecutors. Islamic Republic of Afghanistan, Ministry of Women's Affairs (MoWA) and UNIFEM, "Women and Men in Afghanistan - Baseline Statistics on Gender," 2008, http://www.peacewomen.org/assets/file/Resources/Government/mowa_genderstat_2008.pdf (accessed 23 August).

175 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), Article 6.

176 See for example, Hamidullah Habibib, "Five Million Women Campaign," <http://www.afghanistanvotes.com/english/election/237-five-million-women-campaign-.html> (accessed 11 September 2012).

177 Oliver Lough, "Equal Rights, Unequal Opportunities: Women's Participation in Afghanistan's Parliamentary and Provincial Council Elections," *Afghanistan Research and Evaluation Unit (AREU)*, March 2012, <http://www.areu.org.af/Uploads/EditionPdfs/1205E-Equal%20Rights%20Unequal%20Opportunities%20SP%202012.pdf>, (accessed 25 June 2012).

178 Oliver Lough, "Equal Rights, Unequal Opportunities: Women's Participation in Afghanistan's Parliamentary and Provincial Council Elections," *Afghanistan Research and Evaluation Unit (AREU)*, March 2012, <http://www.areu.org.af/Uploads/EditionPdfs/1205E-Equal%20Rights%20Unequal%20Opportunities%20SP%202012.pdf>, (accessed 25 June 2012).

179 The terms "*jirga*" and "*shura*" are sometimes used interchangeably but a *jirga* is traditionally a Pashtun tribal mechanism. It is a large gathering, typically of elders, that occurs on an ad hoc basis in response to a specific issue. It is the term most commonly used to refer to an Afghan gathering aimed at consultation with communities. *Shuras* have more persistent membership and ongoing governance roles rather than being for ad hoc problem solving.

and women's grievances are generally addressed through male representation.¹⁸⁰ Women's access to and participation in these processes is restricted and at times decisions are made which do not adhere to women's universal human rights.¹⁸¹ Few women are employed in the police and judiciary sectors despite efforts to promote their employment; this lack of female presence can impede women's access to justice and their ability to secure their rights under the formal legal system.¹⁸²

The National Solidarity Programme (NSP) is a GoA flagship national priority programme designed to empower rural communities to manage their own development projects. Gender equality and inclusion of vulnerable groups are among the programme's guiding principles. With guidance from facilitating partners, communities elect their leaders and representatives to form voluntary Community Development Councils (CDCs) under the NSP. The primary mechanism for women's inclusion has been through the establishment of separate female CDCs, though some communities have had mixed-sex CDCs.¹⁸³

Women's increased participation in local governance under the NSP has demonstrated positive impacts that may begin to breakdown community norms about women's presence in and capacities for local leadership. About 30,000 rural women are members of CDCs, giving them a formal voice at the community level for the first time and increasing their access to public services.¹⁸⁴ While acceptance of women's participation in CDCs has not been met with uniform enthusiasm, signs of attitudinal shifts as a result of the program have been documented:

Some people were opposing women's participation to the shura [CDC] because some people have discrimination against women. But when they saw that the shura is after the integrity and unity of people, their mind changed and they did not continue their opposition to women's participation.

- Male Family Member of Female CDC Member, Balkh¹⁸⁵

Since the NSP program came to our village our village has improved and people came together and women got awareness about their rights and they knew about cleanliness and also about the value of education.

- Male, 60 years, CDC Treasurer¹⁸⁶

Studies on women's involvement in CDCs document the emergence of new space for women to interact with other women, exchange knowledge, and express themselves.¹⁸⁷ Interaction with other women is reported to have improved some women's awareness about their rights and boosted their confidence in handling matters inside and outside of their homes. Furthermore, some women started to view their daughters differently, realising they had rights and recognising the value of educating girls as well as boys.¹⁸⁸ Alongside positive changes, studies point to serious limitations in the quality of women's participation as a result of men's overt resistance and

180 Deniz Kandiyoti, "Old Dilemmas or New Challenges? The Politics of Gender and Reconstruction in Afghanistan," *Development and Change* (2007) Vol. 38 No. 2: 169-199, doi: 10.1111/j.1467-7660.2007.00408.x (accessed 27 July 2012).

181 Deborah Smith with Shelly Manalan, "Community-Based Dispute Resolution Processes in Bamiyan Province" (Kabul: AREU, 2010). See also, Deborah Smith, "Community-Based Dispute Resolution Processes in Nangarhar Province," (Kabul: AREU, 2009); Deborah Smith, "Community-Based Dispute Resolution Processes in Balkh Province," (Kabul: AREU, 2010) and Rebecca Gang, "Community-Based Dispute Resolution Processes in Kabul City," (Kabul: AREU, 2011).

182 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), 32; United Nations Development Programme (UNDP), "Police Perception Survey 2009: The Afghan Perspective," <http://www.undp.org.af/publications/KeyDocuments/PolicePerceptionSurvey09.pdf> (accessed 25 June 2012);

183 Douglas Saltmarsh and Abhilash Medhi, "Local Governance in Afghanistan: A View from the Ground," (Kabul: AREU, 2011).

184 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), 339.

185 Primary research conducted for AREU's study by Chona R. Echavez with Jennefer Lyn L. Bagoporo, "Does Women's Participation in the National Solidarity Programme Make a Difference in their Lives? A Case Study in Balkh Province," (Kabul: AREU, 2012).

186 Primary research conducted for AREU's study by Chona R. Echavez with Jennefer Lyn L. Bagoporo, "Does Women's Participation in the National Solidarity Programme Make a Difference in their Lives? A Case Study in Balkh Province," (Kabul: AREU, 2012).

187 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), 339.

188 Chona R. Echavez, "Does Women's Participation in the National Solidarity Programme Make a Difference in their Lives? A Case Study in Kabul Province," (Kabul: AREU, 2012).

women's own lack of experience and confidence in their new roles.¹⁸⁹ There were documented instances of men co-opting women's funds, and many female CDCs had few activities and no control over budgets and other resources.¹⁹⁰ Although the CDCs are a potentially fruitful means for engaging women in local community decision-making, their actual implementation has demonstrated limitations that need to be addressed to ensure full realisation of the benefits that women's participation in local governance brings to women and their communities.

As noted previously, patriarchal norms in Afghanistan have a negative impact on the realisation of girls' and women's rights by restricting their freedom outside the home and limiting their roles in public spheres of activity. Conservative elements frame these limitations to women's freedom as a means of preserving their and the family's honour and protecting women from danger or immorality.¹⁹¹ Women demonstrating leadership abilities are open to accusations of being un-Islamic and representing western values.¹⁹² Women who cross these boundaries may be attacked or killed for being visible outside the home, travelling without a *mahram* (chaperone), or having connections to foreigners. Murders of outspoken human rights defenders, such as the 2009 killing of Sitara Achakzai, Provincial Council Member in Kandahar, and the 2008 killing of Malalai Kakar, the highest ranking female police officer in Kandahar, act as grim warnings to women who are active in public life.¹⁹³

While recognising that advances have been made, broad-based evidence suggests that the path to women securing their voice in leadership and their space in public is still in the very early and tenuous stages of development and will require much more time and effort before a secure foothold is ensured. Prevailing gender roles and relations in Afghanistan function at multiple levels to limit women's ability to claim their proffered rights. The government officially acknowledges that the equal participation by women and men is required to enable institutions to effectively meet their obligations to all citizens, but women's access to public spheres of activity and decision-making positions is still quite limited by cultural and customary traditions. While some urban women have become increasingly visible in public - pursuing a variety of careers, attending schools and participating in elections - most Afghan women remain marginalised from full participation in public life.¹⁹⁴¹⁹⁵ These realities call for purposeful efforts to engage communities (women, men, opinion leaders) in dialogue about the benefits of women's leadership opportunities and the costs of not enabling such opportunities; such approaches add a transformative dimension to the existing technical approaches often used to promote women's leadership and increased presence in Afghan public life across levels.

4.5 Peace and security: moderate to poor outlook

In terms of facilities, such as the internet, I have a better life [than my mother]. However, in terms of peace of mind, my mother enjoyed security and didn't feel endangered each time she stepped out of her home.

- Travel agent, 26, Kabul¹⁹⁶

189 For a thorough review and analysis see Sippi Azarbaijani-Moghaddam, "A Study of Gender Equity through the National Solidarity Programmes' Community Development Councils," 2010, DACAAR, <http://www.nspafghanistan.org/files/NSP%20Gender%20Study%20Report.pdf> (accessed 15 July 2012).

190 Douglas Saltmarsh and Abhilash Medhi, "Local Governance in Afghanistan: A View from the Ground," (Kabul: AREU, 2011).

191 Lauren Oates, "A Closer Look: The Policy and Lawmaking Process Behind the Shiite Personal Status Law," (Kabul: AREU, 2009), 28.

192 Palwasha Hassan, "The Afghan Peace Jirga: Ensuring that Women are at the Peace Table," United States Institute of Peace (USIP) Peace Brief, 12 May 2010, http://www.usip.org/files/resources/PB29%20Afghan%20Peace%20Jirga_Hassan.pdf (accessed 13 September 2012), 3.

193 Human Rights Watch, "We Have the Promises of the World' Women's Rights in Afghanistan," 2009, http://www.hrw.org/sites/default/files/reports/afghanistan1209web_0.pdf, (accessed 26 June 2012), 4-17.

194 Afghan Public Health Institute, Ministry of Public Health (APHI/MoPH), Central Statistics Organization (CSO), ICF Macro, Indian Institute of Health Management Research (IIHMR), and World Health Organization Regional Office for the Eastern Mediterranean (WHO/EMRO), "Afghanistan Mortality Survey (AMS) 2010," November 2011, <http://measuredhs.com/pubs/pdf/FR248/FR248.pdf> (accessed 24 July 2012).

195 Islamic Republic of Afghanistan, "National Action Plan for the Women of Afghanistan (NAPWA). The Government's Main Vehicle for Implementing Policies and Commitments to Advance the Status of Women, 2007 - 2017," <http://www.svri.org/Afghanistanpolicy.pdf> (accessed 26 June 2012), 14.

196 Key informant interview, Kabul, September 2012.

Insecurity and violence shape the everyday lives of many Afghans - whether women or men, young or old - influencing opportunities, aspirations and quality of life. Some of this insecurity comes directly from exposure to armed conflict, but much of it occurs closer to home, among family, kin and community. The central challenge of the transition period is to extend peace throughout the country, without compromising the hard won gains women have made in realising some rights. Two key components of this challenge are framing and implementing a legitimate and transparent reconciliation and reintegration program, and dealing explicitly with the myriad forms of violence against women prevalent in the country.

Reconciliation and reintegration

The peace initiative initiated in 2010 seeks to reintegrate fighters into their communities and achieve reconciliation with the Taliban. The murder of Professor Burhanaddin Rabbani in September 2011, the man tasked with leading the High Peace Council responsible for implementing peace efforts, dealt a severe blow to the high-level process. Commitments have been reaffirmed, but the process has not yet yielded the desired results.¹⁹⁷ The international community has introduced confidence-building measures to encourage talks,¹⁹⁸ and the reintegration process is underway.¹⁹⁹ The emphasis placed on the peace initiative raises concerns among some proponents of women's rights in Afghanistan that the gains women have made, and that the government and international community have guaranteed, may be lost at the peace negotiation table. Field level research also shows that Afghan women more than men fear a loss of rights and freedoms due to Taliban participation in the peace process.²⁰⁰

Box 7: Men's Greatest Fear? Withdrawal of Western Troops

Men in a focus group discussion held in Kandahar province generally felt that a great deal of assistance has been given toward humanitarian aid and development activities. They note a marked improvement in the education sector, with schools and high schools built even in the rural areas. There is growing awareness of the importance of educating girls as well as boys, yet still, they estimate that only 20 percent of the school-going children are girls in their area. The men felt that the lives of today's women were much better than their mothers'. "Today women have rights. The new generation of men tries to give their wives, sisters and daughters a good life, without domestic violence."

The men wish for the future of their male and female children alike is that they have access to proper education and security within their communities. They hope that Afghanistan has a strong and dedicated national army that can safeguard the country's security in the future. Their greatest fear is the withdrawal of NATO troops. "If the international troops leave us in 2014, without providing proper support, if we are abandoned as we were in 1992, we will have no life. The local Afghan police are already creating problems for us and there is a lot of violence within communities, especially in rural areas. It will be worse after 2014."

- FGD with 12 men aged 30-55 years old, Arghandab District of Kandahar, September 2012

These fears are largely based on two interlinked factors. First, despite claims that the Taliban have adjusted their stance and become more moderate, their actions demonstrate that views on women's rights are largely unchanged.^{201,202} Afghan urban women interviewed as part

197 Emily Winterbotham, "Healing the Legacies of Conflict in Afghanistan: Community Voices on Justice, Peace and Reconciliation," (Kabul: AREU, 2012), 7.

198 Peace Training and Research Organization (PTRO), *Unheard Voices: Afghan Views on the Challenges of the Peace Process*, (Kabul: PTRO, 2012), 1.

199 ISAF Force Reintegration Cell, "ISAF-FRIC Reintegration Update" (Kabul: October 2011) in Jay Lamey with Emily Winterbotham, *Painful Steps: Justice, Forgiveness and Compromise in Afghanistan's Peace Process*, (Kabul: AREU, 2011).

200 Peace Training and Research Organization (PTRO), *Unheard Voices: Afghan Views on the Challenges of the Peace Process*, (Kabul: PTRO, 2012), 35; Emily Winterbotham, "Healing the Legacies of Conflict in Afghanistan: Community Voices on Justice, Peace and Reconciliation," (Kabul: AREU, 2012), 81.

201 Human Rights Watch, "The 'Ten-Dollar Taliban' and Women's Rights. Afghan Women and the Risks of Reintegration and Reconciliation," 2010, <http://www.hrw.org/sites/default/files/reports/afghanistan0710webwcover.pdf> (accessed 26 June 2012), 38.

202 Stefanie Nijssen, "The Peace Process and Afghanistan's Women," *Part 2 of a 4 Part-Series on Peace and Reintegration in Afghanistan*, Civil-Military Fusion Centre, 2012, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_

of this research were highly suspicious of the Taliban's agenda for women, and remained deeply concerned that the departure of foreign troops could pave the way for a new era of conservatism. Second, while advocates of gender equality recognise that the peace process requires inclusion of the Taliban, women interviewed during the course of this research repeatedly stated that women's rights activists require equal representation in order to uphold women's rights,²⁰³ and that to date this representation has not been sufficient. As Dr Soraya Sobhrang, the Commissioner responsible for women's rights at AIHRC, explained,

*"Women have to participate in all negotiations and peace building processes. They have to be there because they have their experience and their ideas and their demands...Our society is a male-dominated society and men cannot be the representatives of women."*²⁰⁴

The vital role of women in peace building at the national level and in peace negotiations is recognised in UN Security Council Resolutions 1325²⁰⁵ and 1889,²⁰⁶ applicable to all UN member states, including Afghanistan. The Afghan Women's Network (AWN) has been involved in raising awareness of SCR 1325 among Afghan men and women, and working with policymakers on advocacy around increasing the participation of women at the decision-making level.²⁰⁷ NATO also declared its intent to appoint a Special Representative for mainstreaming SCR 1325 and related resolutions into its operations, and Afghan authorities have committed themselves to prepare a work plan for implementation of the resolution.²⁰⁸ Despite on-going efforts, knowledge of SCR 1325 was limited among local and international women's rights activists and policymakers consulted during the course of this research.

Women's involvement in key diplomatic fora has been patchy in recent years. No women were present in the government delegation attending the 2010 London Conference and the Afghan government attempted unsuccessfully to exclude them from the 2011 Bonn conference²⁰⁹ in direct violation of Article 8 of CEDAW.²¹⁰ In contrast, the 2010 Consultative Peace Jirga included 21 percent female participants.²¹¹ The Jirga's Statement subsequently included a clause that women's and children's rights must be considered during negotiations, and the Jirga emphasised equal implementation of laws on all citizens of the country, showing how in this case numeric representation translated into a substantive effect on outcomes. Women present at the consultation demanded protection of the gains they had made in the past nine years, along with guarantees for a minimum of 30 percent participation of women in national programmes and in policy creation.²¹² Some activists hailed women's representation at the Peace Jirga as a major achievement, and an important platform for women's voices to be heard in the peace process. However, others criticised the selection process, and felt that

Report_3816.pdf (accessed 22 June 2012), 5.

203 Key informant interviews with international advisers, Kabul, June and September 2012.

204 Key informant interview, Kabul, June 2012.

205 United Nations Security Council Resolution 1325 S/RES/1325 (2000), http://www.un.org/events/res_1325e.pdf (accessed 31 August 2012).

206 SCR 1889 was adopted in October 2009 to strengthen the implementation and monitoring of SCR 1325. It calls for global indicators on SCR 1325, and reinforces calls for mainstreaming gender perspectives in all decision-making processes, especially in the early stages of post-conflict peacebuilding. UN Women, "UN Security Council Resolution 1889," http://www.unifem.org/gender_issues/women_war_peace/unscr_1889.php (accessed 31 August 2012); United Nations Security Council Resolution 1889, S/RES/1889 (2009) http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1889%282009%29 (accessed 31 August 2012).

207 Zarin Hamid, "Security Council Resolution 1325: Afghanistan," *Civil Society Monitoring Report 2011, A project of the Global Network of Women Peacebuilders*, <http://www.gnwp.org/wp-content/uploads/2012/02/afghanistan1.pdf> (accessed 1 July 2012), 179.

208 Islamic Republic of Afghanistan Ministry of Foreign Affairs. 2012. Report on the implementation process of UN SCR 1325 in Afghanistan (Developing Afghanistan's NAP on Women, Peace and Security). <http://afghanistanembassy.org.uk/dari/pdf/Report-on-the-implementation-process-of-UN-SCR-1325-in-Afghanistan-English.pdf> (accessed 2 August 2013),

209 Stefanie Nijssen, "The Peace Process and Afghanistan's Women," Part 2 of a 4 Part-Series on Peace and Reintegration in Afghanistan, Civil-Military Fusion Centre, 2012, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3816.pdf (accessed 22 June 2012), 5. UN Women Urges Full participation of Afghan Women in the Road Ahead from Bonn. UN Women Press Release. <http://www.unwomen.org/en/news/stories/2011/12/un-women-urges-full-participation-of-afghan-women-in-the-road-ahead-from-bonn> (accessed 2 August 2013).

210 UN Convention on the Elimination of All Forms of Violence Against Women (CEDAW), <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> (accessed 21 August 2012).

211 Author interview with Samira Hamidi, Director of AWN, Kabul, June 2012.

212 Zarin Hamid, "Security Council Resolution 1325: Afghanistan," *Civil Society Monitoring Report 2011, A project of the Global Network of Women Peacebuilders*, <http://www.gnwp.org/wp-content/uploads/2012/02/afghanistan1.pdf> (accessed 1 July 2012), 189.

women were deliberately excluded from the agenda and given limited space to address the plenary.²¹³The same concerns were echoed at the May 2012 Chicago Conference where heads of state discussed issues that have a disproportionate effect on women's lives, while the women themselves were relegated to raising concerns at a shadow summit.²¹⁴

The GoA reaffirmed its support for women's roles in peace-building in its national peace plan, the Afghanistan Peace and Reintegration Programme (APRP), which began national roll-out in 2011.²¹⁵The APRP states explicitly that peace settlements cannot come at the expense of the rights of men, women, and children in affected communities.²¹⁶ In addition, nine out of 60 members on the High Peace Council established to oversee the implementation of APRP are women.²¹⁷ The selection of women to serve on the High Peace Council has been criticised for a lack of transparency and for not appropriately representing women's interests or rights.²¹⁸ Selected female representatives must contend with male members of the Council who do not take them seriously and who sideline their concerns.²¹⁹ Provincial peace councils established by APRP require at least three women on each 20-35 member council, far short of established minimum standards of 30 percent female representation. Not a single council has appointed more than three females²²⁰ and women at the community level have little understanding of APRP.²²¹ Low representation of women in the APRP augurs poorly for representation of women's diverse needs and interests in future formal peace talks leading into the transition and is something that requires immediate attention.

Violence against girls and women

Violence against women (VAW) is one of the most pervasive violations of human rights globally. VAW is intimately interwoven with complex social conditions such as poverty, lack of education, gender inequality, insecurity, and poor health. VAW in Afghanistan takes many forms, including domestic abuse, rape, child and forced marriages, exchange of girls to settle disputes and honour killings.²²² Children are vulnerable to the aforementioned, plus forced or bonded child labour and commercial sexual exploitation.²²³ VAW is widespread; a survey conducted in 2006 in 16 of Afghanistan's 34 provinces found that 87 percent of the 4700 women respondents reported being subject to some form of violence in their lives.²²⁴

213 Human Rights Watch, "The 'Ten-Dollar Talib' and Women's Rights. Afghan Women and the Risks of Reintegration and Reconciliation," 2010, <http://www.hrw.org/sites/default/files/reports/afghanistan0710webwcover.pdf> (accessed 26 June 2012), 40-41.

214 Equal Power - Lasting Peace, "NATO appoints Special Representative for UNSCR 1325," <http://www.equalpowerlastingpeace.org/tag/resolution-1325/> (accessed 2 July 2012).

215 Islamic Republic of Afghanistan, National Security Council, D&R Commission, "Afghanistan Peace and Reintegration Programme (APRP)," Programme Document, July 2010, <https://ronna-afghan.harmonieweb.org/FRIC/APRP%20Policy%20Documents%20Structures%20and%20SOPs/APRP%20Program%20Document%20English.pdf> (accessed 24 August 2012), 22.

216 Islamic Republic of Afghanistan, National Security Council, D&R Commission, "Afghanistan Peace and Reintegration Programme (APRP)," Programme Document, July 2010, <https://ronna-afghan.harmonieweb.org/FRIC/APRP%20Policy%20Documents%20Structures%20and%20SOPs/APRP%20Program%20Document%20English.pdf> (accessed 24 August 2012).

217 United Nations Committee on the Elimination of Discrimination Against Women, "Initial and Second Periodic Report of Afghanistan," CEDAW/C/AFG/1-2, <http://daccess-ods.un.org/TMP/7608112.0967865.html> (accessed 22 July 2012), Article 7. See also Zarin Hamid, "Security Council Resolution 1325: Afghanistan," *Civil Society Monitoring Report 2011, A project of the Global Network of Women Peacebuilders*, <http://www.gnwp.org/wp-content/uploads/2012/02/afghanistan1.pdf> (accessed 1 July 2012), 189.

218 Zarin Hamid, "Security Council Resolution 1325: Afghanistan," *Civil Society Monitoring Report 2011, A project of the Global Network of Women Peacebuilders*, <http://www.gnwp.org/wp-content/uploads/2012/02/afghanistan1.pdf> (accessed 1 July 2012), 191.

219 Stefanie Nijssen, "The Peace Process and Afghanistan's Women," Part 2 of a 4 Part-Series on Peace and Reintegration in Afghanistan, Civil-Military Fusion Centre, 2012, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3816.pdf (accessed 22 June 2012).

220 Islamic Republic of Afghanistan, High Peace Council, Organization, Function, and Financial and Administrative Directive of the High Peace Council for Leading the Peace Process in the in the Capital and in the Provinces, (Kabul: Islamic Republic of Afghanistan, 2010).

221 Louise Hancock and Orzala Ashraf Nemat, "A Place at the Table: Safeguarding Women's Rights in Afghanistan," Oxfam Briefing Paper, October 2011, <http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf> (accessed 12 September 2012), 21.

222 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

223 United Nations Children's Fund (UNICEF), "The State of the World's Children 2010: Child Rights," November 2009, http://www.unicef.org/rightsite/sowc/pdfs/SOWC_Spec%20Ed_CRC_Main%20Report_EN_090409.pdf (accessed 27 June 2012).

224 The research included physical, sexual and psychological violence as well as forced marriage. Global Rights, "Living

Violence perpetrated against women and girls comes from both within and outside of their homes, leaving many with no refuge. Often, the primary perpetrators of violence against women are the women's own family members, including mothers-in-law. Violence is also perpetrated by institutions of the state such as the military, police and the justice system.²²⁵ For example, women may be imprisoned for reporting crimes perpetrated against them, or to serve as substitutes for their husbands or male relatives convicted of crimes.

Sexual assaults on women and children (both boys and girls) remain notoriously under-reported and poorly punished; reliable data on their incidence is therefore difficult to come by. Reluctance to report rape stems from extreme social stigma for the victims, and the little recourse victims have in the justice system. For example while the Afghan penal code criminalises assault, few perpetrators are arrested, prosecuted or convicted.²²⁶ Under Sharia Law, a rape case requires a woman to produce multiple witnesses to the incident, while the man need simply claim it was consensual sex, often leading the women to be considered an adulterer, and deemed unfit for marriage, if unmarried.²²⁷ Female rape victims may be convicted in the formal justice system for adultery and imprisoned. Jailed victims are at risk of further abuse, including rape, in the hands of the authorities.²²⁸ Child victims who report sexual abuse may be considered offenders, charged with offences such as immorality, homosexuality, or adultery.²²⁹ Therefore, the formal and customary justice systems are themselves barriers to reporting incidents, undermining attempts to even understand the problem, let alone punish perpetrators.

Box 8: Effective ERAW Law Dissemination

Dissemination of information regarding the government's law prohibiting violence against women had been carried out so effectively that women were encouraged to come forward with their complaints. It seems their day-to-day lives had improved. Recently a young girl whose father had given her away to a man against her wishes confided in her school headmistress who accompanied her to the district office legal department to present her case. Despite death threats from her family, she stood her ground and today she is happily married to a man of her choice.

- Female District Office Lawyers, Shakardara Valley - July 2012

Child marriage

The legal age for marriage is 16 for girls and 18 for boys, but data suggests that more than half of all Afghan girls are married before the age of 16.²³⁰ Adequate steps have yet to be taken to raise the legal marriage age for girls to 18, in line with gender equality commitments and international standards.²³¹ No clear provision exists in the Criminal Procedure Law to penalise those who arrange forced or underage marriages, and Article 99 of the Law on Marriage allows the marriage of a minor to be conducted by a guardian. The prevalence of early marriages

with Violence: A National Report on Domestic Abuse in Afghanistan," March 2008, http://www.globalrights.org/site/DocServer/final_DVR_JUNE_16.pdf?docID=9803 (accessed 25 June 2012).

225 Human Rights Watch, "I Had to Run Away' The Imprisonment of Women and Girls for 'Moral Crimes' in Afghanistan," March 2012, http://www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf (accessed 26 June 2012).

226 Human Rights Watch, "I Had to Run Away' The Imprisonment of Women and Girls for 'Moral Crimes' in Afghanistan," March 2012, http://www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf (accessed 26 June 2012), 3.

227 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

228 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

229 United Nations Committee on the Rights of the Child (CRC), "Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Convention on the Rights of the Child: Concluding Observations: Afghanistan," 8 April 2011, <http://www.unhcr.org/refworld/docid/4dc7bd492.html> (accessed 10 September 2012).

230 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

231 United Nations Committee on the Rights of the Child (CRC), "Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Convention on the Rights of the Child: Concluding Observations: Afghanistan," 8 April 2011, <http://www.unhcr.org/refworld/docid/4dc7bd492.html> (accessed 10 September 2012).

and the absence of effective measures to prevent and eliminate them remain a serious human rights concern.²³²

Violence against women has been a prominent concern of the GoA, women's rights groups and the international community over the last decade. Efforts have focused on raising awareness and building policy and legal frameworks to identify and address infractions, but the GoA's outreach and monitoring capacity cannot effectively deal with the scope of the problem, and girls and women continue to face human rights violations and abuse.

National and international stakeholders have taken steps to reduce VAW in Afghanistan over the last decade. One approach addressing the problem is to increase the number of female police and ANP officers trained in handling cases of domestic violence and other forms of VAW. Health workers also have been trained on the prevention of child abuse and violence against children. At least 19 women's shelters now operate across the country to provide support and safety for vulnerable Afghan women and girls, especially victims of domestic abuse and violence. Five shelters in Kabul alone housed more than 100 women and girls in 2008.²³³ Despite an increase in the number of such shelters, the concept of women's shelters is not widely accepted in society, and is generally treated with mistrust. The director of one shelter stated that she refers to the location as a "mediation centre" because "shelter" was not understood in a positive way.²³⁴ A senior government official has in fact perpetuated the idea that these shelters are inappropriate, linking them to prostitution and immoral behaviour.²³⁵ The official later retracted the statement and faced condemnation from Afghan and international actors; however it still reveals the cultural barriers women face in securing protection from violence. They also face legal and informational barriers. Victims of domestic violence have little access to legal remedies,²³⁶ and information dissemination has not yet reached into rural communities. Many women and girls remain unaware of their rights or avenues for recourse or redress.²³⁷

4.6 Cornerstones Summary: Uneven outlook across the pillars

The outlook for meeting women's human rights in each of the cornerstone sectors varies, depending, in part, on the emphasis placed at the start of the decade on addressing existing gender differences, if not their causes. The education sector has shown the most progress, and promises to move into the transition with sound legislation, capacity, and results in terms of outreach, if not quality of learning. Not surprisingly, this is also the sector that galvanised the quickest in the post-2001 era, targeting all levels of intervention from infrastructure to capacity development and awareness-raising. The health sector has laid a reasonably stable foundation from which to move forward on providing health services in gender-sensitive ways, showing sizable reductions in child and maternal mortality rates, though lack of sex disaggregation and other data problems make tracking difficult. Movement to close gender gaps in education and health were likely bolstered by MDG targets and a solid legislative framework at the start of the intervention era. In addition, progress in both these sectors was less threatening to existing norms and culture, and to the distribution of power and resources.

Donors and government were slower and less unified in their approaches to addressing women's and girl's rights in the areas of economic and social development, leadership and protection from violence. For example, a focus on women's entrepreneurship and micro-credit did not emerge strongly until the last half of the decade, and when it did, efforts were most often accommodative of existing gender relations, and therefore less likely to make the social

232 United Nations Committee on the Rights of the Child (CRC), "Consideration of Reports Submitted by States Parties under Article 44 of the Convention on the Rights of the Child: Concluding Observations: Afghanistan," 8 April 2011, CRC/C/AFG/CO/1, <http://www.unhcr.org/refworld/docid/4dc7bd492.html> (accessed 10 September 2012).

233 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

234 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

235 Pak Tribune, "Outrage at Afghan minister's prostitution comments," 19 June, 2012, <http://paktribune.com/news/Outrage-at-Afghan-ministers-prostitution-comments-250755.html> (accessed 19 August 2012).

236 Human Rights Watch, "'I Had to Run Away' The Imprisonment of Women and Girls for 'Moral Crimes' in Afghanistan," March 2012, http://www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf (accessed 26 June 2012).

237 United States Department of State, "U.S. Department of State Country Report on Human Rights Practices 2008 - Afghanistan," 25 February 2009, <http://www.state.gov/j/drl/rls/hrrpt/2008/sca/119131.htm> (accessed 16 August 2012).

advances needed to expand life choices for women and girls. The legislation around VAW improved, but there is little evidence of success in embedding these changes in practice, particularly in rural areas. Women's representation in decision-making has been addressed unevenly, and results have varied accordingly. Government ministries across the board have serious shortfalls with staff capacities to mainstream gender and to prioritise women's rights. Mechanisms employed have met with varying degrees of success, with gender focal points and units being particularly problematic and ineffectual.²³⁸

Progress or lack of progress within sectors may also be linked to the extent to which an idea was 'marketable' to a range of national and international actors. In general, sectoral programs that cast women as beneficiaries of services to enhance their welfare (e.g. health, education) fit well within traditional gender role constructs in Afghanistan. Programmes that overtly challenge the gender power structure and the distribution of resources have been less salient, possibly because they are perceived as more threatening to the status quo. A global analysis by the World Economic Forum found that countries that have invested in women's health and education without commensurate improvements in women's participation in the work force and decision-making have not yielded the full returns on their investment.²³⁹ This offers a very important lesson for Afghanistan that the GoA, donors, and policy makers ought to heed.

238 Anna Larson, "A Mandate to Mainstream: Promoting Gender Equality in Afghanistan," (AREU: Kabul, 2008); Key informant interviews, Kabul, September 2012.

239 Ricardo Hausmann, Laura D. Tyson, SaadiaZahidi, "The Global Gender Gap Report 2011," *World Economic Forum, Insight Report*, http://www3.weforum.org/docs/WEF_GenderGap_Report_2011.pdf (accessed 9 September 2012).

5. Key Conclusions and Recommendations

Afghanistan has made marked progress over the past decade in establishing its legislative and policy framework to ensure that they include provisions around women's rights in line with international standards. Important gains have been made to narrow gender differences in education, and women's participation in public life and their political representation has increased in some areas. Data on declining trends in infant, child and maternal mortality rates also offer an encouraging picture for the future. However, women's rights in Afghanistan can only be secured, sustained and expanded into the transition period if the domestic and international actors who frame and implement policies and programs across scales intentionally embrace gender equality as a core underlying foundation for development and stability. This is a considerable challenge, one which requires attention to incentives and approaches geared not only to technical fixes, but also to motivating changes to mindsets and entrenched practices.

Key conclusions to be drawn from the study are as follows.

1. **Progress has been insufficient given the scale of the challenge.** While giving full credit to gains made to foster gender equality and women's rights, it must be acknowledged that Afghanistan's progress since 2001 is assessed against a very low level across all indicators of gender equality. After ten years of foreign engagement, Afghanistan bears the dubious distinction of holding the title of the most dangerous place in the world to be a woman, according to a survey of gender experts around the world conducted for Thomson Reuters Foundation.²⁴⁰ Despite billions of dollars of ODA, many Afghan women still lack access to basic services and assurance of human rights. A non-political, symptom-oriented approach to addressing gender inequality is one reason for this slow pace of change. Most interventions address technical problems such as women's lack of credit or the absence of schools or women teachers, and not the norms, attitudes and power relations embedded in how society and institutions operate to cause gender inequality. Without efforts to foster gender transformative change, progress on gender equality and women's rights will remain superficial and short term.
2. **Results have not matched rhetoric.** The international community used women's rights as a means of mobilising international support for the intervention in Afghanistan. It is not possible to ascertain whether the overwhelmingly high level of concern for the welfare of women expressed post-2001 was strategic or genuine; it was most probably a complicated mix of both. Regardless of the justification or the rationale, the results ten years later have not matched the rhetoric, and the international community must reckon with this reality and take the steps needed to improve its practice in the transition period. These steps include re-orienting gender-focused interventions to truly engage with gender - i.e. men and women, in ways that target the root causes of gender inequality at the individual, household, community and societal levels.
3. **Attitudinal and behaviour change is required to support gender transformative change.** Prevailing Afghan culture and religious interpretations embed gender inequality in social and economic institutions such as marriage, the family, the economy and state. The existing institutional environment works in favour of males, and there are entrenched interests in ensuring its survival. Women and men both are acculturated into their roles, and many women work along with men to preserve the prevailing social environment despite their disadvantaged position. Traditional beliefs and practices continue to relegate women to a secondary position in almost all undertakings; aid interventions need to make understanding and addressing the root causes of women's subordination part of normal development practice for lasting improvements in women's positions to occur.²⁴¹
4. **Legislation is only a foundation.** There has been a disproportionate focus on policy and legislation over the past decade, and not enough effort made to implement the new Afghan laws and change the mindsets of those tasked with enforcement. The GoA's lack of capacity and systems to adequately carry out policies and to track results is part of the problem.

²⁴⁰ Rankings were based on six categories of risk: health threats, sexual violence, non-sexual violence, culture or religion, access to resources, trafficking. Afghanistan ranked first ahead of Congo, Pakistan, India and Somalia. TrustLaw, "FactSheet - The World's Most Dangerous Countries for Women," 15 June 2011, <http://www.trust.org/trustlaw/news/factsheet-the-worlds-most-dangerous-countries-for-women> (accessed 18 August 2012).

²⁴¹ Lina Abirafeh, *Gender and International Aid in Afghanistan: The Politics and Effects of Intervention*, (Jefferson: McFarland and Co., 2009), 53-55..

However, it is more an issue of political will and commitment within the state and among donors than a problem of scarce resources. Now is the time to move the vision into practice by building on the legal enabling environment through accountability structures and other strategies that motivate policy implementation.

5. **Uneven progress across sectors.** The outlook for continuing progress in education and health is better than in economic and social development, local leadership or peace and security. Factors that have enabled greater progress in some sectors include early prioritisation of goals; broad-based national and international support; strong legislative framework; monitoring capacity; and, cultural acceptance. The importance of the latter seems to be downplayed but likely plays a significant role in progress for gender equality and women's rights in areas where existing distributions of power and authority are threatened. Such social complexities must be acknowledged and addressed if progress in these challenging areas is to occur.
6. **Prioritisation and coordination is critical during transition.** While there has been good progress toward gender equality on many fronts and a few important gains, sustaining and expanding on the gains will be challenging during transition in a context where security dominates the national and international agenda. This study underscores the fact that girls and women's rights are vulnerable and very much at stake during this particular period as the expected reduction in financial resources will be felt most strongly by the most vulnerable in society, especially rural and poor women. When the troops leave in 2014, international and domestic actors must work in concert to secure gains and to create opportunities in the transition process to prioritise and advance the rights of girls and women.

5.1 Recommendations

The following recommendations are suggested for sustaining gains and making measurable progress on gender equality and women's rights in the transition phase and beyond. Action steps for the national government, international community, and civil society organisations are included for each.

1. Elevate the voice of women in the transition process

Women must be involved in each step of the transition process, especially concerning issues of security, peace and reconciliation, but also in terms of how these issues affect wider development opportunities and outcomes. Women's involvement must not be as a symbolic gesture or an afterthought. While the international community served as the primary driver of the human rights agenda post-2001, Afghan women's leadership and voice should drive the agenda in the next stage of history. Elevating Afghan women's role in advancing the visibility of women's rights in the transition process, in partnership with men, will help to set the tone for the future. This can be done through the following suggested measures:

National government:

- Ensure transparency and openness in the participant selection process and in the overall transition process;
- Meet 30 percent targets for women's participation in all key fora in line with targets as laid out in CEDAW and Security Council Resolution (SCR) 1325;
- Engage the religious community through productive and positive outreach to encourage their education about and recognition of women's role in the transition period and the relevance of gender equality to peace and reconciliation outcomes.

International community:

- Hold the GoA accountable for involving women in the transition process by linking the fulfilment of specific targets and benchmarks based on CEDAW, NAPWA and SCR 1325 to funding; utilise diplomacy and consider punitive measures if targets are not met;
- Provide technical and political support to the GoA to assist in meeting quantitative and qualitative commitments to women's participation in the transition process, including the implementation of related CEDAW and SCR 1325 commitments.

Gender-focused CSOs:

- Work together to ensure the inclusion of poor, rural women’s interests in transition debates;
- Work together to reach out to religious leaders at all levels to engage in meaningful dialogue about the right of women to have a voice in the transition process;
- Launch innovative public awareness campaigns to educate women and men on the rights and responsibilities included in instruments such as the Afghan Constitution, CEDAW, NAPWA, etc.

2. Foster dialogue and action to challenge and change gender norms that constrain the full realisation of gender equality and women’s rights.

As part of shifting from an accommodating to transformative approach to addressing gender-based constraints, all key actors must encourage an inclusive dialogue that openly discusses the consequences of cultural barriers to women’s empowerment, rather than treat the topic as “sensitive” or “off limits.” The rights of girls and women must not be compromised as part of a political agenda in the peace negotiation and reconciliation process.

Changing attitudes and behaviours that undermine the rights of girls and women in Afghanistan must be tackled from the top-down and bottom-up simultaneously. Stakeholders must advocate creatively for an Afghan-Islamic dialogue as one means of furthering understanding of and defining a pathway to achieving gender equality and women’s human rights at the national level. Islam also should be seen as an enabling tool, rather than only an obstacle to women’s rights. Opportunities to let the tenets of Islam bring forth positive change should be more broadly explored and utilised, including drawing on the expertise of women Islamic scholars and the experiences of other Islamic countries as they have made progress towards enhancing women’s rights.

National government:

- Support processes that facilitate discussion and debate around the customary beliefs, gender norms and practices that undermine the protection of girls’ and women’s rights. This can be achieved by:
 - Educating imam-khatibson government payroll about positive Islamic teachings on women’s rights, and motivating them to share such learning in Friday sermons;
 - Tasking the National as well as Provincial Ulama Shuras to find and use Quranic verses and prophetic sayings relevant to women’s rights and disseminate the information;
 - Inviting scholars and practitioners from progressive Islamic countries, especially women scholars, to hold seminars on modernist interpretation of Islamic prescriptions on women’s issues with Afghan national government representatives as well as other potential change agents at the community level, such as teachers, professors, religious scholars and community leaders;
 - Using state-owned media to raise awareness on women’s rights in Islam, the development of women’s rights in Afghanistan and the adverse effects of un-Islamic customary practices on the society;
 - Creatively conveying the benefits, and especially economic gains, of girls’ education and women’s participation in the economy to stakeholders across national, provincial and local government;
 - Consistently highlighting positive contributions of Afghan women to the overall betterment of the society.
- Invest in the inclusion of women’s rights and gender equality in school curricula and textbooks;
- Facilitate learning and discussion among government employees on the role of women’s rights and gender equality in achieving national development priorities, and hold government staff accountable through carefully designed performance incentives for achieving gender equality results and being role models of gender equal behaviour.

International community:

- Work with strategic partners in the Afghan state to gain buy-in for the actions described above, using a mix of evidence, capacity development, and incentives to motivate behaviour change;
- Fund CSOs and GoA to design and deliver media based campaigns that facilitate discussions around women's rights, including those raising alternative Islamic interpretations;
- Encourage and support interaction between scholars and practitioners in progressive Islamic countries, especially Muslim women scholars, and Afghan change agents.

CSOs:

- Conduct grassroots outreach using creative media such as theatre, radio dramas and call-in shows, to raise awareness and start discussions around gender equality and social change;
- Take a lead in bringing together and coordinating interaction between religious scholars, civil society, the government and the international community for fruitful dialogue on social and cultural change;
- Facilitate the involvement of broader networks, including men and youth, in the women's rights agenda;
- Advocate with the state for inclusion of women's rights and gender equality in school curricula and textbooks.

3. Strategise with key change agents, role models and allies - e.g. men, political and religious leaders, youth, women's rights organisations - to sustain and expand progress on gender equality and women's rights

Change agents and allies come in many guises, including men, activists, political and religious leaders and youth. Purposeful strategic efforts are needed to engage positively with such actors to shift their mindsets about gender equality and women's rights, and turn them into role models and allies. On another front, while the women's rights movement in Afghanistan has consolidated its focus over the last decade, global advocacy and international support is still required to broaden the resources and coordination capacity of this potentially powerful change agent so it can work better collectively during the transition to secure and expand women's rights.

National government:

- Design and implement gendered organisational change processes within Ministries as a way to enhance awareness of and commitment to gender equality in Ministries' internal operations, including recruitment and advancement opportunities for women, and in their programs;
- Recognise on a regular basis men and women government staff who positively contribute to the realisation and/or public awareness of women's rights (i.e. create and recognise gender champions);

International community:

- Incentivise Ministries to engage in gendered organisational change processes to enhance staff capacities and commitment to gender equality goals;
- Support women in leadership in its own organisations, to serve as a model for national actors;
- Continue and deepen support for women's rights advocates to develop their voice and seek a broader base that includes men;
- Expand the number of women leaders through supporting newly-emerging leaders;
- Fund community-based activities that use innovative approaches to challenge and change oppressive gender norms and attitudes.

CSOs:

- Invest in research to understand men and masculinities in Afghanistan and the sources of resistance to advancements in women's rights and gender equality, in order to design behaviour change communication strategies to counter these sources of fear and resistance to change;
 - Work within communities to identify and motivate local role models and change agents, including men, religious leaders and political representatives, who can catalyse local change processes around gender equality and women's rights;
 - Identify and mobilise role models at the national level, across sectors, who can motivate different constituent groups (youth, religious conservatives, etc.) to challenge and change oppressive gender norms;
 - Enhance collaboration within the women's rights movement to sustain and expand gains in women's rights and gender equality through joint programmes, advocacy strategies and resource mobilisation, to contribute to a consolidated future-oriented women's rights movement.
- 4. Develop and implement interventions to support women's economic participation and empowerment, enabling women to have more choices around how they contribute to and benefit from Afghanistan's development.**

Women already contribute to the economic sphere in a range of ways, including subsistence and commercial agriculture production, retail sales and raising children. All of these contributions need to be better valued and supported through programs that do not just accommodate women's low mobility and other social and economic constraints, but which use economic incentives to motivate an expansion in the range and quality of opportunities open to women. Efforts to challenge and change norms around what types and locations of work are acceptable for women need to be supported by investments in education quality, adult literacy and skills development programs focusing on sectors that are economically viable. It is also necessary to engage with women and men, as well as other extended family members where appropriate, around the benefits of gender equitable intra-household decision making in order to enhance women's voice in decision making within the home. This will improve the likelihood that women can maintain a say in how family income, including their own economic contributions, is spent.

National Government:

- Ensure that legislation and policies at the national and sub-national levels are harmonised with international treaties, conventions and instruments related to gender equality and women's rights in the workplace;
- Prioritise the generation of gender equitable decent work opportunities in the orientation of macroeconomic policy frameworks;
- Ensure that national and subnational skills development programs are gender responsive in where and how they deliver training, and that the programs do not reinforce existing patterns of occupational segregation but instead identify new and economically viable opportunities for women;
- In coordination with CSOs and the international community, expand and enhance the number and quality of facilities for working mothers (e.g., nurseries and after-school centres as well as transportation facilities to and from work), including for women working in the informal economy;

International Community:

- Provide technical support to relevant GoA ministries on macroeconomic policy frameworks supporting gender equitable, pro-poor employment generation;
- Provide technical support for the development of gender equitable, pro-poor skills development programs that are market driven;
- Fund innovative programs supporting gender transformative efforts to enhance women's economic participation and gender equality and empowerment outcomes;

- Initiate a coordination mechanism (at the level of heads of missions and international organisations) to share learning on the process of catalysing gender transformative change through broadening opportunities for women's economic participation.

CSOs:

- Commit to designing, implementing and learning from gender and economic development programs that aim to expand the range and quality of opportunities for women, instead of operating within existing constraints;
- Cultivate connections with the private sector to facilitate and improve joint efforts to integrate women into the economic sphere under decent work conditions.

5. Strengthen national capacity to integrate gender in national programs and to monitor and evaluate progress on women's rights attainment

Underlying the above recommendations is the need to develop national capacity to integrate gender into programs and policies, and to expand the collection of high quality sex-disaggregated and gender responsive data. The former involves not just technical skill-building, but efforts to have government departments and staff buy-in to the central importance of gender equality to the country's development. The latter is vital to holding all actors accountable for progress on gender equality and women's rights. Without good data describing the existing situation of women and girls relative to men and boys, Afghanistan cannot mark its progress and forestall any backtracking that may occur. Therefore, national and international stakeholders must collectively prioritise improvements in the generation of necessary data to track the progress of gender equality in Afghanistan, including gender responsive budget (GRB) data. Government-level GRB data are particularly important in the context of the planned increase in aid flow through the government in the next phase.

National government:

- Prioritise capacity development and technical support needed within key ministries to facilitate and manage sex-disaggregated and gender-responsive data collection and analysis (e.g. Ministry of Finance, Central Statistical Office, MOWA, MRRD);
- Take practical measures for the realisation of NAPWA objectives, including the setting and monitoring of benchmarks against gender equality goals;
- Develop standards and mandates for GRB within all ministries, policy-making and planning;
- Utilise data for targeting, learning and for holding departments accountable for gender equality goals;

International community:

- Fund Ministries strategically to motivate greater commitment to gender integration;
- Support comprehensive statistical data generation and provide needed technical inputs and capacity development to national actors (GoA and CSOs) to ensure data and analysis meet international standards for gender-responsive monitoring and learning;
- Provide technical and financial support for GRB at the national level;
- Set an example by monitoring, publishing and disseminating individual and collective international agency GRBs.

CSOs:

- Conduct qualitative and quantitative research on issues and in regions where information gaps exist around gender equality and women's rights;
- Advocate for improved national level data collection that is sex-disaggregated and gender-responsive, and for gender-responsive budgeting.

Annexes

Annex 1: International conventions and instruments

1	Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT), 1984, United Nations, Treaty Series, vol. 1465, p. 85, signed by the Islamic Republic of Afghanistan 4 February 1985, ratified 1 April 1987
2	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1950, United Nations, Treaty Series, vol. 96, p. 271 Acceded by the Islamic Republic of Afghanistan 21 May 1985
3	Convention on the Elimination of All forms of Discrimination against Women (CEDAW), 1979, United Nations, Treaty Series, vol. 1249, p. 13, signed by the Islamic Republic of Afghanistan 14 August 1980, ratified 5 March 2003
4	Convention on the Rights of the Child (CRC), United Nations, Treaty Series, vol. 1577, p. 3, signed by the Islamic Republic of Afghanistan 27 September 1990, ratified 28 March 1994
5	Equal Remuneration Convention, 1951, International Labour Organisation (ILO) No. 100, ratified by the Islamic Republic of Afghanistan 22 August 1969
6	International Covenant on Civil and Political Rights (ICCPR), 1966, United Nations, Treaty Series, vol. 999, p. 171 and vol. 1057, p. 407, ratified by the Islamic Republic of Afghanistan 24 January 1983
7	International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966, United Nations, Treaty Series, vol. 993, p. 3, ratified by the Islamic Republic of Afghanistan 24 January 1983
8	Optional Protocol to the Convention on the Rights of the Child (CRC-OP-AC) on the Involvement of Children in Armed Conflict, (2000) United Nations, Treaty Series, vol. 2173, p. 222, ratified by the Islamic Republic of Afghanistan 24 September 2003
9	Optional Protocol of the Convention of the Rights of the Child (CRC-OP-SC) on the Sale of Children, Child Prostitution and Child Pornography, 2000, United Nations, Treaty Series, vol. 2171, p. 227, ratified by the Islamic Republic of Afghanistan 19 September 2002
10	United Nations Security Council Resolution 1325, S/RES/1325 (2000)
11	United Nations Security Council Resolution 1820, S/RES/1820 (2008)

Annex 2: Hadiths on women's rights

Topics	References	Content	International Treaties, Covenants and Instruments	National Legislation
Dignity of Women	[Abu Dawud] Hadith	"The most perfect in faith amongst believers is he who is best in manners and kindest to his wife."	The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Equal Remuneration Convention, The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)	Law on Elimination of Violence Against Women (EVAW) (2008)
Education	[IbnMajjah] Hadith	"Seeking knowledge is mandatory for every believer." This implies men and women.	International Covenant on Economic, Social and Cultural Rights (ICESCR), Art. 13; CEDAW, Art. 10 "States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education (...)"	Education Law (2008)
Education	[Ibn-Hanbal, No. 2104] Hadith	"The right of females to seek knowledge is not different from that of males."	ICESCR, Art. 13; CEDAW, Art. 10	Education Law
Education	[Al-Bayhaqi] Hadith	"Seeking knowledge is mandatory for every Muslim." (man and woman is implied)	ICESCR, Art. 13; CEDAW, Art. 10	Education Law
Equal rights & accountability	The Quran	"Every soul will be (held) in pledge for its deeds" [Noble Quran 74:38]		
Equality	(Sahih reported by Abu-Dawud (RA) Hadith	"Assuredly, women are the twin halves of men."	CEDAW, Art. 2 (equality of men and women and condemnation against discriminating against women)	
Employment - the right to work			ICESCR, Art. 6 and 7 (read in conjunction with Art. 3 which ensures the equal right of men and women to enjoy the rights set forth in the Covenant); CEDAW, Art. 11	
Marriage based on Love & Mercy	The Quran	"And among His signs is this: That He created mates for you from yourselves that you may find rest, peace of mind in them, and He ordained between you love and mercy. Lo, herein indeed are signs for people who reflect." [Noble Quran 30:21]	CEDAW	
Men's obligations to treat women with respect, dignity and fairness	The Quran	"O you who believe! You are forbidden to inherit women against their will. Nor should you treat them with harshness, that you may take away part of the dowry you have given them - except when they have become guilty of open lewdness. On the contrary live with them on a footing of kindness and equity. If you take a dislike to them, it may be that you dislike something and Allah will bring about through it a great deal of good." [Noble Quran 4:19]	CEDAW	EVAW

Topics	References	Content	International Treaties, Covenants and Instruments	National Legislation
Political Aspects	During Khalifat Omar's period	During the reign of Omar (2nd successor to the Prophet p.b.u.h.), women participated in law making. Omar made a proposal of a certain regulation concerning marriage. A woman in the mosque stood up and said: "Omar, you can't do that." Omar did not tell her, "Shut up, you are a woman, you have nothing to do with politics, etc." He asked, "Why?" She made her argument on the basis of Quran. In front of everybody, Omar stood up and said, "The woman is right and Omar is wrong," and he withdrew his proposal.	International Covenant on Civil and Political Rights (ICCPR) (24 April 1983); CEDAW Art. 7 (participation in public and political life)	
Early marriage			CEDAW, Art. 16 "The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage."	EVAW
Right to choose one's husband	The Quran	"Do not prevent them from marrying their husbands when they agree between themselves in a lawful manner." [Noble Quran 2:232]	ICESCR Art. 10 (1) "(...) Marriage must be entered into with the free consent of the intending spouses"; CEDAW, Art. 16	EVAW
Right to choose one's husband	(Ahmad, Hadeeth no. 2469). [IbnMajjah] 3 Hadith	Ibn Abbas reported that a girl came to the Messenger of God, Muhammad, and she reported that her father had forced her to marry without her consent. The Messenger of God gave her the choice ... (between accepting the marriage and invalidating it). In another version, the girl said: "Actually I accept this marriage but I wanted to let women know that parents have no right to force a husband on them."	ICESCR Art. 10 (1) "(...) Marriage must be entered into with the free consent of the intending spouses"; CEDAW, Art. 16	EVAW
Rights & dignity of girls	[IbnHanbal, No. 1957] Hadith	"Whosoever has a daughter and he does not bury her alive, does not insult her, and does not favour his son over her, God will enter him into Paradise."	Convention on the Rights of the Child (CRC) (27 April 1984)	EVAW
Rights of girl infants	The Quran	"When news is brought to one of them, of (the birth of) a female (child), his face darkens and he is filled with inward grief! With shame does he hide himself from his people because of the bad news he has had! Shall he retain her on (sufferance) and contempt, or bury her in the dust? Ah! What an evil (choice) they decide on?" [Noble Quran 16:58-59]		EVAW
Women's and children's right to dignity, respect and kindness	[IbnHanbal, No. 7396] Hadith	"The best of you is the best to his family and I am the best among you to my family."	CRC	EVAW

Topics	References	Content	International Treaties, Covenants and Instruments	National Legislation
Women's right to dignity, respect and correct behaviour without violence	The Quran	"...But consort with them in kindness, for if you hate them it may happen that you hate a thing wherein God has placed much good." [Noble Quran 4:19]	CEDAW	EVAW
Economic, Social & Cultural Rights	Sharia	The Islamic Sharia recognizes the full property rights of women before and after marriage. With reference to Qur'an and Hadith it becomes clear that Islam has given the property rights, as an independent individual, to possess property and keep her property for business and investment.	ICESCR	
Economic, Social & Cultural Rights	The Quran	"And do not wish for that by which Allah has made some of you exceed others. For men there is a share of what they have earned, and for women is a share of what they have earned. And ask Allah of his bounty. Indeed Allah is ever, of all things, knowing."	ICESCR	
Children's rights	[Ahmad] Hadith	"Whosoever supports two daughters till they mature, he and I will come in the Day of Judgment as this (and he pointed with his two fingers held together)."	CRC	
Children's rights	[Ahmad] Hadith	"Whosoever has a daughter and he does not bury her alive, does not insult her, and does not favour his son over her, Allah will enter him into Paradise."	CRC	
Non-violence against women	The Quran	"And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought?"	Security Council Resolutions (SCR) 1325 and 1820 on Violence against Women in Armed Conflict	EVAW
Civil Society behaviour	Abu Huraira Hadith	Abu Huraira Hadith Prophet Mohammed (p.b.u.h.) stood and asked his companions to stand up when a funeral procession passed by. When the companions said it was the funeral of a Jew, the prophet said: "Is he not a human being?"	ICCPR	

Topics	References	Content	International Treaties, Covenants and Instruments	National Legislation
Treatment of civil society when in conflict	Bukhari - Hadith AbuDawud - Hadith	Muslims were prohibited from taking anything from the general public of a conquered country without paying for it. When the Muslim army occupied an area of the enemy country, it did not have the right to use things belonging to the people without consent. "The Prophet has prohibited the believers from looting and plunder (Bukhari). "Do not destroy villages and towns, do not spoil the cultivated fields and gardens, and do not slaughter the cattle." "Do not kill any old person, any child or any women" (AbuDawud). "Do not attack a wounded person." "No prisoner should be put to the sword."	Security Council Resolutions (SCR) 1325 and 1820 on Violence against Women in Armed Conflict, and to SCR 1612 on Children in Armed Conflict	
Conflict & suicide bombing	Narrated by Abu Bakrah - Hadith	"I heard Allah's Messenger saying: 'When two Muslims fight (meet) each other with their swords, both the murderer as well as the murdered will go to the Hell-fire.' I said: 'O Allah's Messenger! It is all right for the murderer but what about the murdered one?' Allah's messenger replied: 'He surely had the intention to kill his companion.'" Narrated Abu Huraira: "The Prophet said: 'Religion is very easy and whoever overburdens himself in his religion will not be able to continue in that way. So you should not be extremists, but try to be near to perfection and receive the good tidings that you will be rewarded; and gain strength by offering the prayers in the mornings, afternoons and during the last hours of the nights.'" "Aswad said, I asked Aisha, 'What did the Prophet (p.b.u.h.) do when in his house?' She said, 'He served his wife', meaning that he did work for his wife." "Aisha was asked: 'What did the Prophet used to do in his house?' She replied, 'He used to keep himself busy serving his family and when it was the time for As-Salat (prayer), he would go for it.'" Narrated Abdullah bin Amr: "The prophet said, 'A Muslim is the one who avoids harming Muslims with his tongue and hands. And a Muhajir (Emigrant) is the one who gives up (abandons) all that Allah has forbidden.'" "How praiseworthy are the women of Ansar that their modesty does not prevent them from attempts at learning and the acquisition of knowledge."		
	Bebe Aisha			

Annex 3: International conferences and commitments made

Conference	Commitments
<p>Bonn (2001) Bonn Agreement The First International Bonn Conference on Afghanistan Bonn, December 2001</p>	<p>III. Interim Administration, Composition, 3) The Chairman, the Vice Chairmen and other members of the Interim Administration have been selected by the participants in the UN Talks on Afghanistan, as listed in Annex IV to this agreement. The selection has been made on the basis of professional competence and personal integrity from lists submitted by the participants in the UN Talks, with due regard to the ethnic, geographic and religious composition of Afghanistan and to the importance of the participation of women.</p> <p>IV. The Special Independent Commission for the Convening of the Emergency Loya Jirga 2) The Special Independent Commission will have the final authority for determining the procedures for and the number of people who will participate in the Emergency Loya Jirga. The Special Independent Commission will draft rules and procedures specifying .. (iii) criteria for inclusion of civil society organisations and prominent individuals, including Islamic scholars, intellectuals, and traders, both within the country and in the diaspora. The Special Independent Commission will ensure that due attention is paid to the representation in the Emergency Loya Jirga of a significant number of women as well as all other segments of the Afghan population.</p> <p>V. Final Provisions Procedures 4) The Interim Authority and the Special Independent Commission for the Convening of the Emergency Loya Jirga will ensure the participation of women as well as the equitable representation of all ethnic and religious communities in the Interim Administration and the Emergency Loya Jirga.</p>
<p>Tokyo Conference (January 2002) Co-Chairs' Summary of Conclusions of the Tokyo Conference International Conference on Reconstruction Assistance to Afghanistan Tokyo, January 2002</p>	<p>#12: The Conference emphasized the centrality of restoring the rights and addressing the needs of women, who have been the prime victims of conflict and oppression. Women's rights and gender issues should be fully reflected in the reconstruction process.</p> <p>#13: The Conference also stressed the key roles being played by Afghan and international NGOs. In the NGO meeting held on 20 January, Afghan and international NGOs participated and the results of the meeting were reported to the plenary session. The NGO representative reported that Afghan and international NGOs agreed that a focus on education and training is necessary, particularly for women, to build the capacity of the Afghan people to contribute to reconstruction. Continued dialogue and coordination between NGOs, international organisations, donors and the Afghan Interim Authority are essential to ensure efficient use of resources.</p>
<p>Berlin (2004) The Berlin Declaration The International Conference on Afghanistan Berlin, April 2004</p>	<p>Noting with satisfaction the substantial progress achieved under the Bonn Agreement of December 2001 in fostering peace, stability, national unity, democratisation, and economic development in Afghanistan, culminating in the adoption of a new Afghan Constitution in January 2004, which lays the groundwork for an elected Government and Parliament, and an independent Judiciary, which guarantees the constitutional rights of all its citizens - men and women - and adheres to the principle of human rights and the establishment of a self-sustaining, market-orientated economy.</p> <p>Agree #9: That all efforts to build a new Afghanistan shall also reflect the aspirations of the Civil Society that is taking root in the country and promote the participation of women according to their rights under the Constitution</p>

Conference	Commitments
<p>London Conference (Jan/Feb 2006)</p> <p>BUILDING ON SUCCESS THE LONDON CONFERENCE ON AFGHANISTAN</p> <p>The Afghanistan Compact</p> <p>The International Conference on Afghanistan London, 2006</p>	<p>#5: Build lasting Afghan capacity and effective state and civil society institutions, with particular emphasis on building up human capacities of men and women alike;</p> <p>#6: Recognise in all policies and programmes that men and women have equal rights and responsibilities</p> <p>Benchmarks (London Conference/Feb 2006)</p> <p>GENDER: By end-2010: the National Action Plan for Women in Afghanistan will be fully implemented; and, in line with Afghanistan's MDGs, female participation in all Afghan governance institutions, including elected and appointed bodies and the civil service, will be strengthened.</p> <p>RULE OF LAW: By end-2010, justice infrastructure will be rehabilitated; and prisons will have separate facilities for women and juveniles.</p> <p>SKILLS DEVELOPMENT: A human resource study will be completed by end-2006, and 150,000 men and women will be trained in marketable skills through public and private means by end-2010.</p> <p>VULNERABLE WOMEN: By end-2010, the number of female-headed households that are chronically poor will be reduced by 20%, and their employment rates will be increased by 20%</p>
<p>Paris (2008)</p> <p>Declaration of the International Conference in Support of Afghanistan International Conference on Afghanistan Paris, June 2008</p>	<p>To promote respect for human rights for all Afghans: We noted the vital importance for the protection of human rights of establishing the rule of law. We committed to support the implementation of the National Action Plan for Women. In particular, we emphasized the continuing need to ensure respect for International Humanitarian Law. As reaffirmed recently in Bucharest, we will continue to ensure that every measure is taken to avoid civilian casualties.</p>
<p>London (2010)</p> <p>London Conference Communiqué</p> <p>The London Conference: Afghan Leadership, Regional Cooperation, International Partnership London, January 2010</p>	<p>#13: In the context of a comprehensive, Afghan-led approach, Conference Participants reinforced the need for an effective and enduring framework to create and consolidate a stable and secure environment in which Afghan men and women of all backgrounds and perspectives can contribute to the reconstruction of their country. In this context, Conference Participants welcomed the plans of the Government of Afghanistan to offer an honourable place in society to those willing to renounce violence, participate in the free and open society and respect the principles that are enshrined in the Afghan constitution, cut ties with Al-Qaeda and other terrorist groups, and pursue their political goals peacefully</p> <p>#22: Conference Participants commended the Government of Afghanistan's commitment to improve access to justice and respect for human rights, including through its Justice and Human Rights Programme, political and financial support for the Afghanistan Independent Human Rights Commission, and the adoption and implementation of a new national policy as soon as possible on relations between the formal justice system and dispute resolution councils. The Government of Afghanistan reiterated its commitment to protect and promote the human rights of all Afghan citizens and to make Afghanistan a place where men and women enjoy security, equal rights, and equal opportunities in all spheres of life. Conference Participants also committed to strengthening the role of civil society.</p> <p>#26: The international community welcomed the Government of Afghanistan's commitment to implement the National Action Plan for Women of Afghanistan and to implement the Elimination of Violence Against Women Law. Conference Participants welcomed the Government of Afghanistan's commitment to strengthen the participation of women in all Afghan governance institutions including elected and appointed bodies and the civil service.</p>

Conference	Commitments
<p>Kabul (2010)</p> <p>Kabul Conference Communiqué The Kabul International Conference on Afghanistan Kabul, July 2010</p>	<p>10. Participants reiterated the centrality of women's rights, including political, economic and social equality, to the future of Afghanistan, as enshrined in the Constitution of the Islamic Republic of Afghanistan. Participants commended the mainstreaming of gender into all priority programmes and reiterated their commitment to assist all national ministries and sub-national government bodies in implementing their respective responsibilities under the National Action Plan for the Women of Afghanistan (NAPWA), and to ensure that all training and civic education programmes contribute to concrete advancements in its implementation. In addition, the Government of Afghanistan, over the next six months, is to identify and prioritise NAPWA benchmarks for implementation within each cluster; and develop a strategy to implement the Elimination of Violence Against Women Law (EVAW), including services for victims.</p> <p>Participants committed to respect and prioritise the fulfilment of the rights of Afghan children, and to invest in girls' and boys' education, protection and health care.</p> <p>13. Participants welcomed the outcomes of the Consultative Peace Jirga, held from 2-4 June 2010. The Consultative Peace Jirga demonstrated the strong will within Afghan society to reconcile their differences politically in order to end the conflict. The Government of Afghanistan noted the demand of the Consultative Peace Jirga that all parties engaged in the conflict respect the need to bring lasting peace through mutual understanding and negotiations, in full respect of the values and rights, including those of Afghanistan's women, enshrined in Afghanistan's Constitution, and through inclusive elections. Participants welcomed the establishment of an inclusive High Peace Council composed of women and men to set policy, strengthen political confidence and build consensus.</p> <p>14. Accordingly, Participants welcomed and endorsed in principle the Afghan Government's Peace and Reintegration Programme, which is open to all Afghan members of the armed opposition and their communities who renounce violence, have no links to international terrorist organisations, respect the Constitution and are willing to join in building a peaceful Afghanistan. The international community reiterated its commitment to continue to support this endeavour through the Peace and Reintegration Trust Fund, and looks forward to local Peace Jirga meetings that include men and women at district and provincial levels to discuss elements of an enduring peace</p>
<p>Bonn 2011</p> <p>Bonn Conference Communiqué The Second International Bonn Conference on Afghanistan Bonn, December 2011</p>	<p>#3: Ten years ago today at the Petersberg Conference, Afghanistan charted a new path towards a sovereign, peaceful, prosperous and democratic future, and the International Community accepted the responsibility to help Afghanistan along that path. Together we have achieved substantial progress over these ten years, more than in any other period in Afghanistan's history. Never before have the Afghan people, and especially Afghan women, enjoyed comparable access to services, including education and health, or seen greater development of infrastructure across the country.</p> <p>Al Qaida has been disrupted, and Afghanistan's national security institutions are increasingly able to assume responsibility for a secure and independent Afghanistan</p> <p>#6: Afghanistan reaffirms that the future of its political system will continue to reflect its pluralistic society and remain firmly founded on the Afghan Constitution. The Afghan people will continue to build a stable, democratic society, based on the rule of law, where the human rights and fundamental freedoms of its citizens, including the equality of men and women, are guaranteed under the Constitution. Afghanistan recommit to upholding all of its international human rights obligations. Acknowledging that on this path Afghanistan will have its own lessons to learn, the International Community fully endorses this vision and commits to supporting Afghanistan's progress in that direction.</p> <p>#18: Mindful of the relevant UN resolutions, the International Community concurs with Afghanistan that the peace and reconciliation process and its outcome must be based on the following principles: The process leading to reconciliation must be truly Afghan-led and Afghan-owned; as well as inclusive, representing the legitimate interests of all the people of Afghanistan, regardless of gender or social status. Reconciliation must contain the reaffirmation of a sovereign, stable and united Afghanistan; the renunciation of violence; the breaking of ties to international terrorism; respect for the Afghan Constitution, including its human rights provisions, notably the rights of women.</p> <p>The region must respect and support the peace process and its outcome.</p>

Preamble:

#2: Since the landmark Tokyo Conference of January 2002, with the steadfast and strong support of the International Community, financial and otherwise, Afghanistan has achieved substantial development and made notable progress in many fields of development, including education, health, roads, electricity, and telecommunication, as illustrated at the symposium hosted by Japan International Cooperation Agency (JICA) on July 6, 2012 in Tokyo. Building on the long-held aspiration of the Afghan people, Afghanistan has laid down the foundations of the democratic system of government, including the promulgation of its new Constitution, enshrining a commitment to pluralism and human rights, in particular the equal rights of women; and the development of increasingly active civil society and vibrant and open media.

#3: However, much remains to be done to realise the aspirations of the Afghan people for a peaceful, stable and self-sustaining Afghanistan. With support from the International Community, Afghanistan will continue its progress on such issues as security, with a focus on terrorism and counter-narcotics, poverty reduction, humanitarian needs, provision of basic social services, food security, protection of human rights in particular the rights of women and children, respect for individual dignity, promotion of education and culture, improvement of governance, reducing corruption, lessening reliance on international assistance, and promotion of private investment, thereby contributing to human security.

Security and Peace Process

#7: The Participants welcomed the progress of the Transition process so far. With the announcement of tranche 3 on May 13, 2012, 75 percent of the population will now come under the security protection provided by the Afghan National Security Forces (ANSF). By mid-2013, all parts of Afghanistan will have begun transition and the Afghan forces will be in the lead for security nation-wide, allowing the withdrawal from Afghanistan of the International Security Assistance Force (ISAF) by the end of 2014. The Participants stressed the importance of protecting civilian population in accordance with international humanitarian law and international human rights law. The Participants reaffirmed the importance for Afghanistan to attain a fully professional, capable and accountable ANSF that protects the civilian population, in particular women and children, respects the Constitution, and observes Afghan and international laws.

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#9: The Participants reaffirmed the importance of the peace and reconciliation process with a view to ending the on going violence in the country and restoring lasting peace and security as per the UN Security Council Resolutions and as stated in the London and Kabul Communiqués, and reconfirmed in the Bonn Conclusions. The process that will lead to reconciliation and peace must be inclusive, represent the legitimate interests of all Afghans and be Afghan-led and Afghan-owned. In this context, the Participants reiterated the importance of reconciliation principles such as the renunciation of violence, the breaking of ties to international terrorism and respect for the Afghan Constitution, including its human rights provisions, notably the rights of women, and emphasised the region's respect and support for the peace process and its outcome. The Participants recognised the importance of reintegration as an integral part of the peace process, which will pave the way for community recovery and post-conflict rehabilitation of Afghan society through improving security, community development and local governance. In this regard, the International Community welcomed the progress made in reintegration efforts so far including the reintegration of over 4,700 ex-combatants. The International Community welcomed the appointment of the new Chairman of the High Peace Council, Mr. Salahuddin Rabbani, reaffirmed its strong support for the peace efforts of the Afghan Government through the High Peace Council and the Afghan Peace and Reintegration Program (APRP), and called upon the regional countries that can play a positive role to extend all possible cooperation to ensure the success of the peace process. The Participants also stressed the importance of the participation of civil society organisations and women's groups in support of the peace process and the culture of peace and human rights in Afghan society in particular in the light of the UN Security Council Resolution 1325.

#23: The Participants emphasized the role of the Afghan civil society in advocating for and supporting human rights, good governance and sustainable social, economic and democratic development of Afghanistan through a sustained dialogue. The Participants reaffirmed that a thriving and free civil society based on respect for human rights and fundamental freedoms, in particular the equality of men and women, enshrined in the Afghan Constitution, will be key to achieving a more pluralistic society in Afghanistan.

Conference	Commitments
Tokyo (July 2012)	<p>Governance and Strategy for Economic Self-Reliance</p> <p>#12: The Participants shared the view that the International Community's ability to sustain support for Afghanistan depends upon the Afghan Government delivering on its commitments as part of this renewed partnership. In this context, the Afghan Government confirmed its resolve, as expressed at Bonn, that the future of its political system will continue to reflect its pluralistic society and remain firmly founded in the Afghan Constitution. The Afghan people will continue to build a stable, democratic society, based on the rule of law, effective and independent judiciary and good governance, including progress in the fight against corruption. The Afghan Government affirmed that the human rights and fundamental freedoms of its citizens, in particular the equality of men and women, are guaranteed under the Constitution and Afghanistan's international human rights obligations. The Afghan Government committed to conducting free, fair, transparent, and inclusive elections in 2014 and 2015, in which all the people of Afghanistan participate freely without internal or external interference.</p> <p>Private Sector and Civil Society</p> <p>#20: The Participants shared the view that developing a vibrant private sector will be essential for sustainable development of Afghanistan particularly for the long term; and that it requires the firm commitment of the Afghan Government to taking all steps necessary to achieve an enabling business environment, including establishing regulatory frameworks and building necessary infrastructure. The Participants noted the importance of promoting domestic and foreign investment in Afghanistan. The Participants also encouraged the creation of models for cross-country partnerships in investment whereby international investors can engage in partnership arrangements with those from within the region as well as with local Afghan entrepreneurs. In this context, the importance of job creation and initiatives targeting youth and women employment should be emphasised.</p> <p>#22: The Participants welcomed the results of the Delhi Investors' Summit on Afghanistan hosted by the Confederation of Indian Industries on June 28 in Delhi, which benefitted from many participants from neighbouring countries, and underscored the importance of implementing the recommendations of the summit. The Participants reaffirmed the significance of risk mitigation and credit provision schemes by the International Community in promoting private sector investment in Afghanistan. The International Community committed to taking concrete steps to promote private investment and trade by mobilizing relevant development finance institutions, export credit authorities, and other governmental and nongovernmental tools to encourage human and financial capital investments in Afghanistan. The Participants also reaffirmed the importance of women's participation in private sector conferences as reinforcing the need for inclusive development and recognition of women's rights.</p>

Source: Extracted from Afghanistan Agreements: A Collection of Official Texts from 2001 -2011. (Accessed August 2012).

Source for Tokyo 2011: http://www.mofa.go.jp/region/middle_e/afghanistan/tokyo_conference_2012/tokyo_declaration_en1.html(Accessed 14 Sep 2012)

Annex 4: 2004 Constitutional guarantees for women

Chapter	Article
Preamble	<p>5. Observing the United Nations Charter and respecting the Universal Declaration of Human Rights, 8. For creation of a civil society free of oppression, atrocity, discrimination, and violence and based on the rule of law, social justice, protection of human rights, and dignity, and ensuring the fundamental rights and freedoms of the people,</p> <p>WOMEN:</p> <p><i>Article Forty-Four Ch. 2, Art. 23</i> The state shall devise and implement effective programs for balancing and promoting of education for women, improving of education of nomads and elimination of illiteracy in the country.</p> <p><i>Article Fifty- Three Ch. 2. Art. 32</i> The state takes necessary measures for regulating medical services and financial support to descendants of those who were martyred or are missing, to disabled or handicapped, and their active participation and re-integration into society in accordance with the law.</p> <p>The state guarantees the rights and privileges of pensioners and disabled and handicapped individuals and as well renders necessary assistance to needy elders, women without caretakers, and needy orphans in accordance with the law.</p> <p><i>Article Eighty-four Ch. 5, Art. 4</i> Members of the Meshrano Jirga are elected and appointed as follows:</p> <p>From among the members of each provincial council, the respective council elects one person for a period of four years.</p> <p>From among the district councils of each province, the respective councils elect one person for a period of three years.</p> <p>The President from among experts and experienced personalities - including two representatives from the disabled and impaired and two representatives from the Kochis - appoints the remaining one-third of the members for a period of five years.</p> <p>The president appoints 50% of these people from among women.</p> <p>A person, who is appointed as a member of the Meshrano Jirga, shall relinquish his membership in the respective council, and another person replaces him in accordance with the law.</p>
Chapter One The State	<p><i>Article Six Ch. 1, Art. 6</i> The state is obliged to create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes and to provide for balanced development in all areas of the country.</p> <p><i>Article Seven Ch. 1, Art. 7</i> The state shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights. The state prevents all types of terrorist activities, production and consumption of intoxicants (muskirat), production and smuggling of narcotics.</p> <p><i>Article Eight Ch. 1, Art. 8</i> The state regulates the policy of the country on the basis of preserving the independence, national interests, territorial integrity, non-aggression, good neighbourliness, mutual respect, and equal rights.</p>
Chapter Two Fundamental Rights and Duties of Citizens	<p><i>Article Twenty-two Ch. 2, Art. 1</i> Any kind of discrimination and privilege between the citizens of Afghanistan are prohibited. The citizens of Afghanistan - whether man or woman - have equal rights and duties before the law</p> <p><i>Article Twenty-Three Ch. 2, Art. 2</i> Life is a gift of God and a natural right of human beings. No one shall be deprived of this right except by the provision of law.</p> <p><i>Article Twenty-Four Ch. 2, Art. 3</i> Liberty is the natural right of human beings. This right has no limits unless affecting the rights of others or public interests, which are regulated by law.</p> <p><i>Article Thirty-One Ch. 2, Art. 10</i> Every person upon arrest can seek an advocate to defend his rights or to defend his case for which he is accused under the law.</p> <p>The accused upon arrest has the right to be informed of the attributed accusation and to be summoned to the court within the limits determined by law.</p>

Chapter	Article
Chapter Two Fundamental Rights and Duties of Citizens	In criminal cases, the state shall appoint an advocate for a destitute.
	The confidentiality of oral, written or telephonic communications between an advocate and his accused client are immune from invasion.
	The duties and authorities of advocates shall be regulated by law.
	Article Thirty-Three Ch. 2, Art. 12
	The citizens of Afghanistan have the right to elect and be elected.
	Law regulates the conditions and means to exercise this right. Article Thirty-Four Ch. 2, Art. 13
	Freedom of expression is inviolable.
	Every Afghan has the right to express his thought through speech, writing, or illustration or other means, by observing the provisions stated in this Constitution.
	Every Afghan has the right to print or publish topics without prior submission to the state authorities in accordance with the law.
	Directives related to printing house, radio, television, press, and other mass media, will be regulated by the law.
	Article Thirty-Six Ch. 2, Art. 15
	The citizens of Afghanistan have the right to un-armed demonstrations, for legitimate peaceful purposes.
	Article Thirty-Nine Ch. 2, Article 18
	Every Afghan has the right to travel or settle in any part of the country except in the regions forbidden by law.
	Every Afghan has the right to travel abroad and return home in accordance with the provisions of law. The state shall protect the rights of the citizens of Afghanistan abroad.
Article Forty-Three Ch. 2, Art. 22	
Education is the right of all citizens of Afghanistan, which shall be provided up to the level of the B.A. (<i>lisâns</i>), free of charge by the state.	
The state is obliged to devise and implement effective programs for a balanced expansion of education all over Afghanistan, and to provide compulsory intermediate level education.	
The state is also required to provide the opportunity to teach native languages in the areas where they are spoken.	
Article Forty-Eight Ch. 2, Art. 27	
Work is the right of every Afghan.	
Working hours, paid holidays, right of employment and employee, and other related affairs are regulated by law.	
Choice of occupation and craft is free within the limits of law.	
Article Forty-Nine Ch. 2, Art. 28	
Forced labour is forbidden.	
Active participation, in times of war, calamity, and other situations threatening lives and public welfare is one of the primary duties of every Afghan.	
Children shall not be subjected to forced labour.	
Article Fifty Ch. 2, Art. 29	
The state is obliged to adopt necessary measures for creation of a strong and sound administration and realization of reforms in the administration system of the country after authorization by the National Assembly.	
Government offices are bound to carry their work with full neutrality and in compliance with the provisions of law.	
The citizens of Afghanistan have the right of access to the information from the government offices in accordance with the provisions of law.	

Chapter	Article
Chapter Two Fundamental Rights and Duties of Citizens	<p>Article Fifty-one Ch. 2, Art. 30 Any person suffering undue harm by government action is entitled to compensation, which he can claim by appealing to court.</p> <p>With the exception of situation stated in the law, the state cannot claim its right without the order of an authorised court.</p>
	<p>Article Fifty- Three Ch. 2. Art. 32 The state takes necessary measures for regulating medical services and financial support to descendants of those who were martyred or are missing, to disabled or handicapped, and their active participation and re-integration into society in accordance with the law.</p> <p>The state guarantees the rights and privileges of pensioners and disabled and handicapped individuals and as well renders necessary assistance to needy elders, women without caretakers, and needy orphans in accordance with the law.</p>
	<p>Article Fifty-Seven Ch. 2. Art. 36 The state guarantees the rights and liberties of the foreign citizens residing in Afghanistan in accordance with the law.</p> <p>These people are obliged to observe the laws of the state of Afghanistan in accordance with the International Law.</p>
	<p>Article Fifty-Eight Ch. 2. Art. 37 The State, for the purpose of monitoring the observation of human rights in Afghanistan, to promote their advancement (<i>behbud</i>) and protection, shall establish the Independent Human Rights Commission of Afghanistan.</p> <p>Any person, whose fundamental rights have been violated, can file complaint to the Commission. The Commission can refer cases of violation of human rights to the legal authorities, and assist in defending the rights of the complainant. The structure and functions of this Commission shall be regulated by law.</p>
	<p>Article Fifty-Nine Ch. 2. Art. 38 No one can misuse the rights and freedoms under this Constitution against the independence, territorial integrity, sovereignty and national unity.</p>
Chapter Four The Government	<p>Article Seventy-two Ch. 4, Art. 2 The person who is appointed as the Minister, should have the following qualifications:</p> <p>Must have only the citizenship of Afghanistan. Should a nominee for a ministerial post also hold the citizenship of another country, the Wolesi Jirga shall have the right to confirm or reject his or her nomination.</p> <p>Should have higher education, work experience and, good reputation.</p> <p>His age should not be less than thirty-five.</p> <p>Should not have been convicted of crimes against humanity, criminal act, or deprivation of civil rights by a court.</p>
Chapter Seven The Judiciary	<p>Article One Hundred and thirty five Ch. 7. Art. 20 If parties involved in a case do not know the language in which the trial is conducted, they have the right to understand the material and documents related to the case through an interpreter and the right to speak in their mother language in the court.</p>
Chapter Ten Amendments	<p>Article One Hundred and forty nine Ch. 10, Art. 1 The provisions of adherence to the fundamentals of the sacred religion of Islam and the regime of the Islamic Republic cannot be amended.</p> <p>The amendment of the fundamental rights of the people are permitted only in order to make them more effective</p> <p>Considering new experiences and requirements of the time, other contents of this Constitution can be amended by the proposal of the President or by the majority of the National Assembly in accordance with the provisions of Article 67, and 146 of this constitution.</p>

Source: Extracted from full text provided on http://www.afghanweb.com/politics/current_constitution.html Accessed July 2012.

Annex 5: NAPWA Indicators

Pillar	Goal	Key Indicators	Issues and Constraints	Policies and Strategies
1. SECURITY	To build and sustain a secure environment that enables women to live a life free from intimidation, fear and violence, and which supports their participation and leadership in promoting and maintaining peace and security.	<ol style="list-style-type: none"> At least 20 percent increase in the number of women participating in security service delivery over a period of 10 years. Progressive annual reduction in the incidence of violence against women in the public and private spheres. Progressive increase in the number of women actively participating in peace processes and promoting peace, justice and human rights at the national and community levels. 	<ol style="list-style-type: none"> Lack of gender perspective in the security sector. Low presentation of women in the security sector. Rising threats to women's security in public spaces and obstacles to service delivery. Continuing exposure of women to violence in the domestic sphere. Insufficient involvement of women in promoting a culture of peace. 	<ol style="list-style-type: none"> Mandatory review of major security policies and programs from a gender perspective. Assessment of existing gender tools, mechanisms and approaches. Affirmative action policy Elimination of women-directed violence in public and private spaces. Raising awareness of human rights, especially women's rights, and gender based violence in the sector Promoting a culture of peace and non-violence
2. GOVERNANCE, RULE OF LAW AND HUMAN RIGHTS	The goal of the Afghan government is to revise its legislative framework and judicial system to guarantee equality and non-discrimination as enshrined in the Constitution as well as within international conventions and standards, thereby enabling women and girls to exercise their rights on equal terms with men and boys.	<ol style="list-style-type: none"> Absence of gender discriminatory provisions and procedures in the legal framework. Enactment of gender-specific legislation, including family law and the anti-VAW law Minimum 30 percent increase in participation of women in the justice sector and law enforcement bodies Increased number of judicial officials trained on citizen's rights, with particular emphasis on women and children's rights Inclusion of human rights, particularly women and children's rights in the curricula of schools and universities Establishment of shelters, referral centres and transitional houses Increased access to free legal aid and representation for women and girls Increased availability of legal awareness programs Increased reporting and prosecution of violence against women cases 	<ol style="list-style-type: none"> Pervasive violations of women's human rights Need to reconcile the relevant provisions for women in the various legal frameworks Difficulties of women in accessing justice Need to understand the limitations and dangers of promoting traditional dispute resolution mechanisms Low representation of women in the justice sector 	<ol style="list-style-type: none"> Reform and amendment of legal frameworks to protect the rights of women and girls Improving women's access to justice. Reforming law enforcement Promoting legal awareness of/on women
A. LEGAL PROTECTION AND HUMAN RIGHTS				

Pillar	Goal	Key Indicators	Issues and Constraints	Policies and Strategies
B. LEADERSHIP AND POLITICAL PARTICIPATION	<ol style="list-style-type: none"> To attain a critical mass of women in high level decision, policy and law-making positions in key government institutions including in the sectors of judiciary, security, and service delivery. To promote an environment conducive to women's entrepreneurship and leadership in the private sector. To attain a critical mass of women active in communities and in political life. 	<ol style="list-style-type: none"> An affirmative action policy and strategy is adopted and implemented in key government institutions, including government administration and judiciary and in selected non-State establishments and organisations. Strategies and programs that promote meaningful partnerships among women and men in decision, policy and law-making positions are adopted and implemented Enabling mechanisms for women's participation and leadership in public life are provided There is a progressive increase in the percentage of women in Afghan institutions and in decision, policy, and law making positions. 	<ol style="list-style-type: none"> Prevailing male dominance attitudinal barriers to women's participation. Under representation and marginalisation. Lack of female self-determination Undermined starting point of women Violence and lack of security Women's lack of economic base Women's multiple and competing burdens 	<ol style="list-style-type: none"> Adoption and implementation of a comprehensive leadership and capacity building strategy for women Elimination violence against women in public and private spaces Partnership building between and among women and men Increasing opportunities and mechanisms for women's leadership and participation in communities.
	3. ECONOMIC AND SOCIAL DEVELOPMENT	<p>To create an enabling economic and social environment that is conducive to the full development and realisation of women's economic potential</p>	<ol style="list-style-type: none"> A gender sensitive legislative and regulatory framework, including inheritance, property and labour laws Equitable access of women to skills development programs and vocational training Progressive increase in the access of women to gainful employment Progressive increase in the access of women to micro-finance and business services 	<ol style="list-style-type: none"> Limited access to education/vocational training High fertility and inability to exercise reproductive rights Limited access of women to work outside the house Limited access to productive assets Wage discrimination Limited participation of women in governance Weak position of women in the informal economy
A. ECONOMY, WORK AND POVERTY				

Pillar	Goal	Key Indicators	Issues and Constraints	Policies and Strategies
B. HEALTH	The Government aims to ensure women's emotional, social and physical well-being and to protect their reproductive rights.	<ol style="list-style-type: none"> Reduction from 1, 600 to 400 maternal deaths per 100, 000 births by 2015. Increased reproductive health services in country health facilities 30% increase in participation of women in the health sector At least 90 percent of women have access to the Basic Package of Health Services 	<ol style="list-style-type: none"> Inadequate medical services and infrastructure Lack of human resources and low representation of women in the health sector Cultural constraints in accessing health care High maternal mortality rate Need to focus on women's health beyond maternal health Limited practice of and access to family planning 	<ol style="list-style-type: none"> Improving and expanding health services and infrastructures, particularly for rural women Promoting women's representation in the health sector Promotion of a culture of health care and an understanding of basic health Reducing maternal mortality Promoting access to family planning
	To increase the enrolment and retention of girls and women at all levels of education, including vocational and non-formal education, and to create an enabling environment where girls and women have equal access to all levels of education, equal treatment in the classroom and equal opportunity to complete the highest possible level and quality of education within the appropriate time period.	<ol style="list-style-type: none"> 50 percent increase in girls' enrolment share in primary, secondary and tertiary schools At least 70 percent net enrolment in primary schools for girls 50 percent increase in retention rate of females in education 50 percent reduction in female illiteracy Minimum of 150, 000 women trained in marketable skills through public and private means and approximately 40 percent of them utilising the skills acquired 50 percent representation of women in teaching and non-teaching positions including policy and decision-making 	<ol style="list-style-type: none"> Gender disparities in school enrolment and retention rates Lack of access and poor educational infrastructure Insufficient female teachers and discriminatory education curricula Increasing safety and security Social resistance to female education Insufficient access to accelerated learning and vocational training programs 	<ol style="list-style-type: none"> Adopting an affirmative action approach and an incentive structure for female education Improving women's access to education and education infrastructure Improving the organisation and structure of education Addressing issues of safety and security Addressing social factors impeding women's access to education Reducing illiteracy Promoting alternate education, accelerated learning, and vocational training Utilising education to promote the overall well-being of women
C. EDUCATION				

Source: Islamic Republic of Afghanistan, National Action Plan for Women of Afghanistan 2008-2018

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