

Tom Lantos Human Rights Commission

Women in Afghanistan

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Presenter, Marzia Basel

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Dear distinguished audience, ladies and gentlemen,

On behalf of Afghan Women Civil Society, I would like to thank Tom Lantos Human Rights Commission for organizing this important hearing. I realize that, women situation in Afghanistan is an important and hot discussion inside and outside of our country and even today after almost ten years of the fall of Taliban needs to be considered, and supported not only by holding sessions but as well practical actions.

I believe that the US Congress as well other high level officials, are concerned about our situation as well they are keen to improve the women situation in Afghanistan. I thank Congressmen Mr. McGovern and Mr. Wolf taking the lead to organize this hearing.

Summary:

There have been great changes to country development regarding women's issue since the defeat of the Taliban in Afghanistan end 2001.

Afghan women participation in social, political and economical reconstruction, such as enormous enrolment of girls to public and private schools and colleges, women participation in both the two parliamentarian elections and the presidential elections, the 28 percent active women at the parliament, establishment of the Afghan Ministry of Women Affairs an having 3 women at cabinet and establishment of active women civil society groups, increase on the number of women professionals, are good examples of women's development in Afghanistan since 2002.

More ever, Afghanistan signed the UN Convention of the Elimination of all Kinds of Violence against Women in 2003. With support from internationals and the national human rights activist, Afghanistan enjoys the endorsement of the 2004 constitution, which grantees the Afghans human rights and dignity, equality and non discrimination. As well the Afghan law on Elimination of Violence against Women was signed by president Kerzia in late 2009, are also significant steps forward on women's right protection.

Though, the mentioned progresses are important but there are many challenges Afghan women are facing today.

✓ **Security:**

The security situation in Afghanistan reported worse since fall of the Taliban in 2001 Last year in 2010 a number of 2700 Afghan Civilian were death, which shows 15 percent increase from 2009. The insecure situation in Afghanistan affected women promotion from going to schools, colleges and become visible as an active part of the social, political and economical development in Afghanistan.

✓ **Human Rights Abuses:**

The human rights abuses including abduction, rape and trafficking has increased tremendously. More than 87 per cent of Afghan women suffer from domestic abuse, according the human rights groups reports, between 60 and 80 per cent of marriages are forced. This is despite a pledge from the Afghan government to protect women's rights and promote gender equality in Afghanistan.

Women who push for better human rights application, faces systematic violence and threats from the Taliban and other anti-government groups, as well as local warlords and militias. In areas under the Taleban's influence, it is impossible for women human rights defenders to continue their work, as several high profile women have been attacked and threatened.

A research contacted by the Afghan Independent Human Rights Commission on domestic violence against women shows that more than 50 % of women, in addition to suffering from other types of violence have been beaten. Domestic violation against women not only has serious physical and mental effects on women but it also causes other grave problems such as self emulation, suicide , escape from the family, forced prostitution and addiction to narcotic.

✓ **Education:**

Still 85% of women and girls in Afghanistan are illiterate. Reports shows that, state allocated budget for education is the lowest level budget in the region. Besides girls are facing security problems such as killing, kidnapping, rapping and poisoning on the way to school. Many girls schools are burnt by the Taliban on the area of their control.

✓ **Health:**

Availability of only one doctor and five nurses for every 100,000 persons, and one bed for 300 persons is a critical issue. The child and mother mortality is on the highest level. It is reported that in every 30 minutes a women dies during pregnancy or child birth and this figure indicates 60 deaths in each 1000 women which is 60 % higher in comparison to the industrial world, while 80 % of these deaths are preventable.

✓ **Rule of Law**

Though, Afghanistan has official laws and constitution which grantee the human rights and women's right, but in reality the Afghans life in the ground is something else. The people trust to the government, especially the judiciary and law enforcement departments are very weak. It is because of the lack of professionals and corruption, delay in their performance, lack of fair trial and the interference of the government and the legislation bodies to judiciary affairs.

Women have very less or no access to justice departments at all. The free legal aid services through the government does not exist in most part of Afghanistan or even exists it is not visible, it is because of the poor services and the lack of the staff both in quantity and quality. For example for almost 30 million populations in Afghanistan, there are only 850 defense lawyers around the country which are mostly based in Kabul.

Because of the lack of economic power and cultural women refer their cases rarely to the government and even if they referee, they prefer it to Ministry of Women's affairs departments.

It is believed that the high incidence of female self-immolation in the west is due, to lack of access to justice in formal and informal justice institutions.

But the decades of war has damaged the formal system enormously. The influence of knowledge lack Mula's from the sharia laws at the justice institutions, and their influence at the system makes the situation harder to reform the system.

Although the approval of Law on Elimination of Violence against Women is an important step forward for Afghan women's legal rights protection, but the laws application even the constitution is under question. Rule of law is very weak in Afghanistan and the law is breaking even by the top level government officials.

Most importantly the Afghan government lacks the political will and commitment to improve the women situation in Afghanistan. President Kerzia does not want to lose the support of the fundamentals and warlord which are everywhere at the government as ministers, at the parliament as head of the Houses, and at the judiciary.

Finally the Afghan government has failed to show its practical commitment to women's rights and human rights application. Though there are women in policy level, peace commission, as a minister, as parliament member but mostly they play symbolic roles.

Besides the recent ongoing international discussion with the Taliban leaders speared the fear among Afghans, particularly to women activist. Afghan Government every day call to negotiate with the Taliban and the NATO talks and reconciliation meetings with Afghan government oppositions are a serious risk to human and women rights situation in Afghanistan. As an Afghan woman who never left the country and being witness of all unrest in Afghanistan, I believe that both the Taliban and the Mujahin leaders are dishonest to internationals in order to bring them in power but once they came on power, they will practice what they want. I hope international community involved in Afghanistan understand the situation that peace in Afghanistan and at the region secure peace in world.

Recommendations:

1. A rush to the exit will not help Afghans nor will it address the regional and global security risks posed by the breakdown of the Afghan state. Without outside support, president Karzai government would collapse, the Taliban would control much of the country and internal conflict would worsen..

2. In any negotiations' and peace reconciliation, with the Taliban and the Afghan government Oppositions, women active participation and decision making process should be acknowledged.
3. Afghan women need urgent assistance for asylum protection programs. The fear and the threats of the insurgents and the Taliban to women and human rights activists, particularly who are working closely with international organizations, should be the agenda for international community inside and outside of Afghanistan.
4. More funds should be allocated to guarantee human and women's rights protection
5. Strengthening of rule of law through creating of strong law implementation structures and mechanisms.
6. Laws application should be taken seriously. Practical measures should be taken to criminalize the violence and abuse issues regarding women's rights
7. Finally adopting necessary measures for qualitative and quantitative development of Afghanistan's in all sectors such as security, education, health, economy and rule of law should be at the agenda of the Afghan government and international community supports president Karzai government in a long term commitment.

I thank you once again for time,

Marzia Basel