

# WOMEN IN AFGHANISTAN

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HEARING  
BEFORE THE  
TOM LANTOS HUMAN RIGHTS COMMISSION  
HOUSE OF REPRESENTATIVES

ONE HUNDRED AND TWELFTH CONGRESS  
FIRST SESSION

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MAY 3, 2011

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TOM LANTOS HUMAN RIGHTS COMMISSION

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## **WOMEN IN AFGHANISTAN**

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**TUESDAY, MAY 3, 2011**

HOUSE OF REPRESENTATIVES,  
TOM LANTOS HUMAN RIGHTS COMMISSION,  
*Washington, D.C.*

The commission met, pursuant to call, at 10:00 a.m., in Room 345 Cannon House Office Building, Hon. James P. McGovern [co-chairman of the commission] presiding.

Cochairman McGOVERN. All right. Good morning, everyone. I want to thank everyone for being here this morning at the start of a very busy week in Congress. I especially want to thank our witnesses, some of whom have traveled great distances to participate in today's hearing.

Also, before we begin, I would like to thank Ari Levin, Lars de Gier, and Mike McVicker who staff the Tom Lantos Human Rights Commission for all their work in coordinating this hearing. They have invested a great deal of time and are in pulling this hearing together, and I am very, very grateful.

It would be an understatement to say that the world's attention has focused to the east of Afghanistan during the last 36 hours. Today's hearing, however, "Women in Afghanistan," addressing women's rights, aspirations, and challenges to participate freely and fully in shaping the future of their lives, and the life of their nation will help bring all of us back to the reality of life for millions of people on the ground inside Afghanistan.

Since the fall of the Taliban in 2001, a regime that harshly repressed women and restricted their rights in so many ways big and small, the situation of women has changed dramatically.

Afghan women participate in politics. There are around 200 female judges, one of whom, the Honorable Marzia Basel, is here today, will be testifying before the Commission. There are women who work in the police force and as teachers in schools.

In 2003, Afghanistan ratified the U.N. Convention on the Elimination of All Forms of Discrimination Against Women. The 2004 Afghan Constitution contains a provision that guarantees equality of men and women before the law, established an Independent Human Rights Commission, and established the Ministry of Women's Affairs, which is tasked with the advancement of women in private and public life.

Women can vote and they can run for office. The Constitution provides for the representation of women in both the upper and lower houses of the national legislature.

Also in 2009, the national congress passed the "Elimination of Violence Against Women Act." This law criminalizes horrendous acts against women, including battery, rape, forced marriage, forced child marriage, forced prostitution, abuse, and disfigurement. The debate over this law spotlighted the extremes under which many women in Afghanistan suffer and struggle to survive, but these very women were among its strongest advocates and helped assure its passage.

But let us not fool ourselves. In spite of these very significant steps, the situation of women in Afghanistan is still far from meeting the hopes and aspirations of Afghan women, and new challenges emerge daily, such as what role Afghan women will play in political reconciliation talks with Taliban leaders.

Women in Afghanistan face enormous obstacles in claiming their rights, or even learning that they have rights. They are challenged in their search for work that will allow them to take their rightful place as productive members of a new Afghan society.

They seek education for themselves and their children, yet schools are often targets of attacks. They need to address the basic needs of their families, yet

education officials are talking about scaling down school feeding programs in impoverished rural areas of Afghanistan.

I very much look forward to hearing from today's witnesses, from the State Department, USAID, the United Nations, a US NGO and, most importantly, a prominent representative of Afghan women themselves.

I now wish to include statements for the Record from Members who are unable to attend this hearing, and I submit a statement from Congresswoman Cathy McMorris Rodgers.

I also would like to submit for the Record the testimony of Massouda Jalal, former Minister of Women for the Afghanistan government, who was invited to testify at today's hearing but was unable to leave Afghanistan at this time.

And let me again thank all the witnesses. This is a very very important subject. And while Members of Congress may be divided on what our overall policy should be toward Afghanistan in terms of our military approach, there's great division here in Congress, there is great unity here in Congress to try to stand alongside of the women of Afghanistan. And we look for ways to be helpful.

So, we're going to begin with Rina Amiri, who is the Senior Advisor on Afghanistan for the Office of the Special Representative to Afghanistan and Pakistan, the U.S. Department of State. We are honored to have you here, and we welcome your testimony. Thank you.

PREPARED STATEMENT OF THE HONORABLE JAMES P. MCGOVERN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS AND COCHAIRMAN OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

**Statement of Rep. James P. McGovern  
Tom Lantos Human Rights Commission Hearing on  
"Women in Afghanistan"  
345 Cannon HOB –Tuesday, May 3, 2011 – 10 AM – 12:00 PM**

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Good morning. I want to thank everyone for being here this morning at the start of a very busy week in Congress. I especially want to thank our witnesses, some of whom have traveled great distances to participate in today's hearing.

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Honorable Marzia Basel, will be testifying before the Commission today. There are women who work in the police force and as teachers in schools.

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But let us not fool ourselves. In spite of these very significant steps, the situation of women in Afghanistan is still far from meeting the hopes and aspirations of Afghan women – and new challenges emerge daily, such as what role Afghan women will play in political reconciliation talks with Taliban leaders.

Women in Afghanistan face enormous obstacles in claiming their rights – or even learning that they have rights. They are challenged in their search for work that will allow them to take their rightful place as productive members of a new Afghan society.

They seek education for themselves and their children, yet schools are often targets of attacks. They need to address the basic needs of their families, yet education officials are talking about scaling down school feeding programs in impoverished rural areas of Afghanistan.

I very much look forward to hearing from today's witnesses – from the State Department, USAID, the United Nations, a US NGO, and most importantly, a prominent representative of Afghan women themselves.

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I also would like to submit for the Record the testimony of Massouda Jalal, former Minister of Women for the Afghanistan government, who was invited to testify at today's hearing but was unable to leave Afghanistan at this time.

And I'd like to ask any of my colleagues if they would like to make opening remarks –



**STATEMENT OF RINA AMIRI, SENIOR ADVISOR ON AFGHANISTAN  
FOR THE OFFICE OF THE SPECIAL REPRESENTATIVE TO  
AFGHANISTAN AND PAKISTAN, U.S. DEPARTMENT OF STATE**

Ms. AMIRI. Thank you, Congressman McGovern and additional Members of the Tom Lantos Commission for this opportunity to speak on the status of women in Afghanistan.

I am honored to appear before you along with my USAID colleague, Deputy Administrator Don Steinberg, and so many of the distinguished panelists who are here today. And I want to give a special welcome to Judge Marzia Basel, who has traveled here from Afghanistan.

It is a privilege to speak on the important issue of Women's Rights in Afghanistan. I have been working on Afghanistan for over a decade, and have witnessed firsthand the vital role that U.S. support for women's rights have been playing in helping Afghan women restore their fundamental rights.

While Afghan men and women leaders have, themselves, been key to protecting and advancing their rights, we play a pivotal role in leveraging their voices and creating a critical window of opportunity through our policies, resources, and actions.

Supporting the rights and hard-fought successes of women is vital to insuring a moderate democratic, pluralistic, and stable Afghanistan. It is helping Afghan women secure many of the rights that were accorded to them before the decades of radicalization and war, such as the right to education, the right to work, to vote, and to participate in political life.

Nor is it simply a moral issue. It is a strategic issue which cuts across the areas of national security, development, and human rights.

President Obama's National Security Strategy recognizes that, "Countries are more peaceful and prosperous when women are accorded full and equal rights and opportunity."

And Secretary Clinton has often said, "We have made women a cornerstone of our policy, not just because we think it's the right thing to do, but also because it's the smart thing to do."

The past decade has been a time of significant progress for Afghan women. Women's equality is enshrined in Afghan Constitution. They're allotted a minimum of 25 percent of seats in parliament, and the Afghan Government has ratified International Human Rights instruments, such as the International Covenant on Civil and Political Rights, and the Convention of the Elimination of All Forms of Discrimination Against Women.

And in 2009, the Afghan Government adopted a law to eliminate and criminalize violence against women, which for the first time outlines women's rights to be free from violence, and allows women the opportunity to use legal channels against discriminatory policies and programs which restrict their rights and freedoms.

Yet, while these rights exist in law, far too often they are not implemented due to lack of capacity and/or political will. Many Afghans, particularly in rural areas, do not even know that these laws exist.

Moreover, these gains are hardly guaranteed. Afghan women's rights are continually under threat of erosion, and require vigilant monitoring and support.

To this end, we are working to integrate gender into every aspect of our Afghanistan policy and programs. We have developed a specific Afghan Women and Girls Strategy to define the future of our activities, insuring that our actions are in line with the goals and policies outlined by the Afghan Government, and Afghan women, themselves, as reflected in the Afghanistan National Development Strategy.

Our strategy focuses on benchmarks in five key sectors; health, education, economic opportunity, security, and access to justice and leadership.

Deputy Steinberg will focus on our cistern programs, and I will discuss Rule of Law, justice, and political priorities.

While security challenges and lack of enforcement capacity by government officials are a grave concern for all Afghans, discriminatory practices and targeted violence against women and girls leave women particularly vulnerable, and are perhaps the greatest impediment to their full participation in public life.

We continue to urge the Afghan Government to protect women leaders, and to take seriously the everyday threats against women and girls. We are also supporting increased women's participation in the security sector through both recruitment and promotion of women, as well as training on gender-related topics for men and women, and the Afghan National Police, and Afghan National Army.

As Afghan women will, themselves, tell you, violence against women and girls in Afghanistan cannot be explained away as cultural or private. It is criminal, and must be addressed as such.

Women's access to justice is also very limited due, in part, to the dearth of women serving as judges, lawyers, and prosecutors. While the number of female judges has more than doubled, they are still estimated to comprise only 3-1/2 percent of the judiciary. And despite extensive lobbying by Afghan women and men leaders, the Afghan Supreme Court does not include a woman member.

We continue to encourage the Afghan Government to appoint more women at every level of the judicial sector. Through the Bureau of International Narcotics and Law Enforcement Affairs, we also support legal aid organizations of Afghanistan offices in 20 provinces, and will fund additional offices in 2011 with a goal of making legal aid services accessible to all Afghans.

INL has sponsored professional exchanges for Afghan women judges since 2004, and also provides them with special legal training and networking opportunities.

We are supporting the efforts of the Afghan Government, the Afghan Independent Human Rights Commission, and Civil Society Organization to strengthen human rights and gender awareness in the judiciary and police force, and in informal justice mechanisms.

Strengthening the capacity of the burgeoning civil society with a special emphasis on Afghan women-led civil society organizations and gender policy activities is critical to insuring that Afghan women and men will be able to sustainably promote a pluralistic society committed to the protection of the rights of women and other vulnerable groups.

If given the opportunity and the requisite support, they will seize the opportunity to advocate on their own behalf. They have proved this time and again, most recently when Afghan women successfully pushed against proposed regulations of NGO-run women's shelters.

With the support of the U.S. and international community, Afghan women leaders engaged the Afghan Government and reached an agreement that shelters will be allowed to run by non-governmental organizations.

Through training and capacity building programs, as well as grants, such as the Ambassador's Small Grants Program, the U.S. is working to strengthen the ability of women focused civil society organizations in Afghanistan to become more effective as implementers, leaders, and advocates.

Secretary Clinton has repeatedly said that, "The rights of Afghan women, Afghanistan's various ethnic groups, and civil society will not be sacrificed in pursuit of reintegration and reconciliation," and has warned that if these groups are pushed to the margins of Afghan society, the prospects for peace and justice will be subverted.

The United States has set out redlines for any insurgent who wants to be reintegrated into society. These includes the rejection of violence, breaking ties with al Qaeda, and accepting the Afghan Constitution. That means accepting that women are equal citizens who have fundamental rights, such as the right to attend school, to have access to health care, the freedom to work, to vote, and to participate in public life, and political life.

Afghan women who have borne the brunt of the conflict are committed to a process that leads to settlement, but must be an integral part of the process. The United States is actively supporting the inclusion of women leaders in peace consultations, and has supported calls by women leaders to increase their representation in the Consultative Peace Jirga and High Peace Council. The U.S. continues to encourage the Afghan Government to include women leaders in peace and reconciliation discussions at all levels.

The future stability of Afghanistan depends, in part, on the degree that all of its citizens, including women, have an active role in rebuilding their society.

Surveys carried out by BBC, ABC, and the Asia Foundation have consistently shown that while there are Afghans who hold rigid views about women's rights, the majority of Afghan people support girls and women's rights, including the right to work, and to get an education.

With your help, we must reinforce these voices, and make clear that women are an indispensable part of our priorities in Afghanistan, and that they must be included at all levels of the Afghan Government and the peace process.

We must continue to build the capacity of the Afghan Government, and to implement and enforce the constitutional rights accorded to its citizens. We must help strengthen and reform the informal and formal justice sector, and work with the Afghan Parliament to educate lawmakers on the existing laws, and provide technical assistance to women and men parliamentarians. And, finally, we must continue to integrate women's issues into all ongoing programs, policies, and activities at all levels of U.S. engagement.

The legacy of U.S. engagement should not be a retreat on the fundamental principles and rights shared by the American and the Afghan people. It is incumbent

that our efforts be guided by the Afghan people, themselves. They have the vision, commitment, capability, and resilience to create a path of peace and prosperity for Afghanistan. Our support must be backed by resources and actions, and an honest assessment of our efforts.

Members of the Commission, I'd like to thank you again for your continued support for the progress and empowerment of Afghan women and girls. I look forward to answering your questions. Thank you.

Cochairman McGOVERN. Thank you very much for your excellent statement. At this time, I'd like to invite Don Steinberg, the Deputy Director of the U.S. Agency for International Development, to provide his statement.

**STATEMENT OF DON STEINBERG, DEPUTY ADMINISTRATOR, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

Mr. STEINBERG. Thank you, Mr. Chairman. It is, indeed, an honor to be able to testify here before you today on the challenge of addressing gender equality, women's empowerment, and socio-economic progress for women and girls in Afghanistan.

It's an honor to testify before this Committee and, in particular, yourself and Co-Chairman Wolf. I have had the honor of working with you, the Co-Chairman, as well as Tom Lantos throughout my career. I will always remember traveling with Tom Lantos to Budapest in 1990 in the wake of the fall of the Berlin Wall, and having the pleasure of having him walk me around the City of Budapest and showing me where he and his wife had been held captive, where they escaped from the box car that was going to take them to the concentration camps. And he has left a legacy of human rights that I am delighted that you and Chairman Wolf are continuing at this point.

We're here to talk about the challenge of protecting and promoting women's rights in Afghanistan. And, frankly, there could be a no more important way for us to, in fact, celebrate the events of the last few days than to insure that women are kept front and center in all of our efforts to restore peace and stability to Afghanistan.

As you've heard, the Obama Administration has adopted a Whole of Government approach to promoting female literacy, comprehensive health care, economic empowerment, and political inclusion in Afghanistan.

I'm pleased that my agency, USAID, has more than doubled our spending on women and girls in Afghanistan since 2008, upwards of \$200 million this past year, that we've created and staffed a five-person gender unit to focus on issues related to women in Afghanistan, that we now require all of our programs to integrate gender into the project design and evaluation, and that we've provided more than 500 grants for capacity building for civil society, basic education, women's equality under the law, land reform, micro enterprise, and political and social advocacy.

Perhaps more important, improvements in education, health care, employment, political office, and economic opportunity have been notable since the fall of the Taliban, including the return of 2.5 million girls to school.

But, Mr. Chairman, there's still a long way to go. As shown by the continuing cases of girls having acid thrown in their face for daring to return to school, and continuing threats against women stepping forward to exercise their political and economic rights.

Our Administration is committed to making these gains deeper and irreversible. And as Secretary of State Hillary Clinton recently said, "No society and,

in particular, no society trying to emerge from conflict can advance if 50 percent of the population is left behind."

Our efforts in Afghanistan aren't simply a matter of fairness, or equity, but a recognition that investment in women, and promotion of women's participation and equality are non-negotiable requirements for lasting peace, stability, and social progress.

Let me repeat. Gender integration, equality, and empowerment are not secondary priorities to be addressed once the insurgency has been defeated. They are essential to the success of that effort.

Mr. Chairman, my written testimony talks about a variety of efforts that we have done to strengthen civil society, to insure equal access to justice and human rights, to support economic advancement, promote improved outcomes in girls' education and women's health care, and encourage women's political participation.

The challenge of bringing women's equality and empowerment to Afghanistan is not going to be achieved through large public speeches. It will be achieved through the day-to-day work that we're doing in Afghanistan. I'd liken it to the comments of Mario Cuomo, "We do not promote women's rights in Afghanistan through poetry; we do it through prose."

And I will limit my prose in this setting to just a few comments on some of the work that I'm extremely proud about in Afghanistan, including our support for a Women's Literacy Center that is promoting women's access to better learning skills, the work that we're doing to enhance the capacity of the Ministry of Women's Affairs, our work on midwives' education in Afghanistan, our economic empowerment through business training and economic credits, the work we're doing through the Afghanistan Reconstruction Trust Fund, which is the major international fund through which the development and reconstruction of Afghanistan is taking place, where all of the subgroups, a panoply of acronyms, including MSP, MISFA, HLP, and EQUIP are all incorporating gender as major parts of their effort.

We're also pleased to support the Human Rights Center in Afghanistan, which has made gender a major portion of what they are trying to achieve.

Mr. Chairman, I'd like to conclude by simply saying that the women in Afghanistan right now are worried. They are worried that in the very legitimate search for peace in Afghanistan, their rights will be sacrificed.

Let me say on behalf of the Administration, that none of us can permit that to happen. No peace that sacrifices women's rights and women's well being is a peace that we can afford to support. Thank you, Mr. Chairman.

Cochairman McGOVERN. Thank you very much. I want to welcome my colleague from Washington State, the Honorable Jim McDermott. I don't know if you want to have an opening statement, or do you-

Mr. McDERMOTT. Sure.

Cochairman McGOVERN. I yield to the gentleman from Washington.

Mr. McDERMOTT. Thank you, Chairman McGovern.

I feel like I'm flying in from nowhere, end of hearing I'm going to fly away, but I want to say what I've got to say. Because I'm really pleased that Jim and Frank have organized this hearing on the plight of women in Afghanistan.

This year marks the 100<sup>th</sup> anniversary of the International Women's Day, and while conditions for women have improved in many countries over the years, Afghan women face serious challenges, 10 years after the Taliban were overthrown.

I have in Seattle a woman who is establishing schools for girls in the northern part of Afghanistan, so I hear on a monthly basis from somebody on the ground, and there's still more than a few problems.

Indeed, Afghanistan remains a deeply conservative society, which many still view equal rights for women as anti-Islamic, and harmful to the social order. Repression of women remains common throughout Afghanistan, particularly in rural areas where many families restrict their own mothers, and daughters, and wives, and sisters from participating in the public life at all. Some women risk verbal and physical abuse, even stoning, in order to provide primary education for their girls.

Despite these challenges, women in Afghanistan continue to persevere, and I think that's one of the reasons why I wanted to come over and say this, because I want to recognize the fact that in spite of everything, they have faced repression, and fear, and brutal force every day in every year.

The international community has an important role to play in ushering in a change in that country. Much work remains in meeting basic needs of women throughout the country. Nearly 90 percent of Afghan women are still illiterate. And according to Human Rights Watch, 87 percent of women experience at least one form of physical, sexual, or psychological violence, or forced marriage in their lifetime. These statistics should give us all pause.

I mean, as we look at what's going on and what our obligation is to Afghanistan, I think you think about that, you really have to ask yourself what is our obligation?

Now, today it's not uncommon to read about Afghan women who are doused with acid on their way to school, or read about female politicians who face death threats all the time.

Secretary Clinton has called the subjugation of women a threat to the national security, and I agree with the Secretary that the denial of the rights of women breeds instability of nations, and prevents countries from reaching their full potential. That's why I support the Obama Administration's decision to place women's rights as a cornerstone of U.S. strategy in Afghanistan across key programs.

I, also, know from my wide reading, and my having been in Africa, and worked in the State Department in Africa, that countries that train their women and educate their women are the countries that move ahead. If they don't do that, the country doesn't move, because if you train the women, you then have children who

are educated, and you have changes in birth patterns because people have knowledge, and they begin to operate differently; so, you get population shifts that are really important.

So, there's a whole variety of reasons why not only is it humane to deal with women, but it is also in economic and development terms a very important factor in what's going to happen in country. To simply say put the money in there, or all those kinds of things without dealing with the rights of women is, in my view, simply not a possibility. You can't move forward if that's your only focus, is money in terms of foreign aid. It has to be with respect for the people of the country, particularly the women.

So, I thank you for having this hearing, and I will stay for a few minutes, but I do have to leave. I've got something else.

**PREPARED STATEMENT OF THE HONORABLE JIM McDERMOTT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON**

**Jim McDermott**

**Remarks at The Tom Lantos Human Rights Commission Hearing: Women in Afghanistan**

**May 3, 2011, 10:00AM – 12:00PM**

**345 Cannon**

I want to thank my good friends Congressman McGovern and Congressman Wolf for organizing this important hearing on the plight of women in Afghanistan.

This year marks the 100<sup>th</sup> anniversary of International Women's Day. While conditions for women have improved in many countries over the years, Afghan women face serious challenges ten years after the Taliban were overthrown.

Indeed, Afghanistan remains a deeply conservative society where many still view equal rights for women as anti-Islamic and harmful to the social order.

Repression of women remains common throughout Afghanistan, particularly in rural areas where many families restrict their own mothers, daughters, wives, and sisters from participating in public life. Some women risk verbal and physical abuse – even stoning – in order to provide primary education for their daughters.

Despite these challenges, women in Afghanistan continue to persevere in the face of fear, repression, and brute force, day after day and year after year. The international community has an important role to play in ushering in change. Much work remains in meeting basic needs of women throughout the country. Nearly 90 percent of Afghan women remain illiterate.

And according to Human Rights Watch, 87 percent of women experienced at least one form of physical, sexual, or psychological violence or forced marriage in their lifetime. Those statistics should make us pause.

Today, it's not uncommon to read about Afghan girls who are doused with acid on their way to school or read about female politicians who face death threats every day.



Secretary Clinton called the subjugation of women a “threat to the national security.” I agree with the Secretary that the denial of the rights of women breeds instability of nations and prevents countries from reaching their full potentials.

That’s why I support the Obama administration’s decision to place women’s rights as a cornerstone of U.S. strategy in Afghanistan across key programs.

I’d like to hear from today’s witnesses what impact, if any, U.S. government programs have had in improving the lives of Afghan women and girls, how progress is measured, and ways that these programs and initiatives can be improved. How do the current budget uncertainties affect these programs?

I’d also be interested in getting your perspectives on the ongoing talks between the Afghan government and the Taliban, and how women’s rights will be protected if Taliban leaders were to be reintegrated into society.

Thank you.

Cochairman McGOVERN. Well, thank you very much, and I appreciate your testimony.

I have a few questions. I'm going to kind of jump around, but one of the things that I am most concerned about is the issue of corruption. And the U.N. Office of Drugs and Crime Report released in 2010 said that 59 percent of Afghans consider corruption a bigger concern, the security situation, and unemployment. So, evidently, corruption is an enormous problem in Afghanistan, so my questions are these.

Are there standardized operating procedures for all U.S. agencies involved in Afghanistan, which instruct to undertake risk assessments to identify the potential for corruption when dealing with Afghan entities? And, if so, what are those procedures? And if you had to make a list of corrupt entities in Afghanistan, how would you rate human rights organizations, or women's organizations?

I mean, we all want to be supportive. Again, regardless of where you are on the military aspects here, but this issue of corruption; we had another article that appeared in the *Washington Post*, "Possibly Afghanistan Road Project is Marred By Unsavory Alliances," more and more corruption.

I want to make sure the money is getting to where it's supposed to go. And if we're going to support programs to empower women, I want to make sure that it's actually going to empower women, and not going to a thousand other different things. So, I appreciate your response.

Mr. STEINBERG. Mr. Chairman, it's a deep concern that we have in Afghanistan. Indeed, we in most countries try desperately to move most of our resources through country institutions.

In Afghanistan, we have gone through and tried to analyze those institutions and we've only been able to identify three institutions in Afghanistan that have the institutional capacity, the transparency, and the capability to effectively use resources by themselves.

We are deeply concerned about the question of insuring the American taxpayer that their dollars are being well spent, that they are not being siphoned off into unsavory activities. We have an active Inspector General, who we call in on a number of occasions to look at these situations, including the situation that the *Washington Post* and the *New York Times* were describing.

This was a case where the USAID officials identified a potential vulnerability and asked that our own mechanisms get involved in trying to identify exactly what happened.

We have found, to be quite frank, that our work in gender is less susceptible, perhaps in part, I'm not going to say that women are by nature less corrupt, or less likely to seek bribery but, indeed, as I think the Congressman just said, it probably is the case. And, indeed, there is actually an article that Swanee Hunt has written for *Foreign Affairs Magazine*, where she highlights what societies look like when they have full participation of women.

And, in that regard, I just wanted to say one other thing; that, indeed, as Congressman McDermott has said, societies that honor women, that educate women, that use women to contribute to political, economic, and social life tend to be more stable. They tend not to traffic in drugs, in weapons, in persons. They tend not to spew out large numbers of refugees across borders and across oceans. They don't

engage in piracy. They don't serve as transmitters of pandemic diseases. And, perhaps, most importantly for us now, they don't require American forces to go on the ground to repair the damage that has been created.

These are all factors that we pay a lot of attention to in the context of Afghanistan, and it underlies why we're there.

Cochairman McGOVERN. Ms. Amiri.

Ms. AMIRI. The only other point that I would like to add is that one of the hats that I wore before I joined the U.S. Government is I worked for the Open Society Institute, where using private funding we funded civil society organizations, including women's organizations. And while I do agree with Deputy Steinberg that the amount of corruption with women's organizations was much more limited.

There is a need for much more training, and budget, and finances with civil society organizations, and more effective means of finding ways for these civil society organizations to identify how they could also self-monitor. It's something we need to look at in terms of our capacity building of civil society organizations more effectively.

Cochairman McGOVERN. Thank you. It leads to my next question. I'm not - I will be very candid. I don't have a lot of confidence in the Afghan Government. I think especially in terms of handling money, among other things. But I've read reports that the government wants to take over basically running women's shelters. And it seems to me that we'd want to keep these women's shelters independent for a whole bunch of reasons.

And, I guess, what can the United States do to best support women's shelters in Afghanistan, and insure that they remain under independent control? And is there a serious risk that the shelters will close without international funding? I think that's been a concern that's been raised to us on several occasions. I don't know if you have any response to that.

Ms. AMIRI. This is one of the areas where I think we've had modest success recently. With our support, women's organizations very effectively came together and put together an advocacy programs, engaged the Afghan Government, and ended up successfully pushing back on efforts of the government to try to take over shelters. But it's not a finished situation, certainly.

Afghan women still remain very concerned that while President Karzai and other senior members of the government have provided reassurances that what they're looking to do is monitor rather than take over shelters. They are very concerned, because right now legislation is still being considered, and hasn't been reviewed by women's organizations. But what we learned from this process is how important it was for the U.S. Government to take a strong stance on these issues.

I was personally in contact with a lot of the women's organizations who are working on this, and they were appealing for the U.S. Government to make some sort of public statement. And following our statement, all of the other key donors also put out statements. And this position ended up having a significant impact in leveraging Afghan women's voices. But it is something that requires vigilant monitoring, and engaging of Afghan women's organizations to determine that this issue is not going to be simply moved back once it's not a high-profile issue.

Cochairman McGOVERN. Just some more quick questions. My colleague talked about the importance of education for women as a way to empower women. And as I mentioned in my opening statement, this April eight organizations and education officials expressed their concerns that scaling down school feeding programs in impoverished rural areas in Afghanistan could adversely effect school attendance, and the health and nutrition of hundreds of thousands of school children. I'm a huge fan and supporter of school feeding programs because they get kids in school, and they get girls into school, in particular. Are we cutting back on school feeding programs for Afghan children? And if we do, how do you assess the impact in terms of school enrollment, on girls in particular?

Mr. STEINBERG. Mr. Chairman, let me guarantee you that we will not cut back on these programs. And there is a recognition within USAID, as well as the rest of Whole of Government that education, indeed, is the key in these situations to girls' empowerment, to keeping them safe in their everyday lives, to insure that within schools themselves they have the security that they need.

We've been supporting the creation of both girls schools, but also coeducational institutions throughout, and we're going to make sure that they're safe, but also that they have the necessary nutritional support that they need.

Cochairman McGOVERN. And another -- so you maybe could kind of put this concern to rest.

Could you talk about some of the concerns that were raised in the March 6<sup>th</sup> *Washington Post* article about USAID shifting its strategy on women's right? Have there been cases where contracts were initially conditioned on women's rights criteria that was ultimately removed from the contract? If you can address some of the specific land reform and municipal government programs raised by the article, I'd appreciate it. But, again, it runs kind of contrary to the testimony that you folks presented here today. I mean, it implied somehow we were walking away from some of these strategies.

Mr. STEINBERG. Well, in a bizarre sort of way, I welcome that article because in its wake, I had the opportunity to appear on major media to have articles written in the paper on women's empowerment in Afghanistan basically to deny the allegations, or the implications that USAID or any other part of the U.S. Government was backing away from its commitment in Afghanistan.

The specific project that we're talking about was drawn back because of concerns regarding particular contracting arrangements. It was also drawn back because of concerns over the cost. When it was reissued, the provisions regarding gender inclusion, and this specifically a question of land titling and land ownership, were actually strengthened in the subsequent effort.

But the broader question of our commitment to gender equality and empowerment in Afghanistan, I think simply can't be questioned. Again, we have more than doubled our support for gender programs. And, in fact, if you go back to the early 2000s, our support was about \$10 million. Today it is more than \$200 million; 500 separate organizations being supported. Girls education, which has now resulted in 2-1/2 million girls in schools.

There was a line in that article by an unnamed person, thank goodness, not from USAID that talked about gender considerations being a pet rock in our rucksack.

Cochairman McGOVERN. Right.

Mr. STEINBERG. I can guarantee you that's a little off message. Indeed, we view gender equality and gender empowerment as the key to winning, or at least one key to winning the insurgency battle in Afghanistan.

Cochairman McGOVERN. Thank you. I want to yield to my colleague from Washington.

Mr. McDERMOTT. I apologize if you talked about this earlier, but I would like to ask a question that I sort of ponder knowing what I know about Afghanistan; and that is, as the talks go on between the Afghanistan Government and the Taliban, how do the rights of women -- how are they going to be protected in that process, of what is part of the discussion?

I'd like to hear your perspective on that whole issue, because on the one hand we want peace, politics, and we want to walk away from Afghanistan with a functioning government. But on the other hand, if we do it at the price of throwing the women under the bus, it seems to me that's really the issue that I'd like to hear you talk a little bit about.

Mr. STEINBERG. Mr. Congressman, indeed, I did touch on that issue in my comment, and said specifically that--

Mr. McDERMOTT. I'll read your comments, but I'd like to hear you say it to me.

Mr. STEINBERG. But just to reiterate, no peace that sacrifices the rights of women is a peace that we can afford to support in Afghanistan.

We are supporting women's participation through training programs, through security programs to insure that women who dare to step forward and participate in the political process have the safety that they need.

We are supporting through our pressure on the Karzai government, as well as in support of the United Nations activities to get women at the peace table so that it's not men negotiating with other men over the future of women's lives in Afghanistan.

But, perhaps, most importantly in this regard, we are reaffirming that no peace can be stable unless women are engaged in the political, economic, and social life of the country in the post agreement period. And, in particular, recognizing that women need to be there in all of the negotiations, all of the political jirgas that are held. Indeed, they need to bring their unique perspectives to that setting. And they need to remind the men that it isn't a case of the United States or some foreign power imposing its vision of women's rights on Afghanistan. We need to remember that Afghanistan traditions, and political life has long respected the participation of women, that there is no inconsistency between traditional Afghan life and women's rights. And, in particular, that Islam is not an excuse for violating women's rights, or women's integrity.

Mr. McDERMOTT. The reason I asked -- you would like to respond?

Ms. AMIRI. No, please go on, and then I'll respond.

Mr. McDERMOTT. Well, the reason that I raise this question is because my office was contacted by people in Seattle about the possibility of Malalai Joya coming on a book tour. And she had done six or seven book tours here in the previous years, and gotten a visa to come to the United States. And all of a sudden, no. So, the

people in Seattle called me and said would you -- so I did, ultimately, do that. And she did make an appear -- I mean, she did get her visa and got into the United States.

But I wondered having had that personal experience of being involved with a rather outspoken female politician that -- as to what was actually going on. And that's why I'm asking the question. I'm really looking for what the current circumstances are.

Ms. AMIRI. If I could begin by adding to Deputy Steinberg's excellent points. First, that Afghan women are deeply concerned about the possibility that all of the hard won rights that they've gained in the last decade could be reversed.

They have -- at the same time, over 80 percent of Afghans, including women, want a peace process, a broad-based peace process that brings this conflict in, and that's been reflected in polls, it's been reflected in discussions that I've had with every women's organization, that they want to be at the table. And this is where we have an immensely important role to play.

I think one of the most critical things that we've done in the last decade, apart from providing resources, is the political leverage we've given women.

I had the privilege of being in Afghanistan throughout the implementation of the Bonn Agreement, and it was the fact that the international community pressed the Afghan Government to include women, quotas for women in every part of the political process from the first political event, the emergency loya jirga, to the constitutional loya jirga. And having women at the table, working with them, perhaps providing them training, doing some capacity building, it was ultimately women who were able to advocate on their own behalf.

In fact, it was women, themselves, who made sure that the percentage of their participation in parliament moved up to 25 percent. Once we insured that they were at the table, they were the ones who were able to not only advocate for themselves, but they also advocated for other minority groups, and other vulnerable groups. That's something that's going to be absolutely critical.

That's something that we have been pressing for. The Consultative Peace Jirga, the national assembly that took place last June, we worked with -- first, we heard from the women, themselves, where they want -- what percentage they thought would be acceptable. And we advocated on their behalf, once we heard their voices. And they were able to get -- to move the percentage, to double, actually, their percentage in the Consultative Peace Jirga with our support. You had 21 percent women.

Women were included in every one of the working groups. Women served as part of the senior leadership. And what was most encouraging; in fact, President Karzai remarked on it in meetings with senior officials that he was quite heartened, and actually surprised that women were accepted by traditional elements in these meetings. They were accepted by former talibs, and that they were able to effectively advocate for every one of these committees, the working committees to make a statement supporting women's rights, and women's inclusion in the peace process.

We also advocated that the High Peace Council, which was established to commit to do outreach, the Afghan Government's High Peace Council, that is doing outreach and carrying out efforts towards the peace process, we pushed the inclusion of women in that process. Unfortunately, the percentage is not at what Afghan

women, or we wanted. It's at 9 percent. But even there, just a couple of weeks ago I was in Afghanistan, and I met with members of the High Peace Council, the women members. And they noted that even though their numbers were very limited, they were doing -- they were organizing themselves very well. They were insuring that they were at every committee of the High Peace Council.

They had successfully argued that whenever there's an outside trip, that they have to be involved in those trips. So, they're magnifying and amplifying their voices. They're working with other women's civil society organizations that are becoming increasingly organized. And it's absolutely critical that we continue to support them at every level; at the political level, providing them resources, providing them capacity building.

And if I could go quickly to a question about Malalai Joya, because that's something -- it's an issue that I was personally involved. In fact, when Malalai Joya became prominent during the constitutional peace jirga, I ended up working very closely with her when she was under threat. I worked at the UN at that point, and spent many days with her.

And it came to our attention that she had visa issues. It was not anything that was politically motivated. In fact, there had been a mistake made on the part of someone at the embassy who did not know her, who did not know the purpose of her visit. And we quickly went back to the embassy and had that addressed. But, of course, because of the political environment, there was a real concern that there was more to it than that. But I can assure you that that was not the case.

Mr. McDERMOTT. Could I ask one thing about the peace process? I'm not familiar whether you're talking about a traditional loya jirga convened by the Afghans, or are you talking about something convened by the United States and international organizations that are saying you, and you, and you come to the table. I mean, a loya jirga is indigenously created and controlled, perhaps, or it can be taken over by people from the outside, and selected people being invited. So, I want to -- when you talk about that, you say how many women are there, which are we talking about? Are we talking the traditional one, or are we talking one that's sort of controlled by the United States some way or other?

Ms. AMIRI. Just to clarify, that the Afghan peace process is -- we're supporting an Afghan-led peace process. And what has taken place so far in that peace process is, last year there was a Consultative Peace Jirga, which was an assembly of Afghan citizens from throughout the country who were appointed by the President.

The appointment process was done internally; but, of course, where we played an important role is, at every level of the U.S. Government, we engaged the Afghan Government, and strongly made the point that we wanted to see women included in as high numbers as possible. That is the role that we played. That is the role that we will continue to play.

The Afghan Government then set up a High Peace Council, which is an assembly of close to 70 people. And out of those -- from throughout the country, traditional elements, power players, and out of that, 9 percent of them are women.

Now, it's unclear what the future process is going to look like. There probably will be more traditional events. We don't know at this point what the Afghan Government is planning, but we know what our role should be in that process.

One, is our commitment to our red lines. Secretary Clinton has reiterated, has taken every occasion that she can to underscore that we will not walk back on supporting women's rights. And that it is unacceptable for Afghanistan to compromise on those rights as it settles for a peace process because, ultimately, that peace is not going to be sustainable.

Mr. STEINBERG. Can I just add one quick comment, which is that this same issue of women's empowerment and participation in peace processes impacts globally. We have found through the research that we have done in the United Nations that one in fourteen participants in peace processes around the world is a woman, that a UN negotiator for peace has never been a woman. When I was the American Ambassador in Angola, we had 40 people who were part of the peace process, and not a single woman was at the table. The closest we had was the Russian Ambassador's interpreter who used to raise her eyebrows whenever these men would talk about gender issues.

So, it is a major challenge. And one of the things that I've had the pleasure to announce two weeks ago at Ahfad University in Khartoum was the creation of a \$14 million fund globally to support women's participation in peace processes, so that if the negotiators can open the door for women to walk in, that they will be trained, that they will be given stipends, and perhaps most importantly given the personal physical security, because we all know that one of the most dangerous professions in the world is a woman peace builder.

Again, those funds are available worldwide, and we've just had the pleasure of announcing that two weeks ago.

Cochairman McGOVERN. I want to thank you both for being here, and we certainly support the agenda that Secretary Clinton has outlined in terms of empowering women. And, again, to the extent that we could be supportive of locally grown indigenous initiatives, which I think are the most effective to help empower women in their communities, I think we all want to do that.

I mean, I have a great -- I'm not a big fan of the Afghan Government in the way they've handled our resources, nor have I been totally impressed with their true commitment to women. So, to the extent that we can find ways to encourage and empower women to be involved in the political process, offer them protection, offer them support, protect the shelters, do the things that you've outlined, we want to be supportive. So, I thank you both for being here. Thank you.

I'd now like to call Joanne Sandler, the Deputy Director at the United Nations Women. Welcome, and we look forward to your testimony. You can summarize if you'd like, and put the entire testimony in the record, or you can read it, whatever you want to do. Welcome.



## **STATEMENT OF JOANNE SANDLER, DEPUTY DIRECTOR, UN WOMEN**

Ms. SANDLER. Thank you for giving me so much freedom in determining what I want to do. And let me say also on behalf of UN Women, on behalf of our Executive Director, Dr. Michelle Bachelet, our team in Afghanistan, I want to extend our deep appreciation to the Tom Lantos Human Rights Commission for organizing this hearing. I want to thank you, Co-Chairperson McGovern and Wolf for your serious attention, and to thank also our many partners who are here today, including Judge Basel. We very much appreciate the leadership that the U.S. is taking in standing up for women's rights, and for its strong partnership with the United Nations.

You have my written presentation which, perhaps, may be over-zealous in its length and detail. Since you have the full text, I'm just going to focus on some critical points in the message. And make two points, in particular, which echo what Mr. Steinberg and Rina Amiri said.

And the first is that women are not just potential beneficiaries of a more stable and secure Afghanistan, or just in need of our protection because of their vulnerability. They are taking leadership on the path to peace and reconciliation in the country, and they're essential to its long-term sustainability.

They do that when they come out publicly wearing these blue scarves, and calling for peace and women's rights. As thousands of courageous women have done on International Women's Day. They do that when they risk their lives to play public leadership roles. And I wanted, in particular, to pay tribute to women leaders who have lost their lives, such as Safia Ahmed-jan, Director of the Department of Women's Affairs in Kandahar, killed in September 2006, Lieutenant Colonel Amalalai Kakar killed in September 2008 and Satira Achakzai, Kandahar Provincial Council Member killed in April 2009. So, that's the first message.

The second is that, as many have said before me, we have to safeguard against losing the gains for women's rights that have been secured over the past 10 years. And to do so, it is absolutely crucial to have the unswerving commitment of the United States to find creative ways to make sure that women have an equal say in shaping the Afghanistan of the future.

Backdoor negotiations with those opposed to women's rights could start an irrevocable backsliding, and we echo Don Steinberg's excellent point that peace negotiated at the expense of women's rights is not a peace that we, or the people of Afghanistan can afford.

You have already named many of the successes that we've seen in Afghanistan despite the challenging situation. And others have referred, also, to the continuing violations of women's rights, and the challenges.

We think it's important to highlight some numbers, the 406 women who ran for office for 68 reserved seats of 249, securing 69 seats resulting in 27.7 percent representation in parliament, which makes Afghanistan 29<sup>th</sup> in the global ranking of countries with the highest number of female parliamentarians.

We're encouraged to see increases in the number of women in the security sector, with 1,200 women recruited into the Afghan National Police, five female lieutenants recently graduated as Pilot Officers for Afghanistan's nascent Air Force.

These break the stereotypes that we have of women in Afghanistan, and we see how much is possible. There is a fair amount of creative and innovative work taking place. We don't get to see it so often on the news, but you can be assured that it's happening, often with U.S. support.

The successes are fragile. My predecessors have already named the passing of the Shila law, the debates about the regulations for the women's centers, attacks against girls' school. But, at the same time, in spite of the danger, women are articulating what their priorities are. So, to conclude, I just want to review what some of those are.

Women, themselves, speaking at the London Conference last year, at the Peace Jirga in Kabul last summer have asked for a number of things. First of all, transparency in decision making. You probably know that women in civil society, the Ministry of Women's Affairs, fought long and hard for the National Action Plan for women's advancement in Afghanistan, which is a visionary commitment by the government negotiated throughout all parts of government to women's empowerment and gender equality. Women want to see that implemented. They want to see it fully funded.

And women asked to be represented in all peace and reconciliation processes. And as Rina Amiri said, the High Peace Council has nine women who are doing the best that they can in a difficult situation, but at the same time women from all parts of the country have articulated an agenda that they would like to see incorporated into negotiations, which is an agenda for education and health, it's an agenda to prevent violence against women and girls, to obtain justice for its victims, and to insure women's continued participation in political life.

In UN Women's reviews of women's engagement in peace processes around the world we see the under-representation of women in negotiation remains a constant with, as Ambassador Steinberg said, an average of less than 8 percent of negotiators being women. And with little structured effort to assess or include women's priorities.

From the inception of our program in Afghanistan in 2002, that has been one of the priorities, is to promote women's leadership. We're supporting women's leadership and rights in 25 conflict or post conflict countries. And despite Security

Council resolutions on women peace and security, countries and donors often fail to build on women's leadership.

Just because women tend not to control the conduct of warfare is no reason to neglect their vital role in building the quality of the peace and the speed of community recovery. And a failure to engage women fully in shaping the terms of reintegration of excombatants or reconciliation means that we are conceding to a perpetrator-centered approach to conflict resolution, not a survivor-centered one. That's why UN Women welcomes the U.S. Aid Global Grant Program to increase the involvement of women in peace processes as a very important step.

Finally, women at the conferences last year repeatedly raised extreme concern over the ongoing lack of security that women experience across the country. You've heard about and mentioned the Ending Violence Against Women law which was a great victory. At the same time, it is not being implemented robustly.

It is estimated that 70 to 80 percent of marriages are forced, and that half of married women are married before the age of 15. Harmful practices, such as forced marriage, so-called honor killings, and giving away girls to settle disputes continue. Of great concern, most women in Afghanistan do not have access to the shelters currently. The Ministry of Women's Affairs estimates that there are 12 shelters for women, as you've noted. Even those are threatened. The staff working in those shelters are threatened. The women who are resident in the shelters are threatened, so we need very high-level political voices speaking up against how intolerable this situation is.

UN Women has been taking a lead role in coordinating UN support to the government on improving the regulation. And UN Women support in Afghanistan depends on its close partnership with the government, with civil society, with all of the UN entities, and with bilateral actors.

Our focus has been on strengthening the mechanisms of government, on supporting civil society capacity to support women's rights. We manage a multi-donor funding mechanism which has now given grants to 41 civil society programs in 21 provinces, and has been working on various protection measures, such as referral center shelters and legal aid programs. We're supporting paralegal training in nine provinces. We're supporting the administrative reform in civil service commission to promote gender equality, the statistical commission. And recently we are beginning a pilot in Daykundi Province where all UN organizations are working together to pilot an integrated series of support measures to implement the National Plan of Action for Women's Advancement locally, because we think if we can't get it right at the local level, it would be very hard to get it right at the national level.

Finally, to end, your good offices can be used to consistently remind leaders at national and international levels of the obligations that they've made to Afghan women. We hope that every effort will be made to engage a cross-section of Afghan

women directly in consultations with the Taliban whenever and wherever these take place.

The U.S. could support inclusive national consultations of women and men to discuss national reconciliation, as suggested by other partners, such as the Institute for Inclusive Security. The U.S. could support local peace councils to monitor the impact of reconciliation on local levels of violence against women, as well as the impact of reintegration on girls' safety in schools, or women's access to business opportunities.

Finally, we must all invest more in strengthening independent women's networks, women leaders, and the men who stand up for women's rights in Afghanistan. We have found that strengthening women's grassroots local and national organizations and putting more women at the front line of service delivery, from the police to legal aid, is undoubtedly one of the best ways of insuring that women will be ready and able to participate meaningfully in peacemaking, peace building, and shaping their country.

I thank you for your attention, and especially for the U.S. Government's steadfast support of women in Afghanistan.

[The statement of Ms. Sandler follows:]

## PREPARED STATEMENT OF JOANNE SANDLER, DEPUTY DIRECTOR, UN WOMEN

**Statement for the Record: Tom Lantos Human Rights Commission  
Joanne Sandler, Deputy Director  
Women in Afghanistan  
3 May 2011**

On behalf of UN Women, I extend my deep appreciation to the Tom Lantos Human Rights Commission for organizing this hearing on Women in Afghanistan at this crucial moment. I thank co-Chairpersons McGovern and Wolf for their serious attention to this issue.

In 2005 Womankind Worldwide, an NGO in the U.K, called Afghanistan 'the most dangerous place in the world to be a woman,' not just because of the day to day violence that women endure but also the risks that women take in simply standing up for their rights. We pay tribute to and take heed from the women human rights defenders who put themselves at risk every day, sometimes with devastating outcomes. The successions of assassinations of women who have chosen to stand up for women's rights are well known. Let me name but a few, all of whom were based in Kandahar: Safia Ama Jan, Director of the Department of Women's Affairs in Kandahar, assassinated in September 2006; Lieutenant-Colonel Malalai Kakar, assassinated in September 2008; and Sitara Achakzai, Kandahar Provincial Council Member, assassinated in April 2009.

Despite the enormous challenges and risks, the Government of the Islamic Republic of Afghanistan, with the support of the international community and the Afghan people, has made progress in addressing gender inequality, discrimination, and social exclusion. We are all familiar with many of these achievements, but if you'll allow me, I'll go through some of the most prominent. These include the establishment of a Ministry of Women's Affairs (MOWA) in 2002, which now has extended its reach to 34 provincial offices; Afghanistan's ratification of the Convention on the Elimination of all forms of Discrimination against Women in 2003; inclusion of Article 22 in the Constitution providing women and men with equal status as citizens in 2004, as well as the creation of an enabling environment for women's active participation in the country's first-ever direct presidential election; inclusion of gender equality as one of the six cross-cutting themes of the Afghanistan National Development Strategy, signed by the President in 2008; adoption in 2009 of a Law on Ending Violence Against Women; and, currently, the inclusion (albeit limited) of women in the ongoing peace and reconciliation process.

These markers of progress go hand in hand with tangible differences made in women's and girls' lives since 2001, with many now having the chance of going to school, returning to work, and taking part in public life, like the 2.4 million Afghan girls enrolled in school this year<sup>1</sup> and the record number of women who ran for parliament in 2010. 406 women ran for office for at

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<sup>1</sup> While this is an staggering increase from the 2001 figure of 5,000 enrolled Afghan girls, a recent Oxfam report indicates that there is a significant gap between enrollment and attendance. Oxfam. "High Stakes: Girls Education

least 68 reserved seats out of 249.<sup>2</sup> Afghan women ended up securing 69 seats, resulting in 27.7 % representation in the parliament, placing Afghanistan as 29<sup>th</sup> in the global ranking of countries with the highest number of female Parliamentarians.<sup>3</sup> We are also encouraged by efforts to increase the numbers of women in the security sector, with 1,241 women recruited in the Afghan national police as of mid-April 2011.<sup>4</sup> Five female lieutenants recently graduated as pilot officers for Afghanistan's nascent air force.<sup>5</sup>

These are successes, but they are fragile. We are alarmed at signs that some of the measures for which Afghan women have fought could be in danger of being traded off or bargained away as political currency in national and local processes of reintegration and reconciliation. Some of these signs include the passing of the Shia Personal Status law in 2009, the debate about the management and regulation of women's shelters and referral centers, and attacks against girls' schools. However, rather than telling you our concerns from the Global perspective, I will use this opportunity to relay what Afghan women themselves asked for at the London Conference on Afghanistan last year, and subsequently at the Peace Jirga and Kabul conference last summer.

They asked for transparency in **decision-making** and for national gender equality policies to be implemented. In spite of laudable efforts from the United States and others, women's rights programmes continue to be under-funded. For example, the relatively modest \$29.7 million dollar budget for the implementation of the National Priority Programme of the Ministry<sup>6</sup> of Women's Affairs has still not been met, although USAID has generously committed to partially funding the internal reform and capacity building of the MOWA and fully funding its public education and advocacy initiatives.

Women asked to be represented in all **peace and reconciliation processes** to guarantee women's rights and greater security measures to protect women. UN Women has been funding women's peace networks and positioning them to participate in the negotiations. From the inception of our programme in 2002, UN Women has made supporting Afghan women to participate in peace processes and negotiations, both in Afghanistan and abroad, a high priority.

The Government has responded, firstly by nominating nine women out of seventy representatives to participate in the High Peace Council, at the national and provincial level. UN Women welcomes the appointment of women on the High Peace Council but changing the numbers is only part of the challenge. We would hope to see regular and structured consultations between women and men on the Council and women in civil society around the country to ensure that women's priorities are well understood and given careful consideration.

Women have also asked that they have equal representation in all monitoring bodies set up to oversee the reintegration and reconciliation process. Monitoring mechanisms should be established within communities and should include monitoring of violence and violations of the rights of women to ensure that these are not being compromised through this process. We would like to note that in our own reviews of women's engagement in peace processes around the world, the under-representation of women in peace negotiations of all kinds remains a constant – with on average less than 8% of negotiators being women, and with little structured effort to assess and include women's priorities.

We cannot stress enough that women's priorities tend to be vital matters for effective and sustainable reconciliation and reconstruction. From Liberia to Timor Leste, we have seen the power of women's networks and grassroots groups taking leadership to call for and sustain reconciliation and peacebuilding. Women in Afghanistan must be supported to put their priorities on the peace-building agenda. These include attention to the needs of families and children -- from education to health – as well as determination to prevent violence against women and to obtain justice for its victims, and measures to ensure women's meaningful participation in public decision-making and women benefit from economic development.

UN Women supports women's leadership and rights in 25 conflict or post-conflict countries. We have seen too often that in conflict, peace building, and political transition, women's rights and security are not considered a priority. The failure to build on this asset represents a flaw in the logic of building peace. Just because women tend not to control the conduct of warfare is no reason to neglect their vital role in building the quality of the peace and the speed of community recovery. A failure to engage women fully in shaping the terms of reintegration of ex-combatants or reconciliation means that we are conceding to a perpetrator-centered approach to conflict resolution, not a survivor-centered one. In order to ensure that women can engage effectively in these processes, the critical priority must be to finance women's organizations so that women in civil society are

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in Afghanistan.” Accessed 29.4.2011. <http://www.oxfam.org.uk/resources/policy/education/high-stakes-girls-education-afghanistan.html>

<sup>2</sup> Boone, John. “Afghan elections: Record number of women stand for parliament.” The Guardian UK. 24 August 2010. <http://www.guardian.co.uk/world/2010/aug/24/record-women-candidates-afghan-election>

<sup>3</sup> Inter-Parliamentarian Union website. Accessed 29.4.2011. <http://www.ipu.org/wmn-e/classif.htm>

<sup>4</sup> SDC Swiss Agency of Development and Cooperation. “Security for All: Women in the Afghan Police Forces.” 21 April 2011 <http://www.humansecuritygateway.com/showRecord.php?RecordId=35089>

<sup>5</sup> NATO. “Afghan Women Soar to New Heights.” 03 March 2011. [http://www.nato.int/cps/en/natolive/news\\_71148.htm](http://www.nato.int/cps/en/natolive/news_71148.htm)

<sup>6</sup> The MOWA National Priority Programme is focusing on six components, namely internal reform and advocacy, gender training of key government staff, piloting of gender mainstreaming in key policies and programmes, gender policy research and development, public education and advocacy and establishment of macro-mechanisms for compliance and M&E.

prepared to take leadership roles when opportunities arise. However, across the globe, women's organizations, especially in conflict contexts, struggle to find resources to carry out their vital work. U.S. support is vital to reversing this trend.

An important priority for bilateral partners to Afghanistan is to develop funding modalities to build the capacities of women's groups from the community to national levels to influence policy and to develop robust constituencies that can advance women's interests. In this regard, UN Women welcomes the USAID global grant programme to increase the involvement of women in peace processes and recognizes this as an important step towards building women's civil society capacities on the ground. UN Women has also received a modest amount of funding for a joint strategy on mediation with the UN Department of Political Affairs, which will be allocated to support women to participate in peace negotiations in Afghanistan and elsewhere.

Finally, women at the conferences last year repeatedly raised extreme concern over the ongoing lack of **security** that women experience across the country. On top of the harm to women's health and well-being, violence against women, threats and intimidation constitute major barriers for women and girls to participate in public life, go to school, engage in livelihood activities, and so forth.

A report recently released by UNAMA (December 2010)<sup>7</sup> found that the 2009 Ending Violence Against Women Law is not being implemented robustly enough to make a difference in women's security. Harmful practices, such as forced marriage, so-called honour killings and giving away girls to settle disputes continue with impunity, despite being illegal under Afghan law. UNAMA found that although knowledge is increasing, many law enforcement and judicial officials did not know about the EAW law, especially in remote areas.

Despite the continued and joint efforts to address VAW in Afghanistan, most women do not have access to protection, adequate safe shelter and legal aid. Currently there are 12 shelters (according to MOWA), all of them are run by NGOs and funded by international donors. There is weak sustainability of these shelters and staff working in these shelters receives continuous threats to their lives. There are clients who have been in shelters for over 6 years with no possibility for reintegration and necessary medical treatment because they will be killed by their family or perpetrators if they discover where these women live. We have seen this happen. We need high level political voices from the national and international community to speak out against this horrific practice.

It is essential that women have alternatives when they are faced with violence in their homes and communities. That is why women's groups, UN Women and many other supporters, including the U.S. Government, have placed a high priority on expanding the network of referral and protection centers available to women and girls who are at risk of domestic and other forms of violence. UN Women has been taking a lead role in coordinating the UN support to the government on the regulation of Women's Protection Centers. The improvements in this regulation demonstrate the effectiveness of partnerships between the UN and bilateral organizations, with the U.S. and other donors taking leadership in asserting how important it was for Women's Protection Centers to have independence while meeting quality standards. MOWA and UN Women have been facilitating civil society engagement in the revision of the regulation, and lobbying with the Ministry of Justice to adopt the proposed revisions resulting in the most recent draft (25 April) being much improved from previous iterations.

UN Women's support in Afghanistan depends on its close partnership with the government, civil society, UN entities and bilateral actors. Among other successes, UN Women supported the drafting and adoption of the Ending Violence against Women legislation, the National Action Plan for the Women of Afghanistan (NAPWA), which is the government's primary mechanism for implementing its commitments to women's empowerment and gender equality, and others. UN Women supports an inter-ministerial commission to end Violence against Women, bringing together government officials from 13 ministries. UN Women established a multi-donor funding mechanism to expand and strengthen EAW response measures, which has now disbursed grants to 41 civil society projects in 21 provinces and has been working on various protection measures, such as referral centres, shelters and legal aid programmes. We have supported paralegal training in nine provinces, especially to enhance access to justice for women in rural areas. This has produced a manual endorsed by the Afghanistan International Bar Association and the Ministry of Justice. UN Women also assisted the Independent Administrative Reform and Civil Service Commission to promote the implementation of the Civil Service Gender Equality Policy, and continues to partner with the Central Statistical Organization to build their capacity to regularly issue statistical reports on the status of women and men in Afghanistan. UN Women leads the UN Country Team Gender Working Group. The UN system is piloting an integrated development approach in the province of Dai Kundi, with all UN organizations working together on the local implementation of the National Action Plan for Women's Advancement. Getting it right at the local level is key to getting it right at the national level.

Your good offices can be used to consistently remind leaders at national and international levels of the obligations that they have made to Afghan women. We hope that every effort will be made to engage a cross-section of Afghan women directly in consultations with the Taliban and anti-government groups, whenever and wherever these take place. Where women are reluctant to be involved directly, then we ask you to ensure that side-consultations are held with women on the terms and agreements that are being discussed. UN Women can support such activities. The United States could support an inclusive national consultation of women and men to discuss the possible impact of national reconciliation, as suggested by other partners such as the Institute for Inclusive Security. Local peace councils should be supported to monitor the impact of reconciliation on local levels of violence against women and girls, as well as the impact of reintegration on girls' safety in schools, women's access to business opportunities, and women's engagement in public decision-making. Finally, we must all invest more in strengthening women's networks, women leaders, and the men who stand up for women's rights in Afghanistan, undoubtedly

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<sup>7</sup> UNAMA and OCHHR. "Harmful Traditional Practices and the Implementation of the Ending Violence Against Women Law." December 2010. [http://www.afghan-web.com/woman/harmful\\_traditions.pdf](http://www.afghan-web.com/woman/harmful_traditions.pdf)

one of the best ways of ensuring that women will be ready and able to participate meaningfully in peacemaking, peacebuilding, and the shaping of their country.

Thank you for your attention and especially for the US government's steadfast support of Afghan women.

Cochairman McGOVERN. Well, thank you for your excellent statement and for all the incredible work that your office does. And we are, obviously, very, very supportive.

I've just got a couple of questions, and then I'll yield to my colleague from California, Congresswoman Susan Davis, who is here.

Let me just ask a couple of quick questions. I mean, we've been talking about the importance of education, and security concerns are a major obstacle for parents sending their kids to school, especially girls. I mean, what innovative ways can we come up with to improve access to education while protecting the lives of the innocent? And you also mentioned about the -- I think you kind of hinted at the importance of trying to boost the level of enrollment of women and girls beyond secondary education. I mean, it's been an issue that we've read about, that there are teacher shortages, and that there's a -- we've often heard objections to medical treatment performed by male doctors. So, obviously, we're trying to find ways to increase women's roles in some of these areas. And any suggestions or comments you might have on that would be helpful.

Ms. SANDLER. Okay. I mean, I think you've put your finger on something that we also feel very strongly about, which is that women have to be at the front line of service delivery. We need more women teachers. We need more women health workers, et cetera.

Now, one of the ways that we've seen support be effective is, and U.S. Government has played a role here in supporting women's centers, women's centers where women come, they walk hours to go to women's centers. There are spaces for women where they feel, where they feel protected, and they can get integrated services in one place, including job training, including legal literacy training, including health services. They're spaces where they bring their children. Sometimes when their families won't let them send their children to school, they will let them bring their children to the women's centers where there are classes, which de facto serve as schools. So, we have found that those women's centers, women's centers can be very effective spaces for both training for women, but also education for children.

Cochairman McGOVERN. I yield to my colleague from California.

Ms. DAVIS. Thank you. Thank you very much, and I appreciate the opportunity to be here. I'm sorry that it's going to be somewhat brief, because we have a number of markups today.

But I've had an opportunity, which I really feel very good about, actually, to take a group of women on several occasions to really focus on women. We've used Mother's Day as a vehicle for that and gone to some more remote places, rather than always in Kabul or other areas. And the women that we've spoken to have been quite extraordinary in how they have articulated their needs.

I think I'm looking for what we really can do on these visits that can make a difference, because it's one thing to have our presence, which I feel is important. We always want to speak to women parliamentarians in addition to going into these more

remote areas. And, yet, I often come away with the sense of wanting to be able to bring back more of that, so that it does resonate with individuals.

What I find when I speak to people in my district is that well, that's great. We're really happy that you're doing that, but there are a lot of places in the world where women are not treated right, and we have a difficult situation that we're dealing with in people's commitment to a long-term interaction in Afghanistan.

How do you respond to that, in addition to the fact that we must say that women are critical to building a civil society. We know that, but I know that it's difficult to go beyond that. Help us out with that.

Ms. SANDLER. Yes. No, it is a struggle, I think. We keep -- well, first of all, let me say that I think there are very concrete things that people can do, and in the United States I think there are many people who would like to feel that they're doing something useful in relation to women in Afghanistan. And that we have to be more creative about the ways that they can connect directly and do those things.

Right now we're just very seized with this issue of women's shelters, because there is such a crying need, and there's such a dearth of shelters. Our estimates are that it costs about \$100,000 to \$150,000 a year for a shelter.

Now, couldn't communities in this country do something about connecting with those shelters, and have some connection? We've seen how extraordinarily young people have been using information technologies to make connection across all kinds of boundaries. Shouldn't we be doing something more creative using information technology so that you have, essentially, people-to-people exchange?

And we see this happening, not enough, though. So, I do think there are ways that each time you go that you can see where there are opportunities to engage in community level, because I think people need to engage at the community level. It's at community level where you actually see changes in people's lives.

And there are physical spaces where women gather in Afghanistan that make a huge difference in their safety, in their security, and in their options for the future. And I think we can just be doing a lot more very concretely to make those spaces better, to help them meet quality standards, to offer more resources in those spaces, and to get more engagement of citizens in the United States around that.

Ms. DAVIS. Can I ask you just a quick follow-up? Do you think that that activity on the part of the U.S. and other countries, and certainly the activity of members going into Afghanistan and asking, I think, good and appropriate questions; does that seem to have an effect on the Karzai Government?

Ms. SANDLER. Hard to say. I mean, I guess it depends on what part --

Ms. DAVIS. What does? What would you suggest?

Ms. SANDLER. -what part of the Karzai Government we're talking about. Certainly, it has an effect for the Ministry of Women's Affairs. Certainly, it may have an effect for part of the Ministry of Justice.

We have had some very good collaboration with the Ministry of Interior on the issue of ending violence against women. So, I think no government is monolithic. And it depends on what part of the government, which person in that part of the government. So, I think it always has a good effect.

It's important for women in Afghanistan, and I think Judge Basel will have much more to say about this, to see the continuing support of men and women from



across the world. Knowing that what they are experiencing is still of concern, and that there is support is, I think, priceless.

Cochairman McGOVERN. All right. Thank you very much. I think Congresswoman Davis speaks for a lot of us who are trying to figure out ways that we can concretely help when we visit Afghanistan, so we're just not kind of doing the usual dog and pony show, that we're actually doing something that is actually helping bring more credibility to some of the initiatives that women are engaged in, and finding ways to empower women.

So, this is kind of an open invitation that if you have any ideas along the way, or if there are projects, in particular, that we should visit, or initiatives that are helpful just let the community know, and we'll spread the word. Because amongst all of us, I mean, there are many, many trips to Afghanistan, but I think on this issue, in particular, we want to be helpful, if we can. So, thank you very much.

Ms. SANDLER. Wonderful. We're going to take you up on your offer.

Cochairman McGOVERN. Look forward to it. Thank you for your work.

Ms. SANDLER. Thank you.

Cochairman McGOVERN. Our final panel is the Honorable Marzia Basel, the founder and Director of Afghan Women's Judges Association, and David Cortright, Director of Policy Studies, Kroc Institute for International Peace Studies, University of Notre Dame. We welcome you both up to the table. Thank you.

Ms. Basel, you can begin. We welcome you here.

**STATEMENT OF MARZIA BASEL, FORMER JUDGE/ FOUNDER AND DIRECTOR OF AGHANISTAN PROGRESSIVE LAW ORGANIZATION**

Ms. BASEL. Dear distinguished audience, ladies and gentleman, on behalf of Afghan Women Civil Society, I would like to thank Thomas 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 10 years of the fall of the Taliban, needs to be considered, and supported not only by holding sessions but, as well, practical actions.

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

I want to just focus how much progress has been done in Afghanistan, and then I will talk about the problems that Afghan people face.

There has been great changes to the country development regarding women's issues since the defeat of the Taliban in 7 in 2001.

Afghan women participation in social, political, and economical reconstruction, such as anonymous enrollment 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, and having three women at the 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.

Moreover, Afghan people signed the United Nations Convention of the Elimination of all Kinds of Violence Against Women in 2003. With support from internationals and the national human rights activists, Afghanistan enjoys the endorsement of th 2004 constitution which guarantees 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 Karzai in late 2009, are also significant steps forward to women's rights and protection in Afghanistan.

Though the mentioned progresses are important, but there are many challenges Afghan women are facing today. The first challenge is the security situation in Afghanistan. The security situation in Afghanistan reported worse since the fall of the Taliban in 2001. Last year in 2010, a number of 2,700 Afghan civilians were dead, 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 highly. More than 85 percent of Afghan women suffer from domestic abuses, according the human rights groups reports, between 60 to 80 percent of the marriages are forced marriages. This is despite the pledge from the Afghan Government to protect women's rights and women situation in Afghanistan. Women of Afghanistan face systematic violence and threat from the Taliban, and other anti-government groups, as well as local warlords and militias. In areas under the Taliban 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 conducted by Afghan Independent Human Rights Commission on domestic violence against women shows that more 50 percent of women, in addition to suffering from other types of violence, have been beaten. Domestic violence against not only has serious physical and mental effects on women, but also causes other grave problems such as self emulation suicide, escape from the family, and also forced prostitution, and addiction to narcotic.

Education. Still 85 percent of the -- I hear that it is 90 percent, but I believe it is between 85 to 90 percent of the girls in Afghanistan are illiterate. Reports shows that state allocated budget for education is the lowest level budget in the region. So this is why USAID is here. They should focus more on budget. It is the lowest budget in the region. Besides girls are facing security problems such as killing, kidnaping, raping, and poisoning on the way to school. May girls schools are burnt by the Taliban on the area of their control.

Health. Availability of only one doctor, can you believe only one doctor and five nurses for 100,000 people, and one bed for 300 persons is a critical issue. The child and mother mortality is the highest level in Afghanistan. It's reported that every 15 minutes a woman dies during pregnancy, or of child birth. And this figure indicates 60 deaths in each 1,000 women which is 60 percent higher in comparison to the industrial world, while 80 percent of these deaths could be preventable.

Rule of Law. I mean, as a former judge in Afghanistan, this should be -- I mean, without justice I don't think if any peace could come. Rule of Law, a very important concern, while you were talking about that.

Though Afghanistan has official laws and constitution which guarantees the human rights and women's rights, but in reality the Afghan life in the ground is something else. The people trust the government, especially the judiciary and law enforcement departments are very weak. It's 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 if exists, it is not visible. It is because of the poor services that the

government provides for that. For example, for almost 15 million population in Afghanistan, there are only 850 defense lawyers around the country which are almost nothing, and also they are mostly based in Kabul.

Because of the lack of economic empowerment and the culture that the women are facing there in Afghanistan, the government, and even if they refer their cases to the Ministry of Women's Affairs, they don't go to the court, and to the judiciary department.

It is believed that the high incidence of female self-immolation in the west of Afghanistan is due to lack of access to justice in formal and informal justice institutions in Afghanistan. But the decades of war has damaged the formal justice system enormously. The influence of knowledge of Mulas from the sharia laws at the state justice institution, and their influence at the system makes the situation harder to reform the system.

Although the approval of Law on Violence Against Women is an important step forward for Afghan women's legal rights protection, but the law's application even to the constitution is under -- even the Afghan constitution is under question. Rule of law is very weak in Afghanistan, and the law is breaking every minute by the top level of the government in Afghanistan, and then by the population also.

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

Finally, the Afghan government has failed to show its political commitment to women's rights and human rights application. Though there are women in policy level, peace commission, and ministers, parliament members, and also in other parts but they mostly play symbolic roles.

Besides the recent ongoing international discussion with the Taliban leaders speared the fear among Afghans, particularly the women activists. Afghan Government every day call to negotiate with the Taliban, and the NATO talks, the reconciliation meetings with Afghan government oppositions are serious risk to human and women's rights in Afghan. As an Afghan woman who never left the country and being witness of all unrest situation in Afghanistan, I believe that both the Taliban and IMjahin leaders are dishonest to international community. Once they came in power, they will practice what they want. This is why that any peace negotiation will not work, and it will not affect women's situation in a better way.

Recommendation. A rush to exit from Afghanistan will not help Afghanistan, nor will it address the regional and global security risks posed by the break down of the Taliban state. Without outside support, President Karzai government would

collapse, and the Taliban would control much of the country and internal conflict situation will be worsening.

In any negotiation and peace reconciliation with the Taliban and Afghan government Oppositions, women active participation and decision making process should be acknowledged.

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 of international community inside and outside of Afghanistan. More funds should be allocated to guarantee human and women's right protection. Strengthening of the Rule of Law through creating a strong law implementing structures and mechanisms is important, also.

Law application should be taken seriously. Practical measures should be taken to criminalize the violence and abuse issues regarding women's right in Afghanistan.

Finally, adopting necessary measures for qualitative and quantitative development of Afghanistan in all sectors, such as security, education, health, economy, and rule of law should be at the agenda of Afghan government and international community supports President Karzia government in a long-term commitment. Thank you.

[The statement of Ms. Basel follows:]

## PREPARED STATEMENT OF MARZIA BASEL, FORMER JUDGE/ FOUNDER AND DIRECTOR OF AFGHANISTAN PROGRESSIVE LAW ORGANIZATION

**Tom Lantos Human Rights Commission**

**Women in Afghanistan**

**Washington DC**

**May 3, 2011**

**Presenter, Marzia Basel**

**Former Judge/ Founder Director for Afghanistan Progressive Law Organization**

**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 parliamentary 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 grants 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 assistant 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 grantee 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 right
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 Kerzia government in a long term commitment.

I thank you once again for time,

Marzia Basel

Ms. SCHAKOWSKY. Thank you very much.  
I'm Congresswoman Jan Schakowsky. I apologize very much for being so late. I appreciate your testimony, and now would like to call on David Cortright to deliver his.

**STATEMENT OF DAVID CORTRIGHT, DIRECTOR OF POLICY STUDIES,  
KROC INSTITUTE FOR INTERNATIONAL PEACE STUDIES,  
UNIVERSITY OF NOTRE DAME**

Mr. CORTRIGHT. Thank you Members of the Commission for this honor to appear before you.

I'm here today to speak to the report that we produced from the University of Notre Dame's Kroc Institute just a few months ago, *Afghan Women Speak*, which my colleague, Sarah Smiles Persinger authored with me. And it's based on more than 50 interviews last year in --

Ms. SCHAKOWSKY. Do we have copies of that?

Mr. CORTRIGHT. We do have in the back of the room.

Ms. SCHAKOWSKY. Okay. Thank you.

Mr. CORTRIGHT. And we'll make them all available.

Ms. SCHAKOWSKY. I'm sorry to interrupt.

Mr. CORTRIGHT. Sure. And, as I say, based on many interviews with policy makers, ISAF officials, Afghan Government officials, and especially Afghan women, members of parliament, activists, health workers, and NGO activists. And as we've heard, as a result of the enormous international commitment to development and the rights of women, there have been significant gains over the last 10 years.

And this is a great credit to the policies of the U.S. Government, as we've heard from USAID, but also the United Nations, our colleagues in the European community, the World Bank, many international agencies have joined together to provide significant support for women.

As we've also heard, though, from the Judge, there are many problems that remain and a long way to go yet to really enhance rights to the full extent.

And most alarmingly, we've seen that these gains are in danger, and are beginning to erode in recent years with the rising violence and insurgency. And, in fact, violence across Afghanistan has increased as U.S. troop levels have grown. There has been a backlash that's developed as the anger against military occupation has increased. A backlash against the women's rights discourse as somehow alien or western intrusion, and women exercising their leadership skills have been threatened, and in some cases killed, as we've heard. They've been anti-Islamic, western agents, even prostitutes.

So, the presence of foreign troops has, ironically, been accompanied by a decline in security. And this is not a surprise, because we've seen many studies, including from the British Foreign Office, the important study on drivers of insurgency, which identifies the presence of foreign troops as a principal factor accounting for the insurgency.

So, our political leaders have increasingly recognized that there can be no purely military solution in Afghanistan, and because of that, President Obama and the NATO officials at the London Conference have committed to beginning a process of troop withdrawals from Afghanistan this summer. And a turnover of security responsibilities to Afghan forces by 2014.

I think this policy is necessary, and is especially relevant, I think, today as we have heard the news of the death of Osama bin Laden. And it's especially appropriate,



I think, then to consider a more robust policy of military disengagement, a focus on the counter-terrorism operations that have been effective to assure security.

And one of the things that our report looks at, in anticipating this shift in policy, is the need for a demilitarization strategy that does not undermine the gains that have been achieved, that maintains assurances for Afghanistan security, protects human rights and preserves economic, political, and social opportunities for all of Afghan's people, especially its women.

And I believe this will require a fundamentally different strategy, one that recognizes that we cannot gain our goals purely through military coercion, that there are limits to what we can do militarily, and that as we begin to disengage, we can use the pace and the scale of our withdrawal to exert leverage to assure some of the objectives that are so crucial to American policy. And Secretary Clinton has rightly said that one of those red lines is to preserve constitutional guarantees for women's equality in Afghanistan. So, our study offers a number of recommendations. I won't go into all of them, but I will highlight a few here.

First, is that there will need to be a political and security agreement in Afghanistan. We had such an agreement with Iraq in '08, and it's been successful in helping us to disengage from Iraq. Something similar will have to be done in Afghanistan. And here I might disagree with my colleague. I think, ultimately, the insurgent forces will have to be brought into the negotiation. There has to be some form of negotiated political and security agreement.

And, as part of that, we've proposed an idea that has been discussed in Afghanistan and Pakistan, and other places around the world, not much in the U.S. Government; namely, that there could be the deployment of a UN-led interim security force from Muslim nations as ISAF troops begin to withdraw. This is an idea that actually was even proposed by Taliban leaders, and the Taliban have said that they would support a Muslim-led peacekeeping force, and have pledged not to attack such a force as there is a disengagement.

Of course, this would not be a substitute for ISAF. It would not be engaged in combat but, rather a population protection function, and could, in particular, focus on trying to defend human rights workers, and women, and educational centers that are necessary for assuring the gains, and preserving the gains that have been achieved. So, we think this is an idea that ought to be considered.

I actually had an opportunity to discuss this with some officials from the Government of Indonesia, and there has been some interest in the past among political leaders in Indonesia, and the idea of a Muslim peacekeeping force that could help to facilitate a political and security agreement, avoid a security vacuum in Afghanistan.

Secondly, as we begin to draw down our troops, this must be accompanied by a sustained, and I would hope increased commitment to social and economic development funding for Afghanistan women and families.

Now, there is a tendency, as we know, for our development funding to be linked to our military objectives. And aid funding in Afghanistan is concentrated in areas where the fighting is most intense. And there's a temptation for governments as we begin to withdraw troops to seek a so-called peace dividend, and to reduce all funding, including development funding.

This would be, I think, a huge mistake, a disaster for Afghanistan's future, and a slap at women's rights. So, there really needs to be a commitment to sustaining our support for development funding.

We've said that we will not abandon the people of Afghanistan as we begin to disengage militarily, and one of the most concrete ways we can express that is by sustaining the funding for these programs.

And we've heard today from our colleagues at USAID of programs that are working. We've seen reports from CARE and many other aid organizations identifying social programs that are effective, and improving the lives of women and families, helping to provide access to education, health care, training, midwife schools, economic opportunities, a whole range of programs that are functional that need to be sustained and supported as we draw down forces.

And then, thirdly, a point that's been already emphasized by the earlier witnesses, the necessity of insuring that women are meaningfully represented in all peace discussions and forums, and jirgas that are organized in these coming months as the peace process unfolds.

Secretary of State Clinton has displayed exemplary leadership in advocating for women's participation in all of these programs, and I hope that all aspects of the U.S. Government would be equally committed to insuring that all of these bodies that are established for a process of peace and negotiation include full representation from women.

So, let just conclude by emphasizing what others have said here today, that the rights of women must be protected as the U.S. begins a much needed policy of military disengagement from Afghanistan. And we know that this is a long-term process, that deeply rooted gender prejudices and misogyny will not be erased rapidly, and cannot be done by outside forces.

Nonetheless, the United States and other donor states have enormous leverage, and we must use that leverage to improve security, preserve women's political rights, support Afghan women's organizations actively working for change, and sustain programs for public health, education, and economic opportunity to improve women's lives. Thank you.

[The statement of Mr. Cortright follows:]

PREPARED STATEMENT OF DAVID CORTRIGHT, DIRECTOR OF POLICY STUDIES, KROC INSTITUTE FOR INTERNATIONAL PEACE STUDIES, UNIVERSITY OF NOTRE DAME

Remarks by David Cortright,  
Director of Policy Studies, Kroc Institute for International Peace Studies,  
University of Notre Dame  
Before the Tom Lantos Human Rights Commission  
House Committee on Foreign Affairs  
U.S. House of Representatives  
May 3, 2011

I am here today to share the findings of our recent report, *Afghan Women Speak*, produced by the Kroc Institute for International Peace Studies at the University of Notre Dame, co-authored by my colleague and research associate, Sarah Smiles Persinger. The report is based on more than 50 interviews Smiles Persinger conducted last April and May in Kabul with policymakers, diplomats, ISAF officials, and most importantly Afghan women, including female parliamentarians, activists, health and NGO workers.

Since 2001, Afghan women and girls have made significant gains. They have seized opportunities to go to school, earn an income and participate in public life – all denied to them during Taliban years. As of last year 7.3 million Afghan children were in school – 37 per cent of them girls - compared to only 900,000 boys in 2002. Hundreds of midwives have been trained in a push to tackle maternal mortality. The Afghan Parliament has a 25 per cent reserve quota for women.

These gains are real but they are in danger because of rising violence and insurgency. Hundreds of schools have been closed in the south and southeast, with girl students targeted for attack. Health clinics have been closed as health workers are abducted and killed. Insecurity has limited women's participation in the electoral process and public life. Electoral participation rates for women and men have declined since the high point of 2005.

The U.S.-led coalition and the Afghan government have officially adopted a policy of political reconciliation with the Taliban. U.S. and NATO policymakers are committed to beginning troop withdrawals this summer and turning over security responsibility to Afghan forces by 2014. Some form of political power sharing between the Kabul government and elements of the Taliban seems likely, and may help to reduce the level of armed insurgency.

But such a peace process could pose significant human rights challenges. The horrendous record of the Taliban and other insurgent groups is well known regarding human rights abuses and disregard for the social, economic and political rights of women. In places where insurgents have gained local power in the south and east of Afghanistan today, women have faced renewed restrictions on political, economic and social opportunities.

The central policy challenge our research addresses is how Western governments can begin to disengage militarily while preserving the gains women have achieved and guarding against a human rights reversal.

During her interviews with Afghan women in Kabul last year, Smiles Persinger found that all of her interviewees want an end to the armed violence, but they also harbor serious fears about reconciliation with the Taliban and other insurgent groups.

U.S. and NATO officials have said that insurgents seeking reconciliation must renounce violence, sever links to Al-Qaeda and respect the constitution. Insurgents have called for the withdrawal of foreign troops, an overhaul of the constitution, the implementation of Sharia law and the re-islamization of the Afghan state.

The women we spoke to are concerned that ceding to these demands may undermine the status of women and girls. They worry that Taliban or other insurgent leaders who enter government may use their positions to overhaul the constitution and scrap the clause stipulating gender equality, or change the education curriculum and scrap

subjects like science and IT, or close co-educational and private schools, which currently offer the best education available in the country.

Already the parliament is dominated by conservative forces, including ex-Mujahideen warlords and conservative clerics. Members of the Afghan government and parliament supported the notorious Shia Personal Status Law of 2009, and today are seeking a government takeover (and shutdown) of foreign-funded shelters that provide support for women abused at home.

The women we interviewed are also concerned about the call for Sharia law. They have no problem with Sharia law, and indeed the Afghan legal system already draws heavily from it. The problem is with Taliban-style Sharia law, which draws as much from Pashtun customary law, or Pashtunwali, as it does from Sharia, and is seen as explicitly discriminatory towards women.

They are also worried about the prospect of civil war, which could become more likely if foreign troops are withdrawn precipitously – given the instability of the Kabul regime and the weakness of Afghan security forces.

Despite all these concerns, the majority of women we interviewed support a peace process because they recognize that women and girls are suffering from the violence. They know that rights are eroding as violence increases.

One female parliamentarian we interviewed, Sahera Sharif, who is from Khost province, a conservative, predominantly Pashtun province in the south-east – said nearly all of the schools for girls in her province are now closed.

She said there has been a complete breakdown of law and order in Khost. Five years ago, she could drive out to schools in the villages which offered accelerated learning classes for girls – and now she is afraid to walk around the provincial capital.

Another woman we interviewed, a midwife from the same province, said her husband had pulled their seven-year-old daughter out of school because he is afraid she might be kidnapped or her school attacked. This woman was very sad, because she does not want her daughter to be uneducated.

The insecurity also has impacted women's mobility, leading to the reinforced cloistering of women by their families. A British report published last year quoted a group of women in Kandahar saying that their lives are no better now than they were under the Taliban. They can't leave the house to get an education, or earn a living.

As anger towards the military occupation has risen, there has also been a backlash towards the 'women's rights discourse', which is seen as an alien, Western intrusion by many Afghans. Women exercising leadership skills are often called anti-Islamic, Western agents, or prostitutes, and subject to death threats and intimidation. Some high-profile women have also been assassinated.

All of the women we interviewed acknowledge that it will be impossible for women to consolidate the gains they have made in a militarized environment. And because of this they support a peace process. But they want assurances that they will not be the 'victims' of the process, that peace will not be bought at their expense.

In our report, we have attempted to offer suggestions for demilitarizing U.S. policy while maintaining assurances for Afghanistan's security, protecting human rights and preserving political, economic and social opportunity.

Addressing the security situation is paramount. To provide for the protection of civilians and avoid a security vacuum, our report has recommended the deployment

of an UN-led interim security force from Muslim countries, to be deployed as ISAF troops withdraw.

The proposed security force would operate under the auspices of the United Nations, with a mission of providing population-centric protection during an interim period. Taliban leaders have suggested the deployment of such a force. In December 2008, Taliban leader Mullah Omar proposed the introduction of peacekeeping forces from Muslim countries as part of a “seven point plan” to resolve the conflict. Taliban spokesmen have pledged not to attack such a force.

The interim protection force would not be a replacement for ISAF, which is engaged in active combat. The mission of the interim force would be different, focused on peacekeeping and civilian protection. For these purposes, a modest-sized force should be sufficient.

As U.S.-led forces cease operations and pull back to their bases in advance of withdrawal, the interim security force could be introduced. It would need to be paid and equipped by the United States and its NATO allies. Remaining U.S. and NATO troops could help train the force. The interim security force would operate for a limited period under UN authority with the consent of the Afghan government.

Any draw down in foreign troops also must be accompanied by long-term, sustained investment in aid projects that support Afghan women and families.

Because development funding has been linked to military objectives and aid money has been concentrated in areas where there is fighting, foreign governments will be tempted to reduce aid programs as they begin to withdraw troops. This would be a disaster for Afghanistan’s future, and a slap at women’s rights.

CARE and other aid organizations have identified social programs that are effective at improving the lives of women and families, especially in the areas of education and healthcare – such as improving access to secondary education for girls, training midwives and expanding economic opportunities for women in rural areas.

One of the best ways to prevent a roll back in women’s gains is to ensure that women are meaningfully represented in all peace discussions and forums. So far, Afghan women’s organizations have had to fight hard to have their voices heard around the various discussions and peace jirgas of recent years.

Officials of the Kabul government have shown repeated disregard for including women in high-level decision-making forums. Western policymakers have significant leverage with the Afghan government they can and should use to advocate for women’s interests.

The commitment of U.S. and NATO policymakers is sometimes uneven. While Secretary of State Clinton has displayed exemplary leadership in advocating for Afghan women’s rights, political will among other officials is less certain. Some consider the issue “soft” and incongruent with security concerns, but this ignores now widely acknowledged understandings of the links between human rights and peace.

In our report we recommend support for Afghan women's organizations and Afghan women in professional and leadership roles. A practical model would be exchange visits for women parliamentarians, public servants, judges, lawyers, and also long-term mentoring and training for police officers.

Another way to increase the profile of women in public office is to ensure that all visiting Afghan government delegations include women. Our understanding is that this approach is already being adopted by the State Department.

The last recommendation in our report relates to vulnerable Afghan women. The prospect of reconciliation is extremely risky. As troops are withdrawn and political alliances shift, the danger of a roll-back in women's rights is very real, and Afghans who have worked directly with the military intervention will be particularly vulnerable. We argue as well that Afghan women who have occupied leadership positions or are perceived to have been associated with Western interests are also extremely vulnerable.

Given this, our report recommends that the U.S. Government should consider giving Afghan women priority in any asylum programs that are established for Afghans, specifically women who face ongoing threats and attacks on their lives because of perceived association with Western interests. This may include women working for the government, aid agencies or in association with PRTs, for example. Our research shows that the military intervention and this focus on women's rights by the West have made many Afghan women very vulnerable. Many women have been threatened and may face even greater dangers in the future as troops are withdrawn.

The rights of women must be protected as the U.S. begins a much needed military disengagement from Afghanistan. As outlined here, the drawdown of forces must be accompanied by a range of security, political and development policies to secure and stabilize Afghanistan's future.

Many stakeholders in the West have high expectations about empowering Afghan women, but we know that deeply rooted gender prejudices and misogyny will not be erased rapidly and certainly not by outside forces. Nonetheless the United States and other donor states have significant leverage, which must be used to improve security, preserve women's political rights, support Afghan women's organizations actively working for change, and sustain programs for public health, education, and economic opportunity that have improved women's lives.

Ms. SCHAKOWSKY. Thank you.

Mr. Pitts, if it's all right with you, even though I'm a latecomer, if I -- you want to begin with the questions?

Mr. PITTS. Yes, whatever.

Ms. SCHAKOWSKY. Go ahead. Go ahead.

Mr. PITTS. Thank you. Thank you for your testimony.

I visited Afghanistan with a couple of members on January 2<sup>nd</sup>, 2002. Frank Wolf, who's one of the Co-Chairs of the Commission, and Tony Hall, former member from Ohio, then Ambassador to the UN for Agricultural and Food Affairs. And I went shortly after the first phase of the war and visited -- I visited a girls' school in Kabul, and walked into a 10<sup>th</sup> grade class. They informed me they had been only in school for three days. They had not been permitted to go to school under the Taliban for the previous three years or so, and had a wonderful exchange with them. We gave them boxes of paper and pens, and geography books, and things like that.

But I would like to ask the status of the situation in Afghanistan on schools for girls having read Greg Mortenson's book, *Three Cups of Tea*, and sons into schools, little dismayed at what I heard about maybe exaggerations, but if you could tell us what is the status of the opportunities for girls to go to school in Afghanistan, which provinces are best, what percentage of girls? Can you speak to that, madam?

Ms. BASEL. The reality is that the number of the girls going to the school has increased very high since 2002, because during the Taliban girls were deprived of going to the school. But the problem is that the security is not really all over in Afghanistan. Afghanistan doesn't enjoy central powerful government to expand its power in all over Afghanistan.

This is why the area that the Taliban have the control, the girls cannot go to the school. And it's a big trip for their going to the school, because they will be killed, and also another problem is that they will poison the girls, and also they will just kill them on the way. And the girls schools are burnt too many these recent years.

Mr. PITTS. Too many what?

Ms. BASEL. They burn a lot of the schools girls. They destroy it and burn. And they send night letters to the families that they shouldn't send their daughters to the school, because if they go to the school, it is completely opposite of the Taliban policy.

Just I read the statement of one of the Taliban's leader which was sent to BBC, and they are clear that their policy will never allow women to go and take education, and be an active part of the society. It was one of the speaker of the Taliban.

So, this is one of the very serious risks for the women in Afghanistan. This is not only education, but also other social activities, even being a politician, being a civil society member, or being a teacher at the schools, et cetera, security is a big issue, and it is getting deteriorated day by day, especially in the remote area.

Mr. PITTS. In the area where you have the best policy as far as permitting women to go to schools, at what -- where is that, if you can locate a province, or city, or whatever? And at what age do the girls start, and at what age do they conclude their training?

Ms. BASEL. Yes. The area that I am living, it is Kabul, the capitol of Afghanistan. School age is usually six years, both for boys and girls, or seven years.

But if there is a boy in the family, they prefer to send their boys rather than to girls because of economic situation also sometimes, it's another problem. But this is not coeducation. Girls are separate, and also boys are separate, even until class of twelve. While they graduate from high school, then at the universities it is coeducation. They can study together.

But still the area that the security is not very good, I mean, the Taliban are the rural part of the city, but in the center, if it is still in that area the education for the university is also separate. Girls are separated in colleges, and boys are separated in the colleges, which is a good number.

Now, UNICEF is trying to push for the education a lot, and they are sending a lot of -- I mean, they do a lot of efforts to expedite education in Afghanistan, and make new textbooks for the girls, but still the budget that is allocated for education in Afghanistan, it is the lowest budget in the region, because this budget should be more. I mean, I do appreciate the United Nations organizations, they are working very -- an international community commitment like you said. But this should be taken seriously, and also there should be more other programs to the families. I mean, education to the family to allow the girls to go to the schools, because culturally sometimes Afghans do not allow the girls to go to the school.

Also, the most important is that we should build more schools closer to the area that the girls are going to be in school, because if the schools are far away from their house, and they have to travel one or two hours from their houses, then if there is no security, that is also not good. So, schools should be built closer to the area that the women are living, and more budget should be allocated for the school build, and also school teachers. Because do we have school girls that are interested to go, but do we have teachers? Because we don't have also teachers. These are the things that-

Mr. PITTS. David, you looked at this. Do you want to respond?

Mr. CORTRIGHT. Yes. I would agree with the points that are made here, and I think when we look at Mortenson's experience, of course, he's had these difficulties from the *60 Minutes* report, but he reports that the schools that have been built with community support, with kind of a bottom up approach that are rooted in communities tend to be less likely to be attacked by the insurgents. And we've seen this also in other studies.

So, I think the emphasis on community involvement, making sure that the representatives of the community are fully committed, and are working with aid agencies, donors to create these schools, and then to staff them exactly right. We need to help with educating women teachers, because the education does tend to be segregated, as noted.

All of those are policies that we can continue to support. And they're making a real difference. And, as noted, the number of girls who are attending school has increased dramatically. It's a great success story, and one of the things that has to be sustained as we move into a new policy, being the military disengagement.

Mr. PITTS. When I was in Kabul, I noticed all the women wearing burqas outside, and when we went into the hospital or school, perhaps, they removed the burqa. I asked them why, and they said "Well, if we don't wear the burqa some men threaten to throw acid in our faces."



If you serve in public life as a women, how -- these attacks on women who serve in public, how can we, the west, the international organizations help stem some of these threats and the attacks? Are there things that can be done?

Ms. BASEL. I do agree that the Afghans should have ownership for their policies, but international support is crucial for the Afghan Government. Because Afghan Government do have the commitment, I mean, the constitution of Afghanistan is clearly written about human dignity, women's rights, equality, all these things. But because of all the support comes from international community, then the Afghan Government should be pressurized to put more women -- all opportunities that has been given to women since 2002, it is all because of the international support to women's issues.

Like I, as an Afghan woman, I am talking here to be heard. And people are listening to me much more here rather than in Afghanistan, because I do appreciate if the Government should listen to me, and make more opportunity for the people. But they are not really supporting -- I mean, they are not really willing to support women's issues in Afghanistan.

This is why I think pushing more for the women's issues within the peace jirga, within the government. Like we don't have any Afghan women at the High Judiciary, High Council of the Supreme Court in Afghanistan. This is the support from the national organizations, also the international community, that we try to bring the issue -- I mean, as an agenda of the government, and also then push for that.

We do internally, like nationally Afghan women as a civil society part, we are trying. But you know sometimes we are helpless. Without international support it cannot really make a sense.

We do have a few ministers that they are supporting us, but can I tell you one sentence? One of the ministers of Afghanistan, which I don't want to name her name, she was a woman. She was saying while President Karzai, while shaking hands with everyone, while this was the Minister's Council meeting, he was never look it at me like how are you? And never say to me how are you, and shaking hands with me.

You see, this is another kind of scenario that is going on in Afghanistan. Like we as women would like the President to take initiatives. Like he has a doctor wife, and he had studied a lot, but she has never been out, she has never spoken on women's rights or issues. This is -- I think sometimes the Afghan Government really needs to be pushed to bring the women's issue on agenda. Otherwise, I think my pledge here today, just coming here, this is the purpose that I want the Congress to use government to listen to the Afghan women. Government is okay, political will is something else. But Afghan women will be quite helpless if any -- if the Taliban comes back. You will see -- we now already brave. Since 2002, we learned a lot to be an active woman, to be on the stages, to talk too much. But if suddenly the situation destroyed, and suddenly the Taliban comes, who will protect us?

As a woman activist, as a parliamentarian, and we are sure because the Taliban are very much on the -- I do agree that the negotiations should go, and we should talk with -- but still there is no clear sense of the Taliban that they should have accepted the peace jirga. They don't -- yet, they are not really clear that do they want peace? Do they want to sit in front of the government, the Afghan Government to

talk about the future of Afghanistan? Because the Afghan Government says that they should respect the constitution of Afghanistan.

The constitution is clearly about women's rights. Women's rights is one of the main important issue for Afghan women, also for Afghan citizens, but they never accept it. So, this is why this is a big challenge. Even the negotiation, are we talking to serious negotiations which will affect Afghan population, or not?

I mean, all the negotiation is supporting the Afghan population, talking about men and women, or it is just the kind of political will that the women will be victims, and also men will be victims in the future.

I think any kind of -- I do agree that the U.S. Government should begin the withdrawal of their forces, but is it the right time that they should come out from Afghanistan? To my opinion it's not, because if they come out from Afghanistan, we will face a situation that we faced in 1992 during the mujahideen period, and then the Taliban.

And I think peace in Afghanistan is the peace in the world, because peace in the region, if we think that the peace should be insured there, then all the work will be secure. But if the negotiation goes without the interest of real public people, we are really -- I mean, as a woman, you can see I wear just my chadri here while I'm talking here in front of you, because I don't want to be appear without this one on any news, because it's a trip, and it's a danger for my security going back to Afghanistan.

So, if I'm talking bravely here, it doesn't mean that I can talk bravely. I cannot talk about the corruption of the judiciary at all in Afghanistan. I am not as sitting judge now. I was a woman judge before, but believe me, I cannot really talking very directly to policy level that I should not criticize. My point is not to criticize the Afghan Government, but there are some points that should be improved for the future. Some points to be given to the international community.

So, I, as one of those women who really talk out and has been in many international conferences, I am in this state that I cannot take out this in front of you, as opposed with other women, what will happen with them? Can they talk?

I mean, how they will be protected if suddenly the situation -- if you remember, just I want to -- just two weeks ago, or three weeks ago because of the holy Koran which was burned in Florida, Sadan Atta came and Muzarashadif and they went to United Nations, and then they killed internationals. And you know how threatful it is, because they are everywhere in ageist above the doors, at the government, at the parliament, head of the lower House is a member of the Islamic party. And, also other ministers, so how women could really feel secure, and how we could -- without international support.

Mr. PITTS. Well, just to follow-up on that. David, you mentioned women participate in jirgas. Is that possible in many regions?

Mr. CORTRIGHT. Well, we did see that. And as was testified in the earlier part of the hearing, women have used their rights to really struggle to be heard, to participate in these sessions. And at the Constitutional Jirga, women were able to double their percentage to 21 percent. They've struggled also to be represented in the High Peace Council, small, but it's 9 percent. Same thing when the original constitutional provision for the 25 percent reserve in parliament.

So, women, if they are able to be at the table, it's a struggle. Yes, there are these reactionary views even in the Kabul government. But if we can insure that they're at the table, and make this a cornerstone of our policy, and then support their efforts, we've seen that they can make some difference, and be present. And that's the most important guarantee, I think, that women will have the rights and have some voice as we move into a new political alignment.

Mr. PITTS. Thank you very much, Madam Chair.

Ms. SCHAKOWSKY. Thank you, Mr. PITTS.

As a feminist, I myself have agonized over what happens to women in Afghanistan, and how does the role of the United States play into that? But I have to tell you that in terms -- I'm trying to reconcile the testimony of Mr. Cortright and what you had to say about the importance of security for women.

And it comes down for me, I think, what role, not whether or not the United States plays any role, but what role is the most effective? And as Mr. Cortright pointed out, that there is an anger towards the military occupation, and that that has risen, and has had an effect on, as he puts it, the women's rights discourse, which is seen as an alien western intrusion by many Afghans.

You say without outside support, the President Karzai government would collapse, and that Taliban would control much of the country, and internal conflict would worsen. But what does that say to us, that the United States needs to be there what, another 10 years? That the military footprint actually may be part of the problem. And then you point out a number of areas. Obviously, education, and that still 85 percent of the women and girls are illiterate. You talk about health, and the shortage, incredible shortage of doctors. You talk about the Rule of Law.

And it seems to me that on all those fronts, which could make an enormous difference for women, that the United States does have a good deal of leverage, and resources that fall below those that are required for a full-blown military footprint in Afghanistan.

So, what I'm really wondering from both of you, and apparently the earlier panels addressed some of this, it seems to me that engaging the international community in a post military occupation, or presence. I won't even use the inflammatory word, presence in Afghanistan. Focusing on these civilian -- how did you put it, Mr. Cortright? You talked about it as a population centric protection, that perhaps a UN presence could provide.

Because I'll tell you right now, I think the taste for continued military presence by the people of the United States in Afghanistan is diminishing even as the opposition to that within Afghanistan is rising. I think the fact that Osama bin Laden is now dead probably increases that impatience, because the initial presence was defined as going after al Qaeda, so I don't see us doing that.

So, what I'm hoping is that rather than seeing just a blanket resistance to a withdrawal, that there can be some consensus about the kind of presence the U.S. can have in Afghanistan, and focusing on education, on health, on the Rule of Law.

And let me make one final comment, that the Karzai government-it's not as if everything is just wonderful under the Karzai leadership for women. We've seen this kind of resistance to participation of women under his leadership, as well. So, I'm looking for what kind of a post military presence that's constructive, that the west,

that the international community can play that would offer some security, and advancement for the role of women. And I don't see your first recommendation; that is, that the United States stay, basically, is doable.

Ms. BASEL. I think since 2002, there were a good opportunity for Afghan Government and for international community to really build the capacity of the National Army, which has not been done yet. Which was since 2002, as the international soldiers leave Afghanistan, we do not have the capacity today to really deal with security issues, which should have been done. But still, we have four years, for example, or two years left, or three years left to 2014. More focus should be on the Afghan National Army. The capacity should be built, and also the modern kind of weapons that they need to -- I mean, help for Afghan people, that is all very necessary.

It is the UN kind of Muslim countries, soldiers that should come to Afghanistan, and then they should work. This is another thing that could help. But I think, also, I read that there will be a kind of U.S. military base permanently will be established in Afghanistan. Serious talks are going on in Afghanistan, and Grand Assembly be called, and they will make decision if this permanent kind of military base will be approved by that, which I am sure that because Afghanistan need this time the international support, it will be helpful, and it will happen.

So, I think the first solution for this is to build the National Army very well, and prepare them to tackle the security situation. And, second, if there is opportunity for kind of Muslim countries leading peace forces in Afghanistan. And also, third, if there is a military base permanently in Afghanistan, it could -- still the internationals will be there, and the oppositions of Afghanistan will not really come over to take the power.

I do believe that the option for Afghan people is still President Karzai. The opportunities that we have had since 2001, a lot of opportunity. This is why I am here, I can talk. I mean, a lot of women are on -- many good opportunities for women has been in the Afghan Government since 2001. But, also, let's talk about the reality.

There are many other things, like Rule of Law and judiciary, nothing has been really serious. Every day people are criticizing the judiciary. Corruption is -- Afghanistan is one of the countries that faces a lot of corruption of the judiciary. You can be -- someone can -- I mean, if you have a case even if you are a government person, unless you don't pay bribe, you cannot take your case.

It is from the very small public person, it goes to the government with international contract. So, this is a serious issue. This is --

Ms. SCHAKOWSKY. So, you can see that that level of corruption is a further argument that the American people say then, what the heck are we doing supporting a government that is so corrupt that it can't guarantee any of the rights? It seems like there's only two choices; we're either abandoning and leaving it to the Taliban, or we're there to support a corrupt government, neither one of which is advantageous for women. And neither one is a lasting solution.

Ms. BASEL. But the lack of money, turning on transparency from the Afghan Government, because if the United States support the Afghan Government financially and military, then the Afghan Government should be responsible for giving the report of what has been done. There is no transparency with the support that the

international community gives to Afghanistan, and the report that the Afghan Government should give on that. So, this is also lack of the international community facilities, that they should have built a strong kind of monitoring evaluation system that how the support goes, where it goes, and is it effective or not? But it is 10 years back from today. I mean, how it has been done? Are there many reports about that? No. Who is responsible for that, that they should give the report? How many militaries have been improved? Are they improved in a very good way? Can they take the security back after the international leaves Afghanistan?

So, these are the many questions which I can blame mostly Afghan Government, because they should have -- I think, also, an important issue, Afghanistan has been destroyed for many, many years. I believe in century, because we have been backwarded from international development. So, this is why that suddenly we cannot expect everything to come, because of the poverty, economy, education, everything is on the very bad situation. Internationals also do not know how to deal with the issues, because too many support is needed. But still, I mean, if the programs and policies would be better at the beginning, today we wouldn't face such a problem.

Because, anyhow, internationals should leave Afghanistan. This can't be an option that they should leave 100 years back to Afghanistan. But this is -- both international community and Afghan Government should work together how to satisfy people and bring the trust of the people to the Afghan Government.

Ms. SCHAKOWSKY. Thank you.

Mr. CORTRIGHT. Well, Congresswoman Schakowsky, you've really identified the real issue here. And I share your concern as one who's opposed like the Iraq War, and have had doubts about the continued presence of our troops in Afghanistan, but also deeply concerned that we must protect the Afghan society. And we have a responsibility now having intervened, and being present there all these years to assure that as we withdraw, we do so in a fashion that sustains a viable society, and protects the people of Afghanistan.

So, I think the question is not just military withdrawal. And, in fact, we focus too much on that, I think it's a mistake. And we miss these other dimensions of the responsibility that we have.

And it is true that if we just simply walk away and withdraw quickly, the Taliban would take over, and it would be a disaster, and people would be returned to oppressive conditions. So, it's a challenge of how to manage a transition in our policy.

Ms. SCHAKOWSKY. Transition I think is a good word rather than withdrawal, perhaps.

Mr. CORTRIGHT. Exactly. And we have 100,000 troops there, and many thousands of civilians. We're spending eight, ten billion dollars a year, or more there.

Ultimately, we will need to have a lot of people there and spend a lot of money there, but we need to reduce the number of soldiers, and increase the number of judicial officials and police trainers, and election monitors, and human rights workers, and educators, and all the other dimensions that we've heard about this morning of ways in which we can genuinely help the society to be more secure into the future. So, I think those are really essential. This idea that as we draw down militarily, we sustain and actually increase our commitments on the civilian side.

When the President began his policy in '90, he talked about a civilian surge, but the civilian side of our surge has been pretty puny compared to the military. And we need to reverse that pattern, and really build up that civilian side.

And it doesn't mean only that we send State Department officers. They're doing great work there, but we also need to send human rights workers, and police trainers, and others who can play an important role.

And we have tremendous leverage in terms of the amount of support we're providing to the Karzai Government. The President said there's no more blank checks. I think he was referring to the Pakistani Government, but it applies, as well, to the Afghan Government. And we need to use that leverage with the government to insure that they are more responsive, and are providing the transparency that we are demanding of them.

Now, the Afghan security forces have been building up. That's a major part of our commitment, and that part should be sustained, I think, for some time. As we draw down some of our combat operations, we can continue to train, and support, and build up the Afghan security forces so they are better able to take care of their own security.

Now, the forces are more than 200,000 now, and while they may not be very reliable in working with us in battling against the Taliban insurgents, my guess is that as foreign troops are leaving, as authority shifts more to the UN, and there is an Afghan, I'm sorry, a Muslim-led kind of security force, that those forces will begin to stand up more to defend their own interests, and their own country.

And many have argued that the Afghan security forces are likely to be a strong bulwark against the Taliban taking over in the country. So, I think we can rely on those forces, and prepare them for being more independent, and standing on their own as we're doing the training and operations.

Mention was made of the permanent bases option. I know this has been widely discussed. I personally think that would be a mistake. Certainly, we have these large bases. I think better is to turn them over to the Afghan forces, and to help prepare that process to make the transition as smooth and seamless as possible, so that over the course of three to five years our forces are going down to lower numbers, the Afghan forces are becoming more equipped, more capable, and are able to take care of their own security.

And while all of that is going on, I think we need to work on the political side, but also the diplomatic side. We've seen the recent report from Ambassador Pickering, and Ambassador Brahimi from the UN, which has talked about the need for a diplomatic compact, a diplomatic process in which we work with the neighboring states. Certainly, India is very engaged now, Pakistan, Iran. We need to work with Iran on this, and the other surrounding states to get their support for a program of sustaining Afghanistan's independence, for stabilization in the region, and support for this UN process in which, as I say, authority is shifted over to the UN for the transition. The military side is diminished, the civilian and social, and other forms of economic support programs are increased.

It's a huge challenge, and there's no guarantees that it can work. But I think as you pointed out, the appetite for further sustaining a large-scale counter-insurgency is rapidly dwindling in the U.S., and now with Obama having been successful with the

death of bin Laden, the pressures will increase for us to draw down our military commitment. And with that now needs to come a new direction, and a stronger commitment to the civilian side of our program there.

Ms. SCHAKOWSKY. Thank you.

Let me just say in concluding that I want to thank you, Ms. Basel, for your courage. It's one thing to be a feminist in the United States of America, and there are plenty of battles to fight, but it's another to stand up in a situation where physical danger is a reality for you, and I admire your courage, and appreciate all your efforts.

Ms. BASEL. Thank you. If I am allowed, I am now Director of Afghan Women Judges Association. This association was not recognized in 2008 by Afghan Government because we were helping the Afghan women judges to come to the United States and get training at the judiciary here in Vermont, and also through International Association of Women Judges. The Supreme Court just interfered and said we don't recognize this Afghan Women Judges Association, which we suspended. It is previous information about me. I'm not Director of Afghan Women Judges Association. We suspended. And then I pushed very much the use in Basine Afghanistan, and also other organizations, international organizations to pressurize Afghan Government, the Chief Justice, to allow again the Afghan Women Judges Association to be established. It is now established. It's about four or five months. I'm not there any more, but they established the association under the government, under the Supreme Court, which is opposite of the constitution of Afghanistan, and social law organization in Afghanistan.

But since five months, there is no -- I mean, there is nothing being done with that organization, because there is no one to take leading of that organization. So, I just wanted to -- because it's a problem if it comes to the news, they will say oh, you are not Afghan Women Judges Association, because we just -- I mean, they didn't recognize it officially until -- I'm just working for Afghanistan Law Organization, but being a woman judge in the past. And still, I don't want to remind you again, I didn't cover my head while I was here in 2002 through the State Department. I was here, and I was leading the effort for Afghan Women Group who were brought for the first time to the United States. I didn't cover my head, and I had meetings with President Bush and all the Congressmen at that time in 2002. We traveled, and they put my film on African TV through the use in Basel and Kabul, and it got a lot of problem for me, and I left the court. I didn't work. Actually, it was a serious issue, so I thank you, all of you inviting me to talk here.

It is very interesting, because if you listen to the people who are -- there are many things in the papers, but if you listen to the people who are facing challenges day by day, it is another thing. And I am very happy that you have made time and also audience that Afghanistan issues on the table. And I'm very -- I'm feeling privileged that the women in the world, and also Congressmen in the United States, and very honored writers like Mr. David, is thinking about Afghanistan. They're writing, and they want to support us. Thank you very much, all of you.

Ms. SCHAKOWSKY. Thank you.

Cochairman McGOVERN. Thank you very much. And let me just -- I wasn't going to say anything, but I just want to say something in conclusion based on this conversation that just went on.

Those of us -- there are many of us in Congress who are really torn as to what to do with regard to Afghanistan. I believe with all my heart that the sooner we can end our military involvement the better. That doesn't mean abandoning Afghanistan, that means stepping up to the plate in a very different way. I wish there was a surge more in the areas that we talked about here today and, hopefully, there will be.

Probably the reason why there's not as much going into the civilian side is because we're actually paying for that. On the military side, we're not paying for it. It's \$8.2 billion a month going on our credit card, and nobody is saying anything about it. And it's bankrupting us, quite frankly. And we've been there for 10 years in September. We've been training the police for 10 years. We've been training the military for 10 years, and still, I mean, we hear amongst our own men and women in uniform that the Afghan Army and the Afghan Police aren't always reliable partners. And there comes a question about how much longer do you have to train? How much more do you have to give? And is that the right way -- is that the right investment given the scarce resources we have.

So, it is very, very difficult kind of situation we all find -- I think the issue of empowering women, strengthening women is something we're all very much committed to. And we have heard some ideas today about ways we could be supportive but, ultimately, it has to be a political solution. And one of the questions that I could never get answered by anybody in the Administration, or even when I was in Afghanistan, is at what point does our military contribution to the political solution come to an end? Where is the end on the military side? At what point have we finished whatever we wanted to do?

And one of the problems that we have is over the last 10 years we've had 10 different rationales as to why we're in Afghanistan. We're there, we made a commitment, we have an obligation, I think, to the civilian population. We need to figure out how to do that. But I don't have a lot of confidence in the government there, and I wish there was more transparency, and I wish we used more leverage, but it seems to me that when it comes to the Karzai Government, we're an ATM machine, give him whatever he wants, because there's no other alternative. And it is very, very frustrating.

So, we want the Afghan people to determine their own future. I don't think we can micro manage this. When I'm listening to -- I always wonder what country did we get it right in? Where's the model that we're operating off of, you know, where all these pieces come together. And there's not one.

So, in any event, I appreciate your coming all this way. Mr. Cortright, thank you very much. I apologize that I had to leave in the middle of your testimony, but this has been a very good hearing, and I thank my colleague, Jan Schakowsky, for taking over while I was gone, so we appreciate it. Thank you very much.

Ms. BASEL. Thank you.

[Whereupon, at 12:11 p.m., the Commission was adjourned.]





# **APPENDIX**

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MATERIAL SUBMITTED FOR THE HEARING RECORD



**Tom Lantos Human Rights Commission (TLHRC)  
Hearing Notice**

**Women in Afghanistan**

**Tuesday, May 3, 2011  
10 a.m. – 12 p.m.  
345 Cannon HOB**

Please join the Tom Lantos Human Rights Commission for a hearing on women in Afghanistan. Ten years after the overthrow of the Taliban, Afghan women are increasingly finding their rights and freedoms under threat. In the face of rising violence, women and girls are losing access to education and the chance to participate in public and political life. In the south and southeast, hundreds of girls' schools have been attacked and closed as the insurgency has grown in strength. In Taliban-held areas, women have been threatened to stop working and return to their homes.

This hearing will examine the impact of the conflict on women. In particular, the hearing will address political reconciliation with the Taliban and the implications for women; U.S. humanitarian aid projects affecting women, and the recent attacks on women's shelters. As Afghan women continue to endure challenges, it is essential that their interests are considered and that they are actively involved in shaping a more peaceful future for Afghanistan.

***To discuss these issues we welcome the following witnesses:***

**Panel I:**

- Rina Amiri, senior advisor on Afghanistan for the Office of the Special Representative to Afghanistan and Pakistan, U.S. Department of State
- Don Steinberg, deputy administrator, U.S. Agency for International Development

**Panel II:**

- Joanne Sandler, deputy director, UN Women

**Panel III:**

- David Cortright, director of policy studies, Kroc Institute for International Peace Studies, University of Notre Dame
- The Honorable Marzia Basel, Former Judge/ Founder and Director of Afghanistan Progressive Law Organization

If you have any questions, please contact Lars de Gier (Rep. McGovern) or Gary Oba (Rep. Wolf) at 202-225-3599.

James P. McGovern  
Member of Congress  
Co-Chair, TLHRC

Frank R. Wolf  
Member of Congress  
Co-Chair, TLHRC

**Prepared Statement of the Honorable Cathy McMorris Rodgers, a Representative in Congress from  
the State of Washington**

**Tom Lantos Human Rights Commission  
“Women in Afghanistan”  
Tuesday, May 3, 2011  
10:00a.m.**

I thank the Tom Lantos Human Rights Commission for holding a hearing on this important topic and I thank the witnesses for sharing their time and expertise with those present.

As the co-chair of the Task Force on Afghanistan under the Women’s Caucus, these issues are very important to me. I am extremely concerned that any discussions about future reconciliation with and reintegration of Taliban forces must include women’s meaningful participation throughout the entire process. An inclusive government which protects the rights afforded under the Constitution is vital to ensure that safety, security and education are not limited by gender, tribe or ethnicity. There is no scenario where the repression of women or the denial of education can be considered an acceptable “peace”.

**Prepared Statement of Massouda Jalal, Former Minister of Women, Government of Islamic Republic of Afghanistan and Founder and Chairperson of Jalal Foundation**

**AFGHAN WOMEN'S SITUATION: CHALLENGES AND OPTIONS  
MASSOUDA JALAL**

*Former Minister of Women, Government of Islamic Republic of Afghanistan  
and Founder and Chairperson of Jalal Foundation*

**INTRODUCTION**

I come to you with greetings of peace and solidarity from the people of my country. I thank the Tom Lantos Human Rights Commission for this opportunity to share with you my analysis and views about the situation of women in my country and also to share the actions that I hope you will take, based on the recommendations that you will hear from me and from other distinguished resource persons in this meeting.

I am thankful that I was invited by this Commission at a time when I am no longer the Minister of Women of my country. Coming as a private individual, I now enjoy greater liberty and a stronger sense of obligation to unveil the most compelling, yet sensitive issues, that prevent us from generating meaningful improvements on the lives of my fellow women.

**KEY ISSUES AND RECOMMENDATIONS**

**a) Overview of women's situation**

I do not want to spend so much time discussing the current situation of women in Afghanistan. If you happened to have read a report on the same subject eight years ago, the situation is pretty much the same. The latest government report on National Risk and Vulnerability Assessment (2007/08) reveals that, in every development field, women are disadvantaged compared to men. Women participate less in economic activities, for fewer hours, and 95 percent are in vulnerable employment. Afghan women's life expectancy remains nearly one half of the highest life expectancy of women globally, and our maternal mortality ratio is now the highest in the world. Only 6 percent of Afghan women age 25 and above had attended any type of formal education and the overall female illiteracy rate is alarmingly high at 88 percent. Quantitative political participation is improving in the Parliament as the latest figure shows that they comprise 27.7% of the House of Representatives and 27.5% in the Senate, which ranks Afghanistan as the 30<sup>th</sup> in the world with the highest number of women in the Parliament<sup>8</sup>. However, the reverse is true in the civil service as the 31.2% representation of women in 2005 steadily went down to the current figure of 20.6% for the years 2009-2010. Afghan women continue to have no decision making authority in the domestic sphere and are subjected to abuse and violence on a daily basis.

**b) Political and cultural factors that reinforce Afghan women's disadvantage**

The oppression of Afghan women is deeply rooted and is sustained by structures of culture and tradition that supports male dominance and women's oppression. This is a difficult subject that no one could tackle without facing reprisals from those who are concerned. Our social, cultural and political institutions are dominated by men, led by men, and designed to sustain their dominance of women.

Foremost among these are the religious extremists that dictate and shape the mind of boys and men to exercise power and dominance over women. Their words and teachings, which are communicated in religious ceremonies every week, are taken as the standard of what is right and wrong. Unfortunately, these religious extremists foster masculine control over women's lives to the point that the birthrights of

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<sup>8</sup> Based on the Women in National Parliaments article of the Inter Parliamentary Union, ranking 147 countries on the representation of women in their Parliaments as of 31 December 2010.

women as human beings are trampled upon and eroded. These fundamentalists are the major obstacle to the flourishing of democratic ideals that are conducive to women's empowerment and gender equality. Thus, democracy may have been embraced by many Afghans as a form of government, but not yet as a way of life. This is demonstrated by the fact that Afghans generally participate in the electoral process but when they get home, the men are the only ones who control the domestic economy and decisions.

Political extremists, who are now wielding power and are part of national leadership, also represents a major obstacle to the improvement of women's status. Politicians who used to be at odds with each other have conveniently formed alliances to advance their common agenda which are mostly detrimental to the well being of the people they are supposed to serve. Those who could not find common grounds for their selfish interests conveniently choose to continue their fight in the battleground of public policies which unfortunately holds the well being of the people hostage to their inability enact laws and policies that are important to national well-being. On the other hand, the Taliban and anti-government elements whose main aim is to wrestle power from the government, have become a major part of the problem and have been effectively disrupting the development process through armed operations.

For expediency, political extremists have reluctantly supported the agenda of women's empowerment and gender equality. However, their support has been limited to the realm of words and papers. By omission, they do not seriously push for implementation. And when they do, these are only in token and symbolic forms, bereft of meaning and substance that are needed to transform the women's situation.

Unfortunately, political and religious extremists have become strange bedfellows. And when deals are negotiated between themselves, women's agenda inevitably become part of the bargaining chips. Why do you think would a country's President direct his Minister for Women to 'go slow' and preserve the status quo? Why would he raise his voice and scream in Cabinet meetings when positive developments on women's lives are being reported? Why would he refuse to sign policies that will ease the hardships of women or enable the national women's machinery to execute its mandate better? Members of this honorable committee, the presence of a Women's Ministry is nothing but a decorative concession and a pawn that could be manipulated in the process of brokering power among the religious and political extremists in my unfortunate country.

### **c) A second look at government commitment to women's advancement**

When I was Minister of Women's Affairs, I reported in one of the meetings of the Commission on the Status of Women that one of the greatest achievements of my government was the institutionalization of a robust policy framework for gender equality. I continue to stand by what I reported, and I still believe that my country did excellently in its efforts to make women's empowerment and gender equality central to our Constitution, national development strategy, international commitments and policy frameworks. We were even ahead of other countries in adopting the National Action Plan for the Women of Afghanistan (NAPWA), a ten-year national action plan for women which serves as the main mechanism of government for implementing its commitments to women.

At the outset, it looks fine. But when beautiful policies and plans remain un-budgeted and un-implemented after nearly a decade, they become nothing more than a graveyard of women's hopes. Up to the present, the National Action Plan for the Women of Afghanistan remains extraneous to the mainstream plans, programs, budgets and accountability mechanisms of the government. And for that reason, it remains nothing but a vision that is nowhere within reach.

In line with the government's efforts to implement the Afghanistan National Development Strategy, the people of Afghanistan and the international community adopted 22 National Priority Programs (NPPs), one of which is the *Capacity Development to Accelerate NAPWA Implementation*, with a budget of USD 29.7 million. This program is yet to generate the resources necessary for its implementation and is subsisting on small development budgets that are barely adequate to move implementation forward. And worse, except for 5, all the other National Priority Programs of government failed to incorporate a gender perspective, which is why the communiqué of the Kabul Conference had to explicitly mandate all programs to adopt a NAPWA benchmark.

But who pays attention to the lack of implementation of these government commitments? Will the Ministry of Women's Affairs seriously push for its implementation when the marching order of a Women's Minister is to 'go slow' and 'do nothing significant to change the status of women'? Will the government implement NAPWA if they are not required by the Administrative Affairs Office of the President to submit reports on its implementation? Will they include it in their budget when the budgeting guidelines of the Ministry of Finance do not explicitly require ministries to include budget for NAPWA implementation?

**a) Incompetence of national leaders and graft and corruption**

Our country's human capacity is generally weak. And this is understandable following nearly three decades of armed struggle. But, Afghanistan is never running out of capable women and men who could serve the government with greater commitment, competence and integrity. Yet, under the stewardship of our current leaders, Afghanistan has been given the distinction of being the second most corrupt among 180 countries surveyed in the Corruption Perception Index of Transparency International. The collapse of the Kabul Bank is only one of the many known cases of government's failure to curb graft and corruption which is very much within its power and authority to eliminate.

The loss of public funds due to graft and corruption significantly reduces the amount of resources that could have been directed at public services. And when public services suffer, the women disproportionately bear the impacts. Women need to provide the services that their family could not access, and their own needs take a back seat in favor of the interests of the rest of the family members.

The high level of corruption in the country is one of the reasons why the MOWA (Ministry of Women's Affairs) National Priority Program could not get funding. The donor community is concerned that the money that they will be granting to fund the National Priority Programs of the government would only end up in the pockets and vaults of corrupt officials who are capable of bleeding the national coffers dry.

## **RECOMMENDATIONS**

Enough is enough. We cannot continue leaving our fate in the hands of corrupt, incompetent, and extremist power holders. Our women had suffered long enough and time is fast ticking out. One Afghan woman dies every 30 minutes due to reproductive health complications alone. By the time this day is over, 48 Afghan women's lives have been lost. The time to act is now. And we need to act radically, and decisively. I propose the following actions:

1. Put the leadership of the nation in the hands of women. Select 50 top women leaders, train them, and provide them with technical and funding resources to compete for public office in the coming election. Make it mandatory for the President to make sure that one of the two appointed Vice Presidents of the country is a woman;
2. Learn from the experiences of Middle-East democratic reform movements. Political dictators and corrupt officials should be un-seated, prosecuted, and their funds should be put in a trust fund that will support gender equality and women's empowerment;
3. Stop Taliban influence in national policy making and leadership – Any negotiation with the Taliban should be transparent and officials of government should be prohibited from including women's agenda as a concession in any peace negotiation with them. To stop Taliban's influence in national policy making and leadership, women needs to be present in peace processes. A cadre of women peace advocates should be trained for high level peace negotiation and advocacy. At

least 30 percent representation of women should be mandatory for all peace negotiation panels and processes.

4. Support the work of international organizations advancing gender equality in Afghanistan - The growth of women's agenda in Afghanistan has been accelerated by competent and committed support of such international agencies as UNIFEM, now UN Women. I believe that international agencies that are doing good work in Afghanistan needs to get more support so that they could have more staff and resources to support the government and civil society. The UN Women should develop an assessment tool to enable the various international agencies to assess their effectiveness in promoting women's advancement.

## **CLOSING**

The United States had saved the Afghan nation four times within the past five decades – three times during the reign of King Zahir Khan while the country was suffering from draught and majority of the people faced famine and starvation and the fourth time was in driving the Talibans out of the country in 2001. We are not an ungrateful nation. There may be individuals who openly reject your presence in our country. But many Afghans know that without the help of the United States and the international community, we would be worse than we are now.

I thank you for your time and attention. I am now an ordinary citizen who tries to continue serving my country through the Jalal Foundation, a human rights organization with a women's empowerment platform, working for democracy, liberty and development of human capacities (women, men and youth) to embrace freedom and curtail all forms of dictatorship and extremism.