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Afghanistan: Women's Rights Advance Unevenly

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Women's rights in Afghanistan have progressed significantly in the few years since the Taliban was thrown out of power, but many of the reforms have so far remained on paper. In practice, there is still much room for improvement in areas including education, health, and civil rights. Some of these are a result of Afghanistan's poor economy; many are due to its conservative social ethos. There are some women professionals, particularly teachers and doctors, women parliamentarians and a few other government officials. At the same time, forced child marriage is common; maternal mortality rates are among the highest in the world; and more than half of primary school age girls are kept out of school.

Women Win Legal and Constitutional Rights...

Afghanistan's new Constitution is one of the most liberal in the Islamic world, and it explicitly guarantees women and men equal rights. Still, many of these rights remain unrealized. Though the Constitution guarantees equal educational opportunities for girls up to the university level, for example, UNICEF has found that the number of girls attending primary school is less than half the number of boys. The Constitution makes no mention of the use of chaperones for women, but some local authorities require them. Finally, most of the country still relies on traditional justice systems, which are highly conservative. The typical family goes to local mullahs or elders to resolve disputes and settle debts. Open sources describe the common practice within these traditional systems of using daughters to resolve disputes or settle debts. Girls may be exchanged in recompense for debts or crimes, such as adultery, rape, or murder.

...And Overcome Odds to Make It into Parliament

Over 300 women took substantial risks to run as candidates for the 68 parliamentary seats – one-quarter of the lower house – reserved for women. Human Rights Watch documented 140 female candidates who were forced to withdraw their nominations because of security concerns. A number of the candidates had worked secretly during the Taliban period to educate girls or had taken other political or social risks. Many women faced threats while running for office in 2005. One was shot in the leg, in an assassination attempt that ended her ability to campaign, yet she won a reserved seat. Though no women won unreserved seats, open sources reported that several garnered enough votes to have been elected without the quota. The Institute for War and Peace Reporting estimated 19 of the 68 women would have been elected without the quota. Women made up 43% of registered voters, though women's voting patterns varied throughout the country.

According to embassy Kabul reporting, the women elected to Parliament have thus far not been united by their gender, although we have some indications of their working together on certain issues. Like their male counterparts in Parliament, they most often seek alliances along ethnic or family lines, political points of view or according to personality. While a stronger central government would benefit all of society, poor and

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rural women face specific crises in health and education that might be ameliorated if key security concerns can be resolved.

The Karzai government supports women's rights and is conscious of the importance the international community places on this issue. Still, due to the weakness of the central government and to President Karzai's need to retain conservative political support, he will not push too hard on this issue. During President Karzai's recent Cabinet re-shuffle, for example, he lowered the number of female ministers from three to one. In the process, he removed one of the most outspoken female politicians, former Presidential candidate Massouda Jalal, from his government. His replacement for her position as Minister of Women's Affairs, the only female minister nominated, was rejected by Parliament. Embassy reporting and open sources cited the general conservative bent of Parliament as one reason why the only woman nominated was rejected, as well as her status as an ethnic minority. Just before leaving office, Minister Jalal released a 10-year national work plan, focused on eliminating violence against women in order to promote women's economic activity. The current lack of a strong leader for this ministry puts the implementation of that plan into jeopardy.

President Karzai, a Pashtun, must maintain the support of this large and powerful ethnic group to continue to function as President. Afghanistan's Pashtun provinces in the south and east are dominated for the most part by a particularly strict social conservatism, which often leaves women without basic civil rights. To attempt to intervene in family and tribal customs is fraught with political danger. Though the communist push to educate girls succeeded in producing a significant portion of the country's female professionals, it also added fuel to the Afghan anti-Soviet resistance.

Room for Improvement

Despite progress in legal rights for women, forced and underage marriages are still significant impediments to women's advancement throughout Afghanistan. The Afghanistan Independent Human Rights Commission (AIHRC) estimates that almost 40% of women were forced into marriage. The Ministry of Women's Affairs acknowledges that half of marriages involve brides younger than 16, the legal minimum age for marriage. The AIHRC also found that girls may be sold into marriage as a result of their parents' desperate economic conditions. These practices are deeply entrenched in many areas and tend to restrict the opportunities of girls and women in terms of employment and political participation later in life.

Low levels of education and high maternal mortality also severely limit women's prospects for economic and political participation, and may be related to the practice of child marriage. UNICEF and UNFPA have documented the links between child marriage, low levels of education and high maternal mortality and morbidity, worldwide. UNICEF estimates that less than half of primary school age girls attend school throughout Afghanistan, though percentages vary by province. AIHRC reports that security is one of the top reasons families keep girls home from school, along with traditional beliefs and a lack of schools for girls. A joint study by UNICEF and the CDC found that, on average throughout Afghanistan, the maternal mortality rate is 1,600 out of

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every 100,000 live births. The figure varies by region, with Kabul at 400 deaths and Badakshan at 6,500 deaths, for every 100,000 live births. The Badakshan figure is the highest ever reported, globally.

Though the area around Kabul has seen significant progress, the same cannot be said for the rural areas that make up most of the country. However there are no comprehensive statistics on violence against women across the nation, nor are there comparable statistics across provinces. Despite this, self-immolation, setting oneself on fire, seems to be more common in the west than anywhere else. “Self”-immolation is not always self-inflicted but is sometimes used by husbands or other family members as a type of domestic violence. Many women who are reported to have set themselves on fire may, in fact, have been murdered. AIHRC reported 154 cases in the western zone in 2005, and 160 in 2004 in the western province of Herat alone. In contrast, there were only 34 cases reported throughout the south and the east in 2005. According to open sources, the practice of self-immolation may be correlated with child marriage, domestic violence, and social isolation.

Looking to the Future

Despite improvements made since the darkest days of the Taliban, deep-seated, long-term obstacles remain. Further progress on many women’s issues will prove difficult in the context of entrenched poverty, lags in education, and weak central government control over both security and enforcement of legal rights. Women’s issues must compete with a host of other serious issues for attention, such as the lack of security, the growing opium problem, lack of budget to implement government programs and social resistance. Over time, if the central government becomes powerful enough to resolve key security issues, some women’s issues will improve as a byproduct. Right now, individual women like the new parliamentarians are making gains, but these gains fall short of widespread gender equality, which is still a long way off for Afghanistan.

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