

thank you to COD

- and to those involved with the policy brief and especially primary interviews with Afghan women both in country and part of the diaspora. The recommendations at the close of the paper were collated from the collective discussions with Afghan women and NGO's working on or in Afghanistan.

Reflection of the 20 years there was some progress but many challenges exacerbated by the spread of the COVID-19 pandemic and its subsequent socio-economic consequences, a decrease in economic growth, low capacity in the government ministries, lack of robust accountability frameworks

- Afghanistan's Second Voluntary National Review on the Sustainable Development Goals (SDGs) of *'laws, policies, national strategies, and programs in place to safeguard and advance women's rights, implementation remains weak'*.¹
- But the bar was high and expectations possibly too advanced.... 20% quota for military unreasonable. Goals should be set within a context of possibility. Reaching for short-term achievements does not always translate into long term success.

- **Reflection**

- By 2020, there was some notable progress in Afghanistan, including on gender equality.

1. Legislative and institutional change

- The 2030 Agenda for Sustainable Development is a universal set of goals, targets, and indicators endorsed and adopted by UN member states at the United Nations Sustainable Development Summit in September 2015.
- The Islamic Republic of Afghanistan endorsed the SDGs, in September 2015, as well as Afghan National Action Plan (NAP) 1325
- National Action Plan for the Women of Afghanistan (NAPWA), 2008-2018.
- CEDAW and numerous other international commitments.

¹ Islamic Republic of Afghanistan's second Voluntary National Review (VNR) on the Sustainable Development Goals (SDGs) 2021

Afghanistan's legal framework—at least on paper—offered women many protection and opportunities.

2. economic growth

- A. More than 1,000 Afghan women had started their own businesses by 2019.
- B. women's entrepreneurship and economic participation in the past decade has changed through establishment of women only collectives and associations. For example, the Food and Agriculture Organisation funded 'Integrated Dairy Schemes Project' implemented in Balkh, Herat, Kabul, Kunduz, and Jalalabad showed some success creating regular weekly income for women milk producers. In Herat women established a saffron producer association and in Ghoryan district, 480 women leased land for farming. The Kabul Women Farm Store, a women-only store for agricultural services provided women with much-needed training and use of greenhouses,² and the Afghan Pride Association (APA) was a processing center owned and operated by women.
- C. This is common in all post conflict areas for example in Liberia a networks of 'market women' bring together female producers from rural areas and female traders in Monrovia, facilitating the basic functioning of the economy in a context of utter market breakdown, examples in South Sudan, Congo et al.

3. boom in media and mobile phone use

- a. Radio Rabia Balkhi in Balkh Province, where roughly 60 percent of the staff were women, produced women-focused broadcasts ranging from music and call-in shows to in-depth coverage of political issues.³
- b. More than 20 newspapers and several women's radio stations were launched by and for women in Kabul. The launch of the Afghan Women Journalists' Forum provided both an organizational focus and a political voice to women journalists, who added their efforts to shaping public opinion in the crucial debates on the future of Afghanistan.⁴
- c. Expanded internet access, mobile phone usage, and the birth of social media have also provided women with new platforms

² USAID, "Country Profile, Property Rights and Resource Governance, Afghanistan", (2013)

³ 'Women's radio initiative,' The New Humanitarian, 2003

⁴ EVOLVING INSTITUTIONAL FRAMEWORKS AND WOMEN'S RIGHTS: POTENTIALS AND LIMITATIONS

through which to engage on sensitive topics, build community, and push for social change on women's issues.

4. enhanced social and political engagement

- A. By 2020 women held 27 percent of seats in the lower house of parliament, a quarter of all civil servants and 16 percent of senior management roles were held by women. Coupled with a growing body of legislation that recognized gender equality and supported women's empowerment and protection of women and girls, there were some nascent positive shifts towards achieving gender equality.
- B. Interestingly, there was a direct correlation between the increased women members of community development councils and the higher rates of women's participation and socialization outside the household. For example, women's participation in dispute mediation and involvement in aid allocation had increased by twenty one and fourteen percent, respectively.⁵ Although in many communities' gender norms prevailed and women were often stymied by interference by men blocking information or controlling project funds.⁶

5. positive growth in educational access.

- a. Girls' education was one of the success stories of post-2011 Afghanistan. The Afghan government prioritized girl's education, and the Constitution mandated education for every child up to ninth grade (lower secondary school, ages 13-15). While reliable baseline data is scarce, overall trends clearly show that Afghan women
- b. As many as 3.5 million girls were enrolled in school, Thirty-three percent of girls were enrolled in primary school and thirty-nine percent in secondary education though the number of girls actually attending school was lower.
- c. Literacy rates among girls rose from twenty percent in 2005 to thirty-nine percent in 2017.⁷
- d. By 2018, there were approximately 70,000 women in teaching jobs and approximately 9,000 new schools were built, some of them specifically for girls.

⁵ 2015 World Bank evaluation

⁶ UNHABITAT, report 'From the People, For the People, With the People', 2017, HS/069/17E

⁷ Islamic Republic of Afghanistan, "MDGs Country report 2005," 33.

- e. A good practice seen in the Community-Based Education (CBE) culturally accepted model for delivering primary education in areas where the formal education system did not operate, including in some remote Taliban controlled areas.

Challenges

Despite the reported gains, Afghanistan continued to face major challenges. In 2020 the country ranked poorly on the Human Development Index (HDI)⁸ the Gender Inequality Index,⁹ and ranked 170th out of 189 on the Global Gender Development Index (GDI).¹⁰ Since the take-over by the Taliban, Afghanistan has fallen to last place out of 170 countries on the Women, Peace and Security Index¹¹

- across Afghanistan, there were significant **rural-urban differences** and despite the gains made in urban areas, Afghanistan's patriarchal structures ensured that girls were often excluded from education in rural communities, with approximately 1.45 million girls at the primary and lower secondary levels out of school.¹²
- Early marriage, insecurity, oppressive traditions, limited transportation to school, and traditional cultural beliefs. A lack of trained female teachers, especially in rural areas, compounded with the lack of all-girls schools, (between 2001 and 2018, only 2,712 of the schools were for girls)¹³ and the lack of separate bathroom facilities, all directly impacted the number of girls attending school.
- Poverty, patriarchy and lack of access to education, coupled with harmful cultural practices like baad (marriage used to settle feuds or repay debt) are the drivers of early child marriage.¹⁴
- **While marriage of girls** before the age of sixteen, was prohibited under Afghan law, early marriage was and remains common across all regions and among all ethnic groups. The Government adopted a National Action

⁸ United Nations Development Programme, Human Development Report 2016

⁹ Human Development Report – Gender Inequality Index (GII) ,2019

¹⁰ United Nations Development Programme, Gender Development Index (GDI), 2019

¹¹ Women, Peace and Security Index, Georgetown University, 2021/22

¹² WOMEN'S ACCESS TO JUSTICE IN AFGHANISTAN, USIP, 2014

¹³ Ministry of Public Health, Islamic Republic of Afghanistan, "Afghanistan Maternal Mortality Survey 2010."

¹⁴ Fazal Muzhary, The Bride Price: The Afghan Tradition of Paying for Wives, (2016)

Plan to Eliminate Early and Child Marriage in 2017, but seventy to eighty percent of marriages still take place before the age of sixteen,¹⁵ and up to eighty percent of Afghan women report early or forced marriage.¹⁶

- **Cultural practices and strict gender** norms and rules have also hindered Afghan women's ability to participate in the **labor force**.¹⁷ Where women's contribution to the economy have been either completely non-monetized, hugely underpaid or undervalued.¹⁸
- Sometimes **economic empowerment** programs there was a link to further violence against women. There is evidence of new economic activity on the part of women becoming a trigger for domestic violence in many countries. Bangladesh, credit programs significantly raise women's bargaining power with their spouse, and that such situation has a negative impact. As women's mobility, economic independence and autonomy contradict with social forces, this contributes to conflict with traditional gender roles at home and triggers an escalation of marital violence.
- Despite the international declarations and commitments and the relatively strong numbers, **women's political participation** continued to be limited in many regions. The potential for women to build political power and contribute to the political transition, while clear on paper, was often minimized and constrained by cultural and economic factors. Many women reported sexual harassment, or lack of perceived legitimacy.
- **Many women were turned away from polling stations** because of the lack of female poll workers and a shortage of female police officers or security guards.¹⁹ Afghanistan's electoral authorities' decision to photograph all voters using facial recognition software, as an anti-fraud measure, restricted women especially in conservative areas, where most women and older girls cover their faces outside the home.
- **Violence** against women was and is a grave impediment to achieving the SDGs and women's empowerment globally. Not just Afghanistan. Although Afghanistan's legal framework did offers women and girls many protections, high levels of violence against women remain. Eighty-five

¹⁵ Submission to the UN Committee on the Elimination of Discrimination against Women, 75th session, 2020

¹⁶ The World's Worst Places to Be a Woman, AMNESTY INT'L, 2019

¹⁷ Islamic Republic of Afghanistan, Ministry of Economy, "ANDS Annual Progressive Report 1389" (2011)

¹⁸ The Asia Foundation Annual Survey, 2020

¹⁹ Afghanistan Independent Human Rights Commission and United Nations Assistance Mission, 2009

percent of Afghan women have allegedly experienced at least one form of domestic violence (physical, sexual, or psychological),²⁰ and an estimated seventy-four percent of children aged between 2 and 14-years experience violence.²¹

- And, the high number of cases of self-immolation of girls and women in the southern and south-eastern regions of Afghanistan were most often not investigated by police,
- Many Afghan adults, including women, believed that wife beating was justified under some conditions.²²
- Afghanistan cultural norms allowed for the perpetuation of violence against women as a “private family matter” and often cases, especially in rural areas, were addressed through traditional councils, (Jirga). The informal courts, generally based on patriarchal tribal and customary laws and practices, handled an estimated 80 percent of cases. Interpretation and implementation of EAW by local authorities was flexible at best.
- Also Because of the stigma surrounding domestic abuse, even where domestic abuse was initially reported, women faced continuous and significant pressure to drop their cases. In some provinces, 75 percent of domestic abuse cases were abandoned, unresolved, or withdrawn by the victim.²³
- **SSR:** Despite the international investment and Afghan Government initiatives, by January 2020, women service members made up just 3.25 percent of uniformed positions in the Afghan National Police, and less than 1 percent of uniformed Afghan National Army positions well below the initial 10 percent goal.²⁴

Today:

The ‘take-over’ by the Taliban in August 2021, has derailed the efforts to implement all forms of progress, especially within the realm of women’s rights. Healthcare has largely been dependent on international investment but this

²⁰ Women and Men in Afghanistan: BASELINE STATISTICS ON GENDER

²¹ UNICEF, Preserving hope in Afghanistan, 201

²² Multiple Indicator Cluster Survey (MICS), United Nations Children’s Fund (UNICEF) 2016

²³ Women access to justice in Afghanistan, USIP.ORG

²⁴ SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION Report, 2020

has generally been limited to urban centers, with rural and remote areas, removed from basic health care services.

there has been a general curtailment of Afghan women and girls' fundamental rights and freedoms. These range from limiting their right to work to the absence of women from major decision-making fora and the restrictions on women's freedom of movement. It should be noted that these policies are applied disparately around the country, with some provinces becoming significantly less restrictive than others.

However, Afghanistan continues to bear a legal obligation under international human rights law to guarantee the human rights of women. Specifically, as a State party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) since 2003, Afghanistan is required to eliminate discrimination against women. The Taliban is obliged to respect and protect human rights, as the duty to respect, protect and fulfil human rights obligations applies regardless of states' political, economic and cultural systems.

Recommendations

Despite the return of the Taliban there is still scope and possibility to continue work towards advancing the SDG's in Afghanistan. Project implemented or funding must include men and women, and consider the sensitivities of the current cultural and political context. Recognizing next steps for Afghanistan with regards to women's rights must come from the grassroots.

Afghan women call for a reintroduction of a safe and secure environment for their full and equal participation in the country's public and political life and a role in shaping its future. The protection of women's and girls' human rights must be central to all laws, policies, political processes and institutional practice.

Afghan women call for the provision of humanitarian aid 'without conditions' to alleviate the disproportionate harm to women and girls. However, all humanitarian aid must be based on women designed relief and delivery. In any program or project/funding assistance women must be central members of community development councils in Afghanistan—particularly those in rural areas—consulted on the design and implementation of humanitarian programs. Women council members must be included in the conceptualization, implementation, and monitoring of program activities.

This has often been the problem with international conceived aid/approaches. And the assumption of victimhood of Afghan women. Women have been engaged both with and against the Taliban for many years. Starting with Malalai of Maiwand in 1800s to the recent demonstrations by courageous women CSOs in Kabul against the Taliban.

But also to be reminded that some women, as men, in rural areas have supported the Taliban. For some the Taliban brought law and order especially after the reported rapes and violence by the Northern Alliance in the early 90s. And that the violence against women did not start with the Taliban, women in Afghanistan have suffered for many years, 1989 Fatwa onwards.

Nahid-i Shahid, often known as Nahid the Martyr; and Meena Kamal, the founder of the Revolutionary Association of the Women of Afghanistan,

The Taliban, for example, in 1996, was forced to reinstate Suhaila Siddiqi, a female heart surgeon, so she could operate on members of the group.

Women employed these networks to build economic opportunities, navigate ethnic conflict and create a safe space for each other. Their networks were integral for teaching each other skills to generate incomes (i.e. carpet weaving workshops, language and computer classes), creating necessities and markets among women (i.e. exchanging clothes they make for other products), and shielding each other from forms of violence that they faced during the war. Afghan women understood the restrictions on their mobility internally and in diaspora, and organized accordingly.

one way their secret networks have thrived internally were through participating in UN-backed food aid distribution, which the Taliban approved of (and were usually led by pro-Taliban women), in order to circulate knowledge and create secret schools for children.

Afghan women, just like women of any nationality, cannot be generalized into a singular category.

taliban “are afraid of two major things, art and the women

So what can be done.

- As some civil society are now saying – how do we look forward?
Identifying the good practices that have worked in a cultural context.

- Continue funding to health and midwifery programmes. Identify the rural regions that are in need of women's and infant/children's health care support and provide tailored assistance, funding and training. Beyond being able to provide life-saving assistance, midwives serve as role models within their communities and have reported an increased sense of empowerment and agency that comes from their work. The impact of midwifery training also had "multiple indirect, second-order effects." provided indirect empowerment.
- Is there a way to Subsidize and support women-owned and led tailors/bakeries/ food manufacturers. (Previously the UN Habitat Community Fora, set up women's community fora (WCFs) to provide opportunities for income generation and to support women's community leadership roles. The WCFs operated in difficult conditions under the Taliban but the programs were successful)
- The community-level women's agricultural producer groups and associations were highly successful. Developing programs for women and men, that are agreed and coordinated with the local authorities, religious leaders and create income generating results at local level.
- Women's access to mobile phone and technology was exponentially improving among women and girls. Continuation and expansion of women only Community Centres, where technology access and mobile phones can be available would benefit the community and provide essential 'safe women only spaces. women only driving schools (for medical and other emergency uses). (Organizations such as the Union of Afghan Women, the Women's Vocational and Training Centre and the Women's Association of Afghanistan, mobilized professional women who offered their services as doctors or teachers, offering literacy classes and skills training to numerous girls and boys in homes during the previous Taliban regime).
- Community-based education has proven effective as a reliable, culturally accepted model for delivering primary education in areas where the formal education system does not operate. Using similar models of education from neighboring nations provide financial assistance for specific programs for girl's education. In addition, building more girls' secondary schools, converting redundant buildings into girls schools,

- Engaging male religious leaders as advocates for women rights can help mitigate the decline of women's rights.
- Assessment of how Islamic legal literacy, scholarship, and dialogue might help protect women's rights and Identify entry points for Sharia law and women's rights to converge. Bring together women experts of sharia law and to encourage like-minded Islamic nations to encourage education for girls and other reforms. In Malaysia, for example, groups like Sisters in Islam and Musawah have been publicly putting forward feminist interpretations of Quranic verses to teach women about gender equality and inheritance rights.
- ICRC printed chronicles linking Arabic Islamic provisions with Geneva convention - match rights to Arabic wisdom during the earlier Taliban regime.

There is possibly a foundation to build on – there have been practices that have allowed change to take place and there are many who remain, even at risk, willing to alter the course and continue to push for peace and equality. It is here we can start.

Bring women together