

AFGHANISTAN CASE STUDY: MEANINGFUL  
PARTICIPATION AND EMPOWERMENT FOR  
WOMEN IN POST –CONFLICT GOVERNANCE  
AND PEACE BUILDING: LESSONS LEARNED,

Afghanistan  
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## 1. EXECUTIVE SUMMARY:

This study is part of a global effort commissioned to review the implementation of UN Security Resolution 1325 focused on CARE analysis and recommendations on indicators to measure impact in promotion of 'meaningful participation' of women in post-conflict peace building and governance processes.

Afghanistan is still not a post-conflict country, the ongoing violence and insurgency has affected women's lives to a large extent. While Resolution 1325 deals with women's participation in governance and peace building processes, this instrument has an important role in pursuing women's participation in the governance reconstruction and peace processes in Afghanistan since 2001. The women rights activists and organizations efforts coupled with the pressure and support from the international community has ensured women's participation and rights guaranteed in the national Constitution, the Afghanistan National Development Strategy and a number of national initiatives like the National Action Plan for the Women of Afghanistan, the Elimination of Violence Against Women law, the Constitutional quota of 25 % women seats in the National Assembly posts have created the foundation of women empowerment in the country. However, there is still a long way to go for the women of this country to attain those rights towards 'meaningful participation' committed by the Afghan government at the national and international platforms.

While this study has been an attempt to evaluate the 'meaningful participation' of Afghan women within the peace processes and post-conflict (conflict in Afghanistan's case), an important finding of the study is that since the women of Afghanistan are constantly threatened by violent conflict, this threat impedes their participation overall and particularly in areas of peace building and governance structures. However, progress has been made towards women inclusion at the national level processes and such a progress can impact the lives of women if women at the village and local levels are connected with the national level processes. Therefore, long term community focused initiatives should be the priority of each development project in Afghanistan.

Afghanistan does not have a National Action Plan for the implementation of the Resolution 1325 in Afghanistan, therefore various women groups and donors have been implementing different activities and projects that focused on enhancing women's role in national and local decision making processes. Those efforts have been scattered and ad hoc, and call for a consistent and cohesive National Action Plan by the government with clear and measurable indicators of successful implementation. The importance of having a National Action Plan for the implementation of the Resolution 1325 was emphasized by all respondents interviewed for this research study, and they argue that without a plan they are not able to measure women participation either at local or national levels.

The Resolution 1325 is one of the direct pieces of international law that calls on the member states and the United Nations Missions to protect women and girls from the negative impacts and consequences of armed conflicts. Women in Afghanistan have been prey of the civil war, an oppressive regime of the Taliban and an ongoing

insurgency that targets women who raise their voices and want to be heard. In such circumstances, the factor of protection becomes vital before any other mechanisms to ensure women's political participation. The international community and the Afghan government should strive to create protection mechanisms for women at risk so that women in local levels who are vulnerable to insurgent attacks can feel secure and become part of the peace and governance processes.

It is evident that efforts and interventions in the past 9 years in Afghanistan have focused on various elements of the Resolution 1325 but not specifically under the name of this resolution. Efforts to empower women at the decision-making levels have focused on the urban women more while the larger population is resident in the local villages. This has created an obvious divide between the rural and urban women and women in the villages are not heard or consulted properly during the national events and governance processes. Similarly, women at the villages are considered mere beneficiary of a project rather than a change agent for women's rights. The fact that women movement has evolved around elite city women, has created tensions and backlashes with women in provinces and districts.

During the research study it came up that women have to be empowered locally before they are able to influence national level processes and that is only through education and community mobilization means and interventions. Afghanistan is strictly a traditional and religious society and strict religious interpretations have constrained women's social status that impedes any 'meaningful participation' concept for the women particularly within the rural villages. However, the efforts and achievements of women in the past 9 years indicate that if women's movements are mobilized within local and then connected with the national level and vice versa, the condition of Afghan women will improve drastically. The agency and strength exhibited by women activists and organizations during the recent Afghanistan London Conference, Consultation and lobbyings for women participation in the Peace Jirga, women's direct involvement in the Consultative Peace Jirga, the Kabul Conference and its consequent events are impressive and can provide a hopeful prospect for the women inclusion in peace processes and governance leadership.

However, as the country moves towards peace talks under its Afghanistan Peace and Re-integration Plan, the prospect for women's rights becomes excluded and ignored from the consultation, design and oversight of community initiatives for peace and re-integration mechanisms. The women activists and women organizations expect the international community, the United Nations and other donors of Afghanistan to ensure that women's rights are not negotiated in any political plans for peace and that women's voices and concerns are integrated in community level initiatives as well as national policies. At the time of the research of this study, the Afghan Women's Network was busy lobbying with the Peace and Re-integration Commission to ensure that women CSOs and women activists are included into the Leadership Committee of the High Peace Council that is going to be established as per the decisions of the Peace Jirga. Understanding the disconnect between local and national processes, the women activists are advocating for greater inclusion of provincial women leaders and activists in the High Peace Council. However, there is an evident lack of content-analysis within the overall process of women inclusion in the peace processes, that numbers are important but does not guarantee women's inclusion into decision making levels. Women organizations and activists need to

build their advocacy messaging and lobbying skills so that they are able to influence content as well as inclusion in numbers. There have been similar processes in post-conflict countries with crucial inputs from women organizations and activists and international aid should be utilized to create the required advocacy and lobbying among women groups and women activists who are actively part of the Afghanistan Peace and Re-integration Program.

## **2. INTRODUCTION:**

### **2.1 PURPOSE OF THE RESEARCH:**

CARE UK and CARE Afghanistan commissioned this study for the Consultant to research and draft a country case study on the implementation of UN Resolution 1325, focused on CARE analysis and recommendations on indicators to measure impact in promotion of 'meaningful participation' of women in post-conflict peace building and governance processes. The country case study draws on the experiences of CARE and its partners on lessons learned from women empowerment initiatives at the national and local levels.

This report is a narrative description and analysis gathered during a consultancy study conducted in Kabul, Parwan and Kapisa but covers wide range of policy and interventions taken place in Afghanistan since Bonn agreement in 2001.<sup>1</sup> The study was commissioned by CARE UK and CARE Afghanistan and is an important step towards the realization of women's 'meaningful participation' in Afghanistan's governance and peace-building processes.

This report attempts to review, analyze and recommend policy and program level interventions in order to operationalize the implementation of UN Resolution 1325 in Afghanistan.

### **2.2 METHODOLOGY:**

The Consultant has been working on Afghan women's rights for the past 13 years in conflict and post-conflict settings from community development to national and interventions level advocacy for the inclusion of women within the peace processes and governance structures. Therefore, while most of the issues that are dealt in this research are primarily as part of the experiences and struggles of the Consultant, there has been an extensive round of discussions and explorations of other initiatives by the government, civil society and women rights groups and activists that inform this report.

The process of research for this case-study has been entirely participatory and inclusive and provided the opportunity for respondents to reflect and question their assumptions and knowledge on the issues faced by the women of Afghanistan. The

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<sup>1</sup> Bonn Agreement created a roadmap for the new Afghanistan after the 2001 bombing. Agreed in December 2001, the Bonn agreement has detailed a comprehensive action plan for Afghanistan towards stability and progress. Bonn Agreement 2001 is the start of the interim government in Afghanistan after the formal fall of the Taliban by US and UK bombings in late 2001.  
<http://www.afhangovernment.com/AfghanAgreementBonn.htm>

research study was planned in collaboration with CARE Afghanistan's Advocacy Manager and relevant program team members.

The Consultant reviewed the available literature on a wide range of issues related to the progress and challenges of Afghan women from secondary sources. However, most of the case study is informed through comprehensive interviews and discussions with informants from individual activists to civil society organizations to members of the parliament and other national initiatives like Provincial Councils. The Consultant travelled to 2 districts of Parwan province, 1 district of Kapisa province and 3 districts of Kabul province to conduct interviews and visit the local interventions for women empowerment. The Consultant also interviewed women activists and organizations working in conflict regions namely Gardez and Paktya.

The interviews were carried out as semi-structured individual interviews and focus-group discussions with groups of up to 5 women. The focus group discussions remained open-ended to gauge the diversity of opinion among more than one informant. The Consultant had prepared a checklist of questions based on the CARE's Global Report Guidelines but contextualized as per the level, capability, and scope of the work of each group of informants. This research study is a qualitative account of the information and analysis from interviews and observations of the Consultant throughout the research study.

### **2.3 COMPONENTS OF THE RESEARCH STUDY IN AFGHANISTAN:**

- Review of the past 10 years of progress on the specific implementation of Resolution 1325 in Afghanistan at local and national levels.
- Highlight the processes that entailed women's participation from a 'meaningful' perspective within a wide range of governance and political events in Afghanistan since Bonn Agreement and create linkages of those processes with Resolution 1325 that can inform future interventions.
- In light of the current progress, create policy recommendations for the UN, donors and members of the international community as well as the Afghanistan government towards a more comprehensive and specific implementation of the Resolution 1325 and assign measurable indicators on the impact and implementation of those recommendations.

### **2.4 INFORMANTS:**

- Individual women's rights activists (women's human rights defenders)
- Civil Society Organizations including women organizations and political groups
- Members of the current parliament and candidates for the upcoming parliament
- Ministry of Women's Affairs, Departments of Women's Affairs
- Civil Service Commission
- Donors/International organizations

### 3. COUNTRY ANALYSIS:

#### 3.1 AFGHANISTAN CONTEXT: POST BONN SUCCESSES AND CHALLENGES

Security Council's Resolution 1325 on Women, Peace and Security came at a time when the women of Afghanistan were entirely banned from social and political engagement during the Taliban regime that lasted from 1994 to 2001 and the impacts of the oppression are still largely visible in Afghan society. However, the Afghan women were subject to violence and discrimination throughout its history mainly during the Soviet Invasion from 1979 to 1989 and during the violent civil war of 1991 to 1994.

On 01 December 2009, opening the 25-day Elimination of Violence against Women Campaign in Afghanistan, Norah Niland, the UNAMA's Human Rights Chief cautioned about the deteriorating situation for the women of Afghanistan. She said 'The space for women in public life is shrinking' during the inauguration of the campaign. <sup>2</sup>According to a nationwide

research in 2008, Global Rights Afghanistan concluded that 87.2 Percent of Afghan women and girls are faced with at least one form of sexual, physical, economical, psychological abuse in Afghanistan. Today in Afghanistan, every 29 minute one woman dies from pregnancy related complications, 80 % of which can be treated with basic health services. Reported cases of violence against women have increased 100 % between 2008 and 2009 ranging from domestic abuse to honor killing to rape to self- immolation and exchange of women to solve communal disputes. Up to 80 % of marriages are forced marriages on girls and 57 Percent of girls are forced into marriages without their consent. Afghanistan's Supreme Court does not have a women member in its Executive Council, with only 4 Percent of women as judges in different courts around the country. Women's access to education is dire; one girl per two boys in primary, one girl up to four boys in secondary and eventually only 1 percent of girls make it to the higher education. <sup>3</sup>

However, another perspective will indicate that the past 8 years have been the 'golden years' for Afghan women, as described by a prominent Member of the Parliament, Shukria Barakzai. As she says, Afghanistan has the region's progressive women's quota (reserved seats) in both houses of the parliament, approximately 27 Percent, for the first time in the history<sup>4</sup>; the country has a Ministry of Women's Affairs as part of the Bonn agreement that marked the new era for the women of the

Years of civil unrest and tribal conflict in Afghanistan have exacerbated rigid gender roles for women and girls especially at the tribes and village levels. Women and girls have been abused and suppressed for the purposes of keeping the integrity and honor of the tribes. Issues that impact women's lives like physical abuse, violence at homes, giving girls away in Baa'd and exchange are perceived 'private' and if women discuss them then the integrity and honor of the community becomes tainted. In urban settings, women who break these traditional myths about them, are labeled as 'spies for the foreign agenda's' and blamed for 'loose character'.

<sup>2</sup> UNIFEM 01 December 2009, Media Centre , Global Rights 2008

<sup>3</sup> UNIFEM Fact Sheet 2008 and Ministry of Higher Education Tv report 2008

<sup>4</sup> <http://www.youtube.com/watch?v=tl2B4dHk98o> : Shukria Barakzai's interview with FROST

country. 6 million children going to school, out of which 35 Percent are girls<sup>5</sup>. There is a flourishing women's movement advocating for women's political and social inclusion, the recent approval of the Elimination of Violence against Women Law<sup>6</sup> as a recent example of struggles against violence on women and girls.

The Resolution 1325 is of huge importance for Afghanistan since the fall of the Taliban regime in late 2001. When the foundation of a new Afghanistan was laid out through some level of women participation as part of the Bonn Agreement, the Afghan Women's Summit for Democracy in December 2001 with participation of around 40 women played an important role advocating women's inclusion within peace and governance processes.<sup>7</sup> Since then Afghanistan has experienced national political and governance processes such as Emergency Loya Jirga, Constitutional Loya Jirga, Presidential Elections, Parliamentary Elections, Provincial Council Elections, Regional Peace Jirga, Consultative Peace Jirga, Kabul-Conference and many international conferences in the past 10 years.

Women representation at key political processes is of significant importance for women rights in Afghanistan. In the Emergency Loya Jirga in 2002, 12 % of all delegates were women while the Constitutional Loya Jirga had around 20 % of women as its direct delegates who were instrumental in the adoption of article 22 of the Afghan Constitution. Article 22 is the foundation for gender-equality in the Afghan Constitution that guarantees women's and men's equal rights before the law. The Constitution article 83 allocated 25 % of the Lower House and 17 % of seats in the Upper House of the Parliament (appointed by the President) for women candidates.<sup>8</sup>

Ministry of Women's Affairs (MOWA) was established in the first Interim government in 2002 and since then has almost 32 Departments of Women's Affairs (DOWA) in 34 of the provinces throughout the country. The overall objectives of MOWA are gender-mainstreaming within the governance structures and empower the women of Afghanistan. In 2008, MOWA developed a National Action Plan for the Women of Afghanistan (NAPWA) that is an important tool to ensure gender integration within the development landscape of the country. NAPWA is a national commitment to implement the Constitutional guarantees of non-discrimination and equality for women rights in Afghanistan. NAPWA does not deal with 1325 in any greater levels, it addresses the implementation of Resolution 1325 as part of the overall international obligations of the Afghan government and treats it just like another piece of international law regarding women rights.

The Afghan Constitution in 2004<sup>9</sup> brings the rhetoric of gender equality from Bonn agreement into national legislation and is an important instrument of women's equal rights. The Constitution requires the Afghan government to be responsible and adhere to the United Nations declarations and conventions on human rights and protect the rights of its citizens as clarified in the national and international laws. The

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<sup>5</sup> UNICEF Afghanistan : [http://www.unicef.org/infobycountry/afghanistan\\_background.html](http://www.unicef.org/infobycountry/afghanistan_background.html)

<sup>6</sup> <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-7YATYC?OpenDocument>

<sup>7</sup> Fact Sheet: WEDO Women's Environment and Development Organization for Women Engaging Globally, March 2005

<sup>8</sup> Women Peace and Security in Afghanistan: Implementation of United Nations Security Council Resolution 1325 Five Years On: Post- Bonn Gains and Gaps, Medica Mondiale January 2007

<sup>9</sup> Constitution of the Islamic Republic of Afghanistan [http://www.oefre.unibe.ch/law/icl/af00000\\_.html](http://www.oefre.unibe.ch/law/icl/af00000_.html)

Afghan government signed CEDAW in 2005 and adopted gender mainstreaming as a strategy for advancing women's status under the Berlin Plan of action in the same year. Moreover, the Afghan Compact and the Afghanistan National Development Strategy embodied the gender analysis of Afghanistan problems and set out policies, outcomes and benchmarks for the progress of Afghan women.

As the Resolution 1325 is in its 10<sup>th</sup> year of adoption, the new Afghanistan's political project towards peace and governance too is in its 10<sup>th</sup> year of operation. Resolution 1325 is an effective tool to review and explore the extent of women involvement and influence within the governance and political spectrum of the country and can assist to identify the remaining challenges and opportunities that can lead towards a more enabled environment for the women of Afghanistan. While Afghanistan has seen a rising level of women's political participation in the past 10 year in national and provincial settings, the specific implementation of the Resolution 1325 is still challenging and unclear.

While Afghanistan has not created any official guidelines or National Action Plan for the implementation of Resolution 1325, the elements of the resolution are incorporated within the various policy level commitments and key documents of Afghan government. For example, the Tokyo Conference (2002) and the Berlin Declaration (2004) organized by international donors created a foundation for improving security and governance for Afghan women – improved rule of law in the Rome Declaration of 2006 and promoting women's political participation as part of the Afghanistan Compact 2006<sup>10</sup> transformed into Afghanistan National Development Strategy (ANDS)<sup>11</sup> in 2007-2008. Similarly, the Kabul Conference followed by the London Conference 2010 affirmed government and international community's commitments and responsibilities towards improving the lives of women and ensuring that they have a voice and seat within the ongoing peace processes in Afghanistan.

Resolution 1325 is an action instrument for the Afghan government, national and international organizations and women's activists to put the conditions of women at the center of attention and review the impacts of the ongoing war and violence on women and girls.

Although, there are political and policy level determinations and commitments for the inclusion of women in governance and peace processes, the traditional practices that harm and subject women and girls are the biggest impediments of such determinations in most of the rural areas of Afghanistan. At the village level, one of the only means of social progress for women and girls is access to basic education. Since the majority are illiterate, and follow strict versions of Sharia promulgated by the religious scholars, in the areas where government does not have any strong presence, women's access to basic rights like health and education is a big challenge. Access to education for girls and women are the basic and most important indicators of progress for women in Afghanistan and pre-conditions of any

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<sup>10</sup> Afghanistan Compact (January 2006)

[http://www.andcs.gov.af/admin/ands/ands\\_docs/upload/UploadFolder/The%20Afghanistan%20Compact%20-%20Final%20English.pdf](http://www.andcs.gov.af/admin/ands/ands_docs/upload/UploadFolder/The%20Afghanistan%20Compact%20-%20Final%20English.pdf)

<sup>11</sup> Afghanistan National Development Strategy (ANDS)

<http://www.andcs.gov.af/ands/l-ANDS/ands-documents.asp?page=883736&numbpar=csc&lang=eng&cont=right&class=dari>

strong political or governance participation. Before 2001, there were less than 1 million kids going to school and very small number of them was girls, other means of education were banned by the Taliban regime for women. Currently under 6 million children are going to school and more than 30 % of them are girls. Ministry of Education has developed a National Education Strategy Plan that aims to increase and preserve girls education ratio so that girls can continue their education beyond grades 4-5 as well. According to Ministry of Education, in areas of relative security, the ratio of girls vs. boys enrollment and retaining are close to 50 percent.<sup>12</sup>

#### **Afghanistan Facts:**

- Out of 23.9 Million people, 48.8 % are females.
- Afghanistan ranked 174<sup>th</sup> out of 178<sup>th</sup> countries in Human Development Index
- The 2005 Gender Development Index for Afghanistan is the lowest in South Asia at 0.310
- The average woman had 6.3 children in 2003
- The average life expectancy for women in Afghanistan decreased to 43.3 in 2006 from 44 in 2002
- One woman dies every 29 minute in child birth-second highest in the world
- Only 12 % of female of 15 years and older can read and write in comparison to 39 % males.
- Overall literacy rate for women between ages of 15-24 stands at 24 % compared to 53 % for men
- 32 % of school going girls make it to high school
- In 2008, 17 % of females were enrolled in colleges and universities
- In 2008, 28 . 5 % of school teachers were women
- Between 60-80 % of women face forced marriages
- Only Kabul has more than 50,000 war widows around ages of 35 and 94 % of them cant read and write and 90 % of them have children
- Women represent 27 % in National Assembly: 68 out of 249 seats in the Wolesi Jirga and 23 out of 102 Seats in the Upper House/Mishrano Jirga.
- Out of 420 seats at the Provincial Council ; 124 are allocated to women.
- Out of 17 Afghanistan ambassadors to other countries, in 2007, only 2 of them were women.
- In 2008, 18.4 % of all government employees are female, decreased from 25.9 % in 2005.
- In 1547 judges, only 73 ( among 5 % ) are female.
- As of July 2007, women made less than 0.5 % of 75,000 police force

Source: UNIFEM Fact Sheet 2010

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<sup>12</sup> NPS (2009), Naval Postgraduate School, Program for Culture and Conflict Studies, Afghanistan, *Provincial Overviews* [[http://www.nps.edu/programs/ccs/ExecSumm.html#\\_ftn1](http://www.nps.edu/programs/ccs/ExecSumm.html#_ftn1)]

## 4. CONCLUDING ANALYSIS: KEY FINDINGS OF THE RESEARCH STUDY IN AFGHANISTAN

### 4.1 PHYSICAL SECURITY AND PROTECTION FROM THREATS

*“Afghan women have the most to gain from peace and the most to lose from any form of reconciliation compromising women’s human rights. There cannot be national security without women’s security, there can be no peace when women’s lives are fraught with violence, when we cannot step on the streets for fear of acid attacks.”*

—Mary Akrami, Director, Afghan Women Skills Development Centre, January 2010

Physical security in Afghanistan determines the rights and conditions of women. As the conflict exacerbates, the plight of women gets murkier since they become the direct targets for insurgency intimidation, threat and violence.<sup>13</sup> Women in insecure and conflict hit zones complain that as the security worsens in their communities, their mobility gets restricted and they can't even move out of homes. This lack of mobility then impacts their access to education, health services and women eventually lose opportunities to voice out their concerns to relevant bodies. This obstacle to mobility then closes the doors of political participation for women at the community levels. While speaking with women groups and women activists, each and every of them remembered the impact of the public assassinations of political and social activists like Safia Amajan, the head of Kandahar DOWA in 2006, the assassination of Malalai Kakar, the most senior police officer in Kandahar in 2008, the killing of Journalist Zakia Zaki and Sanga Amaj in 2007, the assassination of Kandahar Provincial Council member Sitara Achakzai in 2008, the acid attacks on school girls in Kandahar, the school poisoning incidents in Kabul, Samangan and Sare Pul in 2010, and the recent killing of Hossai, an aid worker in Kadahar on the moral and spirit of women’s rights in Afghanistan.

In its 2010 Position Paper, Medica Mondiale expresses growing concerns over the ongoing burnings of women that is called as self-immolation cases. The fear is that women and girls are killed at homes by their husbands and families and they show as the girls and women are burning themselves. According to the Institute of War and Peace Reporting, the number of suicides committed by women has grown 50 % within 2009 among women in Hirat province.<sup>14</sup>

Women groups and activists fear that the traditional practices that are being strengthened as part of the National Peace and Re-integration Plan is harming women’s rights as these structures are inherently against women’s human rights. While communities and particularly women are targeted by the Taliban insurgents within the local jirgas and women are killed, stoned and tortured at the village level, these atrocities have not been addressed by the central government. Foreexample, during the month of August, the local media reported about at least two cases of lashing and stoning of women to death, but the government has not taken any steps to identify the perpetrators who are the local elders and warlords and continue their control on women’s lives.

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<sup>13</sup> Human Rights Watch Latest Report: The 10 dollar Talib

<sup>14</sup> Media Mondiale Afghanistan Position Paper 2010

Following is a living example of how Afghan women are living under threat and fear when they attempt to assert their social participation, she was interviewed for this study and for security purposes her real name has been changed:

**Dana Gul** is currently living in one of the South-Eastern and most volatile districts of Afghanistan which is only 3 hours away from the center of Kabul. She is not allowed to travel anywhere outside home anymore, however, four years ago she was an active Social Mobilizer in her community.

Dana Gul used to work for a local woman organization that is based in Kabul but works at the rural community levels. As a Social Mobilizer, she was going around her district and created venues of interaction among various women. As she moved around villages, she found out that a group of elder women have been formed as 'Nanawati' to go to another village and seek apology of a victim family and put an end to animosity between two families and villages that had taken more than 30 lives.<sup>15</sup>

Dana Gul thought she could use this traditionally created platform as an opportunity to interact with local women and mobilize them around issues related to women's rights in larger community. Therefore, she started going to this village and spoke with these women constantly, with the help of this group of local women, Dana Gul was able to start an Islamic Sharia awareness session on women's rights that was convened by her organization. After almost a year, this group of women continued meeting and interacting. Their mobilization led to some changes at their household levels. For example, women who were trained in this group on Islamic rights, they started questioning the early marriages of their daughters at homes and confronted men at their households on exchange of girls, which is another Pashtun practice. This situation was new to local men and they started searching for the causes of the change in the behavior of their women, and found out that the efforts of Dana Gul were effective. A number of men from this village stormed to Dana Gul's in laws home and embarrassed them that their daughter in law was seen in stranger homes and was spreading anti-Islamic ideas. Since then Dana Gul resigned from her job and is living with her husband and two children under the protection of her in laws but in constant isolation and under continued threat.

*" I think there is a lot of room that one can bring changes in the way people live and treat women in villages, I experienced that change. However, maybe I needed to include some elder supportive men in my work and they could have stood by me when the men of that village stormed into my in laws home. During this one year of close interaction with a traditional code, I saw that women were able to use this mechanism as a tool for improving their rights and that is what needs to be understood about traditional practices. You cant just finish Nanawati or Baad by condemning it, but you can get into its processes and change it for the better, its very difficult and dangerous as well, but is possible if local women realize that they should use these structures for their own benefit as well. Local CSOs can play an important role in facilitating this process, but they should be very careful and cautious not to hurry towards results. Change is possible and I saw it myself." Dana Gul*

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<sup>15</sup> Nanawati is a Pashtunwali Code of conduct in which a group of elder women from either third party or the perpetrator village go to the home of the victim/disputing family and in the moment they reach to that house, their chadors (veil) is considered an honor bestowed on the family and the animosity between two villages, families or tribes come to end.

## **4.2 OVERVIEW OF UN RESOLUTION 1325 IN AFGHANISTAN AND “MEANINGFUL PARTICIPATION” FOR AFGHAN WOMEN**

*“ In the first parliamentary elections, we could only see women candidates pictures in the big cities and in Kabul but in the current round of parliament, in almost every province, there are pictures of women candidates running for office. This shows that despite of threats and intimidation, women leaders realize that without their brave participation, they can not change the conditions of women at any level. If we don't have women in leadership, we can not help the women at the far remote villages of Afghanistan and I think women have understood this by now.”* Sabrina Saqib, the youngest member of the current parliament elected in 2005

### **WOMEN'S PARTICIPATION AT NATIONAL LEVEL PROCESSES:**

This research study aimed at reviewing the policy level commitments towards empowering the women of Afghanistan and explored whether those policy-level commitments are translated into actions that can transform the lives of Afghan women. Therefore, during the research study, the Consultant reviewed some key official documents as well as observed the local evidence of those policy commitments. This research might not be able to measure the 'meaningful participation for the women of Afghanistan, as the struggles towards women participation at the local and national levels are new and troubled by the socio-political implications of war, violence, bad governance, corruption, harmful cultural practices, rigid religious interpretations and etc. However, this study is surely an exploration of venues and platforms where women participation can be measured beyond numbers and filling seats at national, regional and international events.

As a member of the United Nations, Afghanistan is a party to the United Nations Security Council Resolution 1325. The government has not created any specific National Action Plan for the implementation of Resolution 1325 in Afghanistan but has attempted to integrate its elements in the ANDS and other key documents. NAPWA developed by the MOWA is an important step towards incorporation of the elements of Resolution 1325 within the national policies and interventions in Afghanistan.

During this research study, the respondents from women organizations and women activists expressed their ongoing struggles to lobby and advocate for the creation of a National Action Plan for the implementation of Resolution 1325. Many believe that by having an Action Plan developed by the Afghan government, they will be able to advocate for stronger role and participation of Afghan women within the ongoing peace processes that many activists are questioning its women inclusion elements. Women activists and organizations interviewed for this research study are concerned that if women are excluded from the Peace and Re-integration Program, perpetrators of violence against women like school attacks by the insurgents, killings of women activists and political leaders will go unheard and unaccounted, since the Re-integration plan intends to set the insurgents prisoners free and their crimes will not be investigated nor prosecuted further.

However, some officials at MOWA do not believe that another National Action Plan would be beneficial for the women of Afghanistan. They argue that since the country

has already a NAPWA which is a national action plan for the progress and empowerment of women, another parallel action plan would only create more paper work rather than actual practical impact for the women of Afghanistan. According to MOWA, the participation of women within the past events of the peace process namely Regional Peace Jirga and the Consultative Peace Jirga was possible without a 1325 National Action Plan and they mobilized women groups around the provisions of the Constitution and the NAPWA.

This inconsistency in the advocacy approaches of most of the women organizations and activists with the MOWA is a real challenge on the face of women progress in Afghanistan. Many of the women activists interviewed for this research study complained about the lack of coordination and strategic communication within MOWA with the rest of the government ministries and with the non- government institutions particularly the women groups.

*“MOWA is an obstacle rather than a solution. The stance of MOWA on women rights is very weak and pro the discriminatory attitude of the government overall. When we wanted to do demonstrations on the Shia Law, the MOWA leadership was not supportive and stopped its staff to even attend the demonstrations. I was shocked to hear the Ministry of Women’s Affairs say that the Ministry was established because of the Bonn agreement. This means that even the minister of Women’s Affairs doesn’t believe in the socio-political needs of this national entity for women of Afghanistan”.* A women’s rights activist and a member of AWN

Interestingly, the women organizations and the members of the country’s only Women Network, Afghan Women’s Network (AWN) manifested a great level of understanding and application of Resolution 1325 in their work. AWN believes that they were able to use the tools and indicators of the Resolution 1325 within their struggles for the inclusion of women within the Consultative Peace Jirga, and the Kabul Conference. AWN has been training its activists and member organizations on the Resolution 1325 and also convened awareness- raising sessions for government officials and provincial employees on its components before the Consultative Peace Jirga in Kabul early June 2010.

An important initiative commissioned by Gender Concerns International and AWN during summer 2008 brought together around 20 women leaders from 6 regional countries to review the implementation of 1325 in Afghanistan and the region and created a Kabul Declaration that recommended policy and program interventions to the donors and Afghan government. See Kabul Declaration as Annex Box.1

While Afghanistan does not have an official National Action Plan for the implementation of Resolution 1325 to empower women in Peace and Security sectors, this research study found that both the government and the women groups are engaged in national and local initiatives that are empowering women at the local and national levels so that they can be active participants of the peace and governance processes.

Many respondents argued that if there was an official stance of the Afghan government in form of a National Action Plan, their concerns around the ongoing Peace and Re-integration Plan would have been lesser. According to women rights

activists, women groups and organizations, a National Action Plan would provide strategic and national level indicators and review of the women progress in peace processes and governance structures, which are currently ad-hoc and scattered. Moreover, the respondents claim that since they don't have a national plan for the implementation of Resolution 1325, they are not able to measure the progress of women's 'meaningful participation' in various processes. As Selay Ghaffar, the Head of HAWCA, a women and children organization expressed her concerns that since 'we don't have an action plan for the implementation of Resolution 1325, we don't know how far we should strive for women's inclusion. Having a National Action Plan provides a strategic vision for the government and also can assist the women groups and organization to design their activities and measure their progress.'

The research study found out that there are currently numerous processes going on at the national level that are directly linked with the elements of the Resolution 1325 and at the time of the research study, there are mainly two major political processes going on in Afghanistan; Consultative Peace Jirga and its consequent events and structures (as part of the Afghanistan Peace and Re-integration Plan), and the Kabul Conference and its consequent development Clusters.

#### **WOMEN'S PARTICIPATION AT LOCAL LEVEL PROCESSES:**

*" The first time, five years ago a women organization came to us to form a committee so that they can help us learn tailoring and earn an income, we were all scared and thought these women will kidnap our children and might harm us. Because we have never seen anyone from other places coming to us and offering help. But when CARE's education team came to the village, they were not strangers, we knew them because they were from our own village. They started the school and our daughters and sons became literate. We women don't have any responsibility outside home, we cook, bring children , clean the house and live and die in this house behind closed doors. But this school changed this reality for us, we became involved in the education of our children, we became members of school monitoring shura and now monitor which teacher comes on time, who doesn't , and we also condemn the teachers that beat children. We need to teach children with love and peace and they cant learn with stick. As part of the school monitoring shura, we get different trainings and discuss our issues. An improvement in our lives is that if our elder women were married in ages of 12 and 13, we don't want our daughters to marry in this age because she is studying now".* Excerpts from a focus group discussion with women who are members of a school shura in Ashaba village of CARE Parwan's education projects.

While Afghanistan's parliament as a post-conflict governance structure has the region's highest women's seats quota, the progress has not transformed the lives of women at the village level. Many interviewed for this study think that the efforts of the past 10 years for women rights were only in line with the ongoing 'War on Terror' and women were somehow used as symbols of progress against insurgency. This image of women created more communal backlashes and confrontations of the local communities against women rights as means of continued presence of the foreign troops in Afghanistan. However, it also came up in the interviews and focus group discussions that the progress of women in the past 9 or 10 years is 'unprecedented' in Afghanistan, in the words of many women activists and leaders. However, the

biggest dilemma is the disconnect of this national level progress with the local level women. It is also due to lack of communication means between women at the provincial and urban levels with women who are at the village level, therefore the progress at one level does not indicate progress at another, and its only a stand-alone progress.

While speaking to women organizations like AWN, HAWCA, ECW, Medica Mondiale, UNIFEM, they all stressed on creation of communication mechanisms as a starting point to bridge the gap between the women at the center and women at the villages. While each of these organizations have projects running in the provinces, but their efforts seem to focus around province and district centers rather than villages. They can only be effective if they work with local CSOs that are created by the village or district community members and who are not strangers to the local traditions, as expressed by the women and men interviewed during visit to Ashaba village.

Women at the village levels are confined to homes and only deal with issues such as cooking, cleaning, child bearing and their community involvement evolves around weddings, funerals and any other domestic gatherings in which women and men are separate and do not interact with each other. However, it also came up that women at the household levels are able to influence major decisions like the marriage of daughters, selling of property, family level conflicts and etc and if women are mobilized and aware about the importance of decision-making in their lives, they can play an important role to bring positive changes into their lives.

#### **4.3 WHAT HAVE WE LEARNED ABOUT WOMEN'S EMPOWERMENT AND PARTICIPATION IN DECISION MAKING AND HOW IS IT RELEVANT TO THE THEMATIC ELEMENTS OF UN SCR 1325**

In advocacy initiatives for women empowerment in socio-political processes, the process of struggling for inclusion is inclusion itself. During the research study, it became evident that the struggles of the women activists, women organizations supported by the international donors and international community during the Peace Jirga, the Kabul Conference, struggles against discriminatory legislation, i.e Shia Personal Status Law, lobbying for the enactment of the Elimination of Violence against Women Law (EVAW) were inclusive processes themselves and at times much stronger than the actual outcome.

Therefore, some of these importance processes will be dealt in details in the following sections of this report as examples of the processes and lessons learned so far and how can they be rationalized under a strategic and specific National Action Plan for the implementation of the resolution 1325 in Afghanistan:

#### **ELIMINATION OF VIOLENCE AGAINST WOMEN (EVAW) LAW:**

After almost 5 years of lobbying and advocacy for a national piece of legislation by the women groups and activists commissioned by AWN, the Afghan government Council of Cabinet approved the EVAW Law. Since establishment, the Attorney General's Office has developed an EVAW Implementation Commission together with

the help of organizations such as Medica Mondiale, IDLO and the Family Court to start the implementation of the law in the country. Women groups and activists were part of the lobbying and advocacy processes for ERAW and believe that 5 years of constant battle was an empowering process for them. Supported by the MOWA, the process entailed developing the drafts, proposing the draft to the Legislative Department of Ministry of Justice, defending the women groups recommendations and lobbying with parliamentarians to speed up the process of enactment. Although, the law is not yet approved by the Afghan parliament, many believe that its historical and land marking when any kind of violence against women was criminalized by the same government that is criticized for its discriminatory attitude.

The Law addresses one of the most important issues central to women's human rights, which is addressing women as individual human beings. In Afghanistan, women's identities are crafted in terms of her relationship with men in the family and she carries that identity even outside home, which leads to increased oppression and violence on women in social spaces as well. The law also condemns any traditional practices<sup>16</sup> that harm women rights and recognizes the formal justice system as the only effective mechanisms to prosecute VAW perpetrators.

Another attempt of the law is to criminalize rape and sexual violence on women, which is at the heart of the GBV struggles. Under the Afghanistan Criminal/Penal Code, rape is characterized as 'zina' adultery and punishes the victim and the perpetrators as partners in crime. We have young girls in jails and correction centers that were prosecuted after they were raped, at times the rapists were never found but the victim serves in jail for adultery. ERAW is a major achievement for women's rights activists and groups by defining rape in its comprehensive manner and makes it a Crime.

**Article 4:**

**Violence is crime and nobody has the right to commit it at the place of residence, government or non-government offices, institutions, public places, means of transport or other areas. If committed, the person shall be punished according to the provisions of this law.**

The law creates a foundation of respect and dignity for women's human rights and its second article (Article 2), it says: This law has the following objectives:

1. Safeguarding the religious and legal rights and protecting the human dignity of women.
2. Protecting well being of family and fighting against customs, traditions and practices that cause violence against women contrary to the provisions of religion of Islam.
3. Protecting the victim of violence (affected woman) or exposed to violence.
4. Preventing violence against women.

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<sup>16</sup> Tradition however should be treated with lots of care in Afghanistan; "what to Western eyes looks like tradition is in many instances, the manifestation of new and more brutal forms of subjugation of the weak, made possible by a commodified criminal economy, total lack of security, and the erosion of bonds of trust and solidarity that were tested to the limit by war, social upheaval, and poverty." Deniz Kandiyoti, *Old Dilemmas or New Challenges? The Politics of Gender and Reconstruction in Afghanistan*, Development and Change, Vol. 38, no. 2, 2007, pp. 169-199.

5. Ensuring public awareness and education on violence against women.
6. Prosecuting perpetrators of violence against women.

While speaking to the Women's Affairs Commission of the Parliament that has been studying ERAW Law for the past year and has been the force behind its formulation and approval in cabinet, the members are suspicious that the next parliament that will review the law might bring changes into the law as its very 'women friendly' according to them. On the condition of anonymity, a senior member of the Lower House Women's Affairs Commission said that the men she knows in the parliament are going to come back, and they are very conservative and ERAW is a threat for them. She said that " I even doubt that the Ministry of Justice would try hard to bring changes in the ERAW law and make it softer on the perpetrators. This law is drafted based on the lessons learned and progressive measures from neighboring countries and our conservative politicians wont allow such a law to be enforced in Afghanistan. After all, we can not forget how the same parliament approved the Shia Family Law with all its discriminatory articles against women and girls."

Women activists and organizations however, think that this law should have at least 3-5 years to be implemented and evaluated how effective it can be for women's rights. On the other hand, the growing tension among women activists is the government's efforts to formalize the Traditional Dispute Resolution mechanisms as part of the Re-integration and Reconciliation efforts. The plan is approved in Kabul Conference and the Ministry of Justice is busy in developing a national law that will official recognize the local jirgas and decision making practices. While women organizations and CSOs are stuggling hard, but the political agenda seems unchanged.

#### **WOMEN IN GOVERNANCE AND LEADERSHIP:**

Women's participation in governance processes in Afghanistan can be categorized at three levels: village, district, and provincial however, the popular understanding even among some officials within the Civil Service Commission varies. There is more focus on provincial and national levels rather than village and district. While talking to women within government positions in three provinces, it came up that if women leaders are promoted from village to district level, that would facilitate their entry into provincial (sub-national) and national levels.

Some of the findings in this category are:

- The government does not have any specific plans to ensure that women are part of the senior leadership in the government structures within the Kabul ministries or in the sub-national governance (provincial). While officials at the Civil Service Commission claim that they already have a Gender Policy under which they are promoting women in senior leadership, women groups and activists complain that employment of women leaders in senior positions do not have to do anything with their capacities but their family background and relationship with the government officials. On the other hand, the Civil Service Commission does not have enough scope and authority to influence the

decisions of ministers and other high officials who are the key decision makers in employing senior leadership within their departments.

- Women groups and activists think that the 30 % quota for women leadership positions that is guaranteed within the ANDS should be implemented properly and the parliament's Commission on Women's Affairs should take the responsibility for regular oversight and monitoring of its implementation.
- Some of the women who are in leadership positions within the government structures expressed their concerns that the ongoing reform process commissioned by the Civil Service Commission is not gender-sensitive and so far during the reductions that took place within the government employees, women were mostly affected. Understanding that women do not have equal or higher capabilities than men competing for the same position since women have been left out of job and training opportunities for decades, men get higher scores in the reform process. At the same time, these officials complained that the government or the Civil Service Commission does not have any particular and ongoing capacity-building on job training for those women who score lower. These women think a two or three day training is not sufficient and is just spending a lot of money of logistics.
- MOWA has a clear mandate to ensure women in the leadership positions. This mandate has been transferred into the ANDS as well, but MOWA does not have enough authority or influence within other ministries or even within the provincial governance structures. Women groups and activists working closely with MOWA believe that MOWA does not have proper skills, mechanisms and authority to pursue its mission of gender-mainstreaming within the Afghan government.
- The officials within MOWA believe that if NAPWA gets enough funding and political support, they will be able to empower women in leadership positions and also improve the conditions of women at the local levels. While the officials at MOWA claim that NAPWA is a well-consulted process, the women groups and activists complain that the consultation for NAPWA remained within cities and urban places and didn't go further down to the village level and it does not cover the needs of women at the village level. On the other hand, many outside MOWA argue that NAPWA was developed by international experts who worked in isolation within MOWA and the document carries commitments and plans that are much higher than the capabilities and capacities of MOWA.

## **WOMEN REPRESENTATION AND POLITICAL PARTICIPATION:**

According to UNIFEM, in 2009 presidential and provincial elections, 2 women ran for presidential elections and 7 of the Vice Presidents of the Presidential candidates were women. Further more, in the Provincial Council elections, 10 % of the overall candidates were women that had reached to 382 women throughout 34 provinces. The Afghanistan Independent Election Commission reports that the number of women within the 2009 Provincial Council elections had increased upto 40 % than the previous elections. This is a good sign that reflects that women at the local and sub-national levels are engaging more in political participation as the efforts of international donors and women organizations focus on sub-national processes for women's political participation. AWN's Five Million Women Campaign that took place

at one time throughout the provinces was an important initiative in mobilizing women voters and candidates for meaningful participation. See Five Million Women Campaign Declaration as Annex Box.2

Some of the findings in this category are:

- Women activists believe that political participation for women is not only about voting or nominating oneself for parliament or Provincial Councils. They think that women can only influence political spheres of the country, if they are politically aware and question the political decisions that are made on their behalf at all levels. This mainly deals with the ongoing political settlements under the Peace and Re-integration Program plan.
- While talking to the current parliament candidates, they believe that the past 10 years proved to be the most important and in words of some 'glorious' for women's political participation. They said that in the past only political leaders families could come forward in politics and common Afghans used to think very negative about those women, but in the past 9 -10 years they see the male family members supporting women candidates even though they do not have any political background or whatsoever. Many women organizations interviewed believe that their civic education at the national and local levels have increased women's political participation and their national level advocacy efforts were able to secure women's political space. However, there are concerns that as the reconciliation process with the Taliban are underway, there might be significant changes for women's political participation guaranteed in the Constitution. The civic education by the CSOs have been mainly around the importance of public participation in the elections and choosing the right candidates for the Presidential and Parliamentary elections. Local CSOs have been also active in providing public education projects in which information awareness sessions were convened for local elders and community decision makers on their legal rights and how the Constitution of Afghanistan guarantees their participation in democratic processes.
- Talking to the women at the village and district level, it came up that the channels of communication for women leadership within these communities are very limited or even does not exist with the sub-national or provincial level women leaders or even sub-national government structures. Women representation at the village level is either through their membership in Community Development Councils (CDCs) of the National Solidarity Program (NSP) or within the community shuras/councils created and facilitated by the non-government organizations and women's groups. Women at the village level are not connected with the women political leaders at the provincial and national levels.
- Women who are considered leaders at the village levels, expressed their willingness and enthusiasm to get connected with other women in district capitals and in their province so that they can interact with each other and be able to stand for each other as well. Similarly, it came up that the women within the provincial capitals (either employed or otherwise) do not have ways of communication with women at the village and district levels. While MOWA has its departments in most of the provinces, the relationship between these departments and the Kabul MOWA is horizontal and hierarchical and a small department in the Kabul MOWA is not able to manage these communication

relationships with DOWAs and also between DOWA offices in different provinces. Some of the DOWA heads said that it would be helping them if they make regional or zone level alliances with other DOWA offices and that would help them implement consistent plans for women empowerment. This alliance could help women activists and women organizations to unify their missions and projects, prevent duplication, and strengthen women's unity across provinces and zones so that they can stand for each other's problems.

- Women activists and women working as part of the DOWA offices have common issues across different regions of Afghanistan that if they are networked and make alliances, they can solve their issues. Foreexample, women's activists and women working in DOWA offices have a difficult time in outreaching local women, and are not connected with women at the village level, if they work together as an alliance or zone, they can develop plans and activities that can address their challenges and each of them can learn from their experiences. Similarly, this alliance can build into national women's movement scattered along regions and provinces.
- Most of the respondents at the provincial level believe that the Provincial Councils are better connected with districts and some villages than the members of the parliament. However, members of the parliament (women) are more influential and have more authorities than the Provincial Council members.
- The past two rounds of parliamentary elections indicate that women running for the parliament elections are mostly candidates who are popular in Kabul and some provincial capitals and were convinced that even if they don't bring enough votes, the quota will get them into the parliament. This assumption is heavily challenged in the current round of the parliamentary elections, even the most volatile provinces have more than 3 women candidates in average and only the ones with the highest votes can get elected into the parliament. This pressure according to women candidates, are making them outreach to the local communities more than before but also force them into political alliances with other powerful figures, like warlords that can buy them enough votes.

## **WOMEN AND PEACE PROCESSES:**

*“ Although, I had been part of the national processes mainly initiated by the Afghan government within the leadership and decision-making positions, it came as a surprise when I heard that I was selected as a deputy of the Leadership Committee of the Consultative Peace Jirga. Since this was not a government's decision, but political leaders had voted for me. This Jirga provided the opportunity for women to interact and convince those political leaders and main decision-makers of the Afghanistan politics who were not even ready to speak with a woman in the past. This was an important opportunity for Afghan women who convinced all men present in the Jirga that they have to listen to us and respect us”. Najia Zewari, second deputy of the Peace Jirga on 2<sup>nd</sup> June 2010*

During this research study, respondents expressed that they are aware of two levels of negotiations that are called peace talks. One is the mostly talked about Afghanistan Peace and Re-integration Plan that has included women's voices and concerns to some extent, however they are more worried about the other level of

talks which are the secret talks with the Pakistani intelligence that brings in some of the Taliban leaders for meetings and negotiations with Afghan officials and the women groups and activists are not aware about those secret talks.

The Afghan government has focused on reconciliation and talks with the Taliban and other armed opposition groups for the past couple of years. The main events in this process included the Regional Peace Jirga with political and official representation of Pakistani establishment in 2008 that had some 20 % women participation and the outcome structure of the Regional Peace Jirga, that had only one woman government official as part of the small Jirga, called Jirgagai.

In 2009-2010, the Afghan government prepared for a National Consultative Peace Jirga that was convened in June 2010 with 1600 participants among which more than 350 were women. Women groups and activists believe that the pressure from the international and the constant lobbying and advocacy of these women groups with government officials enabled their wide participation in the Jirga, otherwise the initial list of women participant had only 20 women from all over Afghanistan.

Kabul Conference ( followed the pattern of the recent London Conference) also had only one woman participant who represented the statement from women groups and other Civil Society Organizations (CSOs). The Afghanistan Peace and Re-integration Plan (APARP) was introduced during the January London Conference with little women inputs, was explained in details during the Kabul Conference. This time the women groups and women activists had already strengthened relations with the government officials who are responsible for APARP Commission but this relationship has mostly focused on increasing the number of women in political events rather than being able to influence the content of discussion and decisions of these events. Women groups and activists are currently struggling hard to include women as part of the Leadership Committee of the High Peace Council that is going to be established following the Peace Jirga and are advocating for mechanisms to share their inputs into the various development clusters as part of the APARP.

*During the second day of the Jirga the delegates were divided in 28 working groups. In my group there were men who had covered their faces while talking to me ( in some parts of Afghanistan still it's a shame for a man to speak with a woman in public) but after our discussions debates and interaction, the same men offered support that if my organization starts working in their district they will support and protect the projects for women rights. This was a change that I saw myself". Hasina Safi head of AWEC and a delegate to the Peace Jirga*

Afghan Women's Network expressed their concerns and recommendations through various statements and press conference and direct negotiations with government officials. They believe that APARP excludes women from the overall process of design, implementation and oversight of the plan. For example, in the APARP strategy paper that outlines the plan, women are not included in the consultation, implementation and monitoring of the local initiatives for peace building, when men are considered as the direct beneficiaries, their families and women within those families are ignored. Similarly, the plan does not refer to international instruments like Resolution 1325, CEDAW and other human rights conventions that are part of the political responsibility of the government. The national instruments like NAPWA,

EVAW Law are also excluded from the guiding principles of the implementation of APARP.

The respondents of this research study believe that while Afghanistan needs to create long term community relations in order to improve the conditions of women and include them in the decision making processes at local and national levels, the women activists and organizations also require the political pressure from the international mechanisms such as UN, NATO and etc. Many responded that they fear that if the international community withdraws political involvement from the ongoing Peace and Re-integration Program, the government might offer regions or provinces for the insurgents and the Taliban so that they can form their own way of governance and that would diminish the achieved progress of women in the past 10 years. Women activists and women organizations said that if southern regions are left for the Taliban to bring back their code of conduct, that will hurt women more than the current traditional practices are mainly pashtunwali code. Since Taliban's sharia and code of conduct are more stricter and controlling than the pashtunwali code which is not consistent across all pashtuns nor has a wider implementation.

**How can the negotiations for peace have a gender perspective if there is only one gender negotiating for it?**

An important initiative of the women groups and activists led by AWN before the Kabul Conference proved to be the driving force in bringing the government's attention to women's needs. Around 300 women from all over the country were brought to Kabul in a two-day conference called 'Women's Movement from the First Women's Council to Kabul Conference' called on the Afghan government to stand on its commitments and put its obligations within the Constitution, ANDS, EVAW Law, NAPWA at the center of governance and peace building processes. These women appreciate the international community's efforts and the government reception towards women participation in the Peace Jirga and asked for stronger presence of women not only in numbers but within the peace processes and peace plans. A number of relevant government ministers and officials were invited to the conference who responded to women from all over Afghanistan and this became a face-to-face interaction of the government with local women, that had not taken place before. These women called on the government to include the components of Security Council Resolutions 1325, 1820, 1888, and 1889 that are key in women's political and governance participation.

An official from the Peace and Re-integration Commission was interviewed for this research study and while he didn't provide a lot of information on how they envisage women's participation in APARP, he said "we are learning as we move on". According to him, the number of women participants from the Peace Jirga indicates that the government understands the importance of women inclusion and the country's international obligations will not allow the Peace Plan to override women's rights. " But we still do not have a clear plan on how women at the village level can be part of the Re-integration projects, especially in areas where insurgents do not live with their families", he said.

*Security and protection for women should have been planned before inviting them to the Peace Jirga. I know many women like myself who came to the Jirga secretly*

*saying to our homes that we will be going for a doctor visit to Kabul otherwise we couldn't return back to home. How can we as women leaders then implement the plans we agreed in the Peace Jirga in our provinces when we cant even say we attended the Jirga? A woman delegate from central province to Peace Jirga*

#### **4.4 WHAT CAN WE LEARN FROM OTHER WOMEN EMPOWERMENT INITIATIVES THAT CAN INFORM INTERVENTIONS OF UNSCR 1325 IN AFGHANISTAN:**

##### **CARE AFGHANISTAN'S EXPERIENCES:**

***“ We never talked about ‘gender’ in our initial visits to a community. We first made ourselves aware and sensitive about the responses and reactions of community towards women rights and then framed our message based on their way of understanding. We hired women from the same community to work in that community even though they lacked proper skills, but we trained them and that created a foundation for our acceptance in communities”. Najiba, head of CARE Parwan field office.***

CARE International in Afghanistan has a number of local initiatives that aim to include women's participation in community projects and strategies used in these initiatives to empower women have proved successful and can provide insights into any National Action Plan for the implementation of Resolution 1325 in Afghanistan. For example:

CARE field office in Parwan works with villages that are far from the district capital in creating education opportunities for girls and boys called as the Community –based Education projects. The Consultant visited a very remote village in Parwan province called Ashaba during the research study. Ashaba is a mountainous area and has pockets of residents scattered along some of its hill-tops. CARE runs a Community-based Education project in this village that is the first and the only means of mobilization of community members for an educational purpose. While girls and boys study together, their parents (both mothers and fathers) are mobilized under a Parents Shura (Council) that oversees the process of education for their children and this Shura created the first opportunity for women of this village to come together and be part of a non-domestic issue. While talking to women in this village, they said that before creation of this Shura, women interacted with each other in the village on the matters related to their household or maybe agricultural related but now they are the responsible members of a Shura that brings education to the village that does not have any government presence or any government school. The village members were proud of their achievements as their sons and daughters were studying and at the same time taught by the members of their own village that were trained by CARE' capacity building trainings.

CARE's staff who are responsible for this project said that at the beginning when they tried to create this community school , they faced serious backlashes from the community members on the inclusion of women and girls in the schools. But the staff said that they did not go to the community saying that they wanted a girls school, they said they wanted to help them with education for their children. Once the

community members were on board with the creation of school, the social mobilizers of CARE field office started working with families and it took them months to bring in girls to the community school as well. But it became possible when the parents, both fathers and mothers became involved in the project, they started realizing the importance of education for girls and encourage girls education themselves.

An important lesson that can be used for women empowerment projects from CARE's Community-based schools is that a community would be supportive of women inclusion when they are part of the initiative themselves who can see what will be the impact of the project for the community as a whole. CARE staff said that they have witnessed numerous women-only projects that isolated women in the village/community and the members turned against the inclusion of women in those projects. According to the community members, they started realizing the importance of this community based education project, when they became involved in it and understood that it only aims to improve education for their sons and daughters. The community members said they were pleased to see the members of their village as teachers and implementers of this project, that gave them a lot of confidence that they are dealing with people from their own village and not strangers.

### **CARE's women mobilization:**

"Women in decision-making at the local and then national level is only possible when the women at the local levels are mobilized for the same goal and see the benefit of herself in the benefit of other women in the village. We experienced it with the local women in this area in the past few years." Zarghona, social mobilizer with CARE Afghanistan.

As part of its HAWA projects, CARE Afghanistan has shifted its focus from an project oriented vision towards programmatic visions. One of the successful initiatives is called a women's groups in District 6 of Kabul province, WAFA.

WAFA had started with small scale income generation skills for widows and poor women in Gulkhana, District 6. After years of mobilization and working together with the women of this area, now the leadership of the group is entirely managed by the women themselves. These women have created community shuras in which around 50 women from this community receive right-based awareness and referral services if needed. During the research study, women said that now they are a force and can change and influence their life decisions. Many cases came up that women themselves had gone to court and received their alumni and inheritance after the death of their husbands.

Hamida, who is the leader of this group says that her life has changed a lot since she became a member of this women groups. " A woman can only fight for other women when she can fight for herself....when my husband died, my in laws forced me to leave the house which was actually in my mahr ( an Islamic law condition in which the husband allocated assets and property for his wife at the eve of their marriage) and since I was an illetrate woman, I didn't know if I had any legal rights. After I joined the women group and became aware about my Islamic and legal rights, then I went to Family Court and demanded my property. The shura referred me to legal aid and I received free lawyer that defended my cases and I got my house back. Even

my in laws were shocked that I became so confident about my rights and can fight for the rights of my daughters as well....” Hamida completed her school in the age of 25 and aspires to run for the parliament in the near future.

In this Shura, women are gathered, provided awareness on the country’s legal rights for women and at the same time women are able to discuss their family and social matters. Although this area is located in the urban neighborhood of Kabul, there are no girls school nor any functional clinic for women. The women said that they have just learned about themselves and slowly they can influence the local decisions and their next target is to change the local Wakil-e-Guzar who works as a connecting point between the community and the government. Wakil-e-Guzar is the locally elected community representative that deals with the local government on the community matters.

Zarghona, CARE’s staff who works with this group believes that if this group is connected with the larger women organizations in Kabul, they will be able to support each other and at the same time become part of the national processes. According to Zarghona, if the national level women’s movement gets connected with such groups they can find enormous support for women rights in the local levels.

CARE NSP staff were also interviewed for this research study however, the Consultant couldn’t travel to any of CARE’s NSP projects due to ongoing security threats against aid workers in different parts of the country. According to NSP implementers, Community Development Council’s (CDCs) are the only village level mechanisms that have women participation in decision making, even though its not ‘meaningful participation’ overall but the level of participation varies from village to village and province to province. CARE’s experiences in implementing NSP across Afghanistan has been that in areas where there isnt any major conflict going on, where girls are able to go to school, the participation of women in CDCs are critical to the implementation of development projects. But in areas of insecurity, continued violence, women’s participation is very challenging for the NSP staff. For example, NSP staff in Parwan said that they have been facing challenges with CDCs and women participation in CDCs in Siagird, Shinwari and other areas of Ghorband district. These areas have largely pashton residents and Taliban insurgents have inserted themselves into these communities as well. For inclusion of women in CDCs, NSP teams need to have female workers and female workers are not ready to come from Parwan Center to the Ghorband villages, they are either not allowed by the family or face threats and intimidation and men can not interact with women. Therefore, women’s participation becomes challenging and difficult to achieve at the CDC village level.

#### **4.5 KEY INDICATORS CURRENTLY BEING USED TO MONITOR PROGRESS, DEMONSTRATE IMPACT AND ENSURE ACCOUNTABILITY IN 1325 IMPLEMENTATION (PARTICULARLY WITH REGARD TO WOMEN PARTICIPATION) IN THE COUNTRY**

Afghanistan does not have any official Resolution 1325 National Action Plan therefore the indicators that are currently being used nationally are derived from the ANDS and NAPWA that looks at the impact of national processes on women’s lives and the extent of women participation in governance and peace processes. However,

NAPWA does not have any official stance on women's participation in peace processes but only aims to increase the number of women in security forces around the country. Similarly, the indicators that are part of the ANDS benchmarks for gender-equity are basically quantitative indicators that deal with the number of women in different sectors, i.e number of women employed by the Civil Service Commission for leadership positions, number of women accessing the Family Court in different years, number of women judges and prosecutors.

NAPWA is divided in 3 major pillars which are Security, Governance and Rule of Law and Human Rights, and Economic and Social Development. However, women's participation in peace processes have not been discussed within any of sub-pillars as well.

NAPWA's indicators that deal with the women in security and women in governance are as the following:

<b>Women's participation in Security indicators:</b>
<ul style="list-style-type: none"> <li>• At least 20 % increase in the number of women participating in security service delivery over a period of 10 years.</li> </ul>
<ul style="list-style-type: none"> <li>• Progressive annual reduction in the incidents of violence against women in the public and private spheres</li> </ul>
<ul style="list-style-type: none"> <li>• Progressive increase in the number of women actively participating in peace processes and promoting peace, justice, and human rights at the national and community levels.</li> </ul>
<b>Women's participation in Leadership and Political Participation (Decision-making)</b>
<ul style="list-style-type: none"> <li>• An affirmative action policy and strategy is adopted and implemented in key government institutions, including government administration and judiciary and in selected non-State establishments and organizations.</li> </ul>
<ul style="list-style-type: none"> <li>• That and programs that promote meaning partnership among women and men in decision, policy and law-making positions are adopted and implemented.</li> </ul>
<ul style="list-style-type: none"> <li>• Enabling mechanisms for women's participation and leadership in public life are provided.</li> </ul>
<ul style="list-style-type: none"> <li>• There is a progressive increase in the percentage of women in Afghan institutions and in decision, policy and law-making positions.</li> </ul>

Source: NAPWA English Version printed by MOWA 2008-2018

Some of the respondents believed while they needed to have quantitative indicators as starting point to measure women's participation but there are other important factors that should be gauged within an indicators that includes the gender-disparity measurement. For example, women said that its not enough for them to understand that the number of women in leadership positions within the government is 10 % but they should be able to understand how do women get into the leadership positions, what are the available capacity-building opportunities for women into leadership, and how can women leaders retain their leadership positions and move on the ladder. According to many, the indicators to measure the participation of Afghan women in peace building and governance should start with quantitative but once they are established, they need process-oriented indicators to measure how women are part of the processes than can change their lives and how women are able to influence those processes locally and nationally. For example, the activists think that they needed to know how were the women selected for the Peace Jirga, what consultations took place at the community level, what are the expectations of women delegates from their participation in the Peace Jirga, were these women aware about the importance of their participation, and how will their participation turn into meaningful participation in the conflict resolution mechanisms at the village level.

Some of the indicators that were gathered during this research study to measure women participation in peace process by women organizations and women activists are the followings:

- At least 30 % of the direct delegates, negotiators should be women leaders during all peace processes, at consultation and direct negotiations
- A number of mechanisms and regular channels of communication should be established so that women in the villages and districts are heard and consulted during the peace processes. This network can be established using the available CSOs that are working in villages and districts.
- Gender analysis of APARP. The Peace Plan should be analyzed from a gender perspective, technical gender experts should be hired at the Commission and their inputs should be incorporated in a revised version of the APARP.
- Articles 22 and 83 of the Constitution
- Implementation of EAW in courts
- The number of women in the Leadership Committee of the High Peace Council

A review of the United Nations Security Council Resolution 1325 indicators around women’s participation for Afghanistan would have to be contextualized. Forexample:

Security Council Proposed Indicators	Guidelines for Afghanistan
<p>Inclusion of women and women’s interests in decision-making processes related to the prevention, management and resolution of conflicts:</p> <ul style="list-style-type: none"> <li>• Number and percentage of peace agreements with specific provisions to improve security and status of women and girls.</li> </ul>	<ul style="list-style-type: none"> <li>• This is crucial for Afghanistan’s current situation. However, the peace processes apparently do not seem to end up in written agreements but a process has started with the implementation of Afghanistan Peace and Re-integration Plan that aims for the government to come to terms with insurgents slowly and through a planned socio-economic arrangement. Therefore, women’s participation in designing, implementation and monitoring of this APARP becomes crucial for women.</li> <li>• In Afghanistan, women in the local village level are more involved in conflict resolution than national levels; for example women are being given away as price of conflict if there are disputes and conflicts between two villages/tribes. The local dispute resolution mechanisms have been used as platforms for solving disputes and conflicts but women have been victims of their decisions.</li> <li>• There is a growing concern among women about the possible change/amendments in the Afghan Constitution that has guaranteed women’s rights. Respondents believe that insurgents and Taliban wont come to peace with the government if the</li> </ul>

	<p>Constitution is not changed for their benefit.</p>
<p>Increased representation and meaningful participation of women in United Nations and other international missions related to peace and security:</p> <ul style="list-style-type: none"> <li>• Number and percentage of women in senior United Nations decision making positions in conflict-affected countries.</li> <li>• Level of gender expertise in United Nations decision-making in conflict affected countries.</li> </ul>	<ul style="list-style-type: none"> <li>• While Afghanistan needs a stronger assertion of the UN's role in promoting women's participation in peace processes as UN is considered an oversight and monitoring body for the implementation of its own resolutions. Therefore, the members states should be required to ensure that women are hired at high level decision making positions based on a merit system and also such a requirement should be part of the UN's monitoring of the implementation of Resolution 1325.</li> <li>• In Afghanistan, UNAMA plays the oversight role, CSOs and women organizations expect UNAMA to provide gender-responsive technical advice and support to the CSOs and as well to the Afghan government , as they both work closely. However, this indicator needs to clarify what will be the role of these gender experts and their accountability?</li> </ul>
<p>Increased representation and meaning participation of women in formal and informal peace negotiations and peace building processes:</p> <ul style="list-style-type: none"> <li>• Level of participation of women in formal peace negotiations</li> <li>• Presence of women in a formal observer of consultative status at the beginning and the end of the peace negotiations.</li> </ul>	<ul style="list-style-type: none"> <li>• Linking the grassroots and local groups active in peace building and conflict resolution mechanisms with the formal peace processes.</li> <li>• In Afghanistan, CSOs and women organizations are worry of the ongoing impunity and lack of accountability for past and present crime of the ones who are re-integrated and become part of the peace process. How can impunity be avoided?</li> <li>• In the formal peace processes, there is a level of women's participation for reasons of donor pressure and also women's lobbying at the national levels, however the informal structures of negotiations seem to bypass both donor pressure and women's lobby as it takes place in volatile and remote regions using the informal structures. These informal settings should be merged with the formal arrangements of peace, for example both should be part of the formal Peace and Re-integration Plan with required monitoring and oversight of UN</li> </ul>
<p>Increased representation and meaning participation of women in national and local governance as citizens, elected officials and decision makers:</p> <ul style="list-style-type: none"> <li>• Level of women's political participation in conflicted affected countries.</li> </ul>	<ul style="list-style-type: none"> <li>• While the Afghan constitution guarantees 25 % of women's seats in national assembly and provincial council elections, women's participation in governance is still invisible despite of ANDS 30 % of women's leadership seats. Therefore, more than quota, the proceses of how women can be upgraded to high level positions should be developed and enhanced, forexample, training, high education, protection at workplace, civic</li> </ul>

	<p>education.</p> <ul style="list-style-type: none"> <li>• How are women at the village level like CDCs, shuras promoted to high level provincial or national decision making positions?</li> </ul>
<p>Increased participation of women and women's organizations in activities to prevent, manage, and respond to conflict and violations of women's and girls human rights.</p> <ul style="list-style-type: none"> <li>• Number and percentage of Security Council missions that address specific issues affecting women and girls in their terms of reference and mission reports.</li> </ul>	<ul style="list-style-type: none"> <li>• Women organizations should be able to present their annual shadow report/alternative report on women's meaningful participation in peace processes and governance structures at the Security Council. Funding and opportunity. And their recommendations should be followed up by the UN's mission back in Afghanistan.</li> <li>• Its not enough for the Security Council missions to meet with women groups and women activists, but their voices should be taken forward. Experiences have shown that Security Council missions come to Kabul, meet with some Kabul based women MPs and then how their voices and views are addressed in their reports or follow ups, is not communication back to the country.</li> </ul>

#### 4.6 RECOMMENDATIONS

The most important finding of this study research was the lack of connection between local and national level initiatives that aimed at empowering women. Almost all respondents said that the national level women's movement focuses only in big cities and in Kabul and is not well-connected with the local initiatives or local women. Women in the local areas believe they are not included in the Kabul focused women's movement and therefore the movement lacks support and backings from the larger community since Afghanistan's larger population are urban and village based. On the other hand, women groups and activists too understand their challenges in outreach to local women and believe that they can only succeed if they have a national level women's movement that addresses the needed of village and city women as well.

Moreover, it came up in the research study that women organizations and activists centered in Kabul lack national vision for women of Afghanistan and are not working together under one national goal for women. Though, the movement has become stronger in the past few years, is movement is focused around English-speaking activists and organizations who are not linked with local communities nor address the fundamental challenges of Afghan women. They need to work together, get connected with local women so that the local women start supporting and become part of the national women's movement in the country. The channels of communication and information sharing should be created through the help of the international aid and strong accountability mechanisms attached to the resources provided to the local women organizations.

Moving beyond numbers. Many respondents and women activists expressed their concerns that the women empowerment in Afghanistan has centered much around ensuring women's participation in peace building and governance through number

and quantitative indicators. While this is an important entry point for empowering women into decision making, but the women organizations and activists need to upgrade their skills and capabilities so that they can influence the national level decisions as well. For example, it came up that women participants of the Peace Jirga were not able to influence the final Declaration of the Peace Jirga, though they had a wide participation and were present in every working group. The international community should make sure that the funds allocated for women social development are not channeled towards peace and reconciliation projects that discriminate against women. Women should be part of the peace processes but at the same time they need women empowerment and social development capabilities as well.

Afghan government has initiated mechanisms, such as the Advisory Panel on Senior Appointments and the Independent Administrative Reform and Civil Service Commission in order to have transparent and fair appointments based on merit but these bodies should be independent and accountable with independent members and decision-making. International community should press for more accountability to ensure that these systems are not discriminatory against women. There is a grading system that takes up to four years and women believe that the grading reform should be expedited. Ministers and donors should strive to increase women's participation in government and to build the capacity of line ministries to implement the National Action Plan for Women.

- Many of the respondents said that a step-by step process is needed to ensure women empowerment at the village, district and provincial levels that can then transform the national processes for women's inclusions in governance and peace processes. However, respondents also stressed on the need of the political and diplomatic pressure from the UN and other donors countries for the implementation of government's commitments for women rights. The respondents also laid out the following steps as step-by –step planning to women empowerment which is a combination of both Women in Development and Gender and Development approaches:
  - The primary focus should be on women focused projects nationally to ensure that they have an element of empowerment, and that comes from simple rights awareness sessions as starting point. Such an empowerment can address the perpetual gender-disparity that exists at all levels in Afghanistan and projects related to rights education, primary and secondary education, women's access to village level resources and decisions, should also bring in the participation of general community especially men so that they can support women's changing roles.
  - Once the gender-disparity is addressed through community based women-focused strategies, women's economic opportunities should be promoted and enhanced nationally. During the study, almost every respondent said that if women do not have economic rights and opportunities, they cannot avail political participation or leadership. If Afghanistan is going towards post-conflict circumstances, the needs of leadership and labor force can not ignore the poor of women talent.
  - Once these basic elements of an enabled environment are created for women at the local and national levels, then women can take part in the local and national politics and processes that impact their lives. Many

respondents believe that in Afghanistan we have not started from the basic elements but jumped directly to ensure women's political participation and even when women got secured political space, they weren't able to influence national or local processes that impact their lives.

- Women groups and activists argue that the government needs a National Action Plan for the implementation of Resolution 1325 and its complimentary resolutions so that the government's efforts can be framed within an organized manner and they can measure their success. Women organizations and activists have been advocating for a government National Action Plan and seek international community and donors support and want the United Nations to take lead in this process.
- Today most of the provinces have adopted the Provincial Development Plans to implement ANDS in their provinces, these plans can be tools to measure women are consulted, integrated and represented at the provincial and sub-national governance and peace processes. This platform can also serve as an important indicator for Resolution 1325 Action Plan as well.
- The High Peace Council, Secretariat, oversight committee and all other bodies outlined in the APARP should respect the political quota of Afghan Constitution that is 25 % women's participation. Some of the specific recommendations related to APARP by the coalition of women groups and activists taken from a position paper by Afghan Women's Network<sup>17</sup>:
  - It is crucial for the Peace and Re-integration Commission to review the APARP document from a gender perspective. To accomplish this, gender experts, including national gender advisors and international experts from relevant institutions which are already supporting reintegration commission (RC), must be consulted in program process, design and implementation.
  - It is obvious to most observers that women must be part of the peace process. The political outcomes should be informed and strengthened by the 28 committee recommendations toward women's and children's rights as delivered in committee reports in Consultative Peace Jirga (CPJ).
  - The High Peace Council, secretariat, oversight committee and all other bodies outlined in APARP should respect the political quota in Afghanistan constitution of 25%
  - Gender sensitive analysis should be commissioned to understand the roles of women as peace builders within their government, provinces and communities. This analysis will provide a roadmap pointing to the meaningful ways that women and children can contribute to and benefit from reintegration packages. APARP Principle: The call for women to safeguard their rights and achievements of the last nine years should be part of the principal of APARP. APARP must ensure that legal and policy frameworks on women's rights and equality such as Afghanistan Constitution, The Elimination of Violence Against Women Law (EVAW) Law, and the National Action Plan for Women for the Women of Afghanistan (NAPWA) are foundational.

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<sup>17</sup> Also see AWN's Policy Brief on the Peace, Reconciliation and Re-integration Process, 29 January 2010 as Annex Box.4

- National and international troops must coordinate each other to ensure that provinces undergoing the reintegration process are secure.
- A minimum of 25% women should be involved in the negotiations between the government and international forces.
- Institutional objectives: should include eliminating corruption, prevalence of justice in strengthening justice system including training and hiring of female judges, police and other security bodies.
- Governance and Rule of Law: the 25% quota of women in the oversight body should be constituted by women with strong gender expertise and experience.
- Women are missing from activities' outreach and results. Gender mainstreaming of women, needs, roles and benefits, including a quota in budgets must be reflected in all activities.