

**Women, Peace and Security in Afghanistan:****Implementation of United Nation Security Council Resolution 1325**

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**Abstract**

This paper highlights the lobbying efforts of civil society organizations - particularly women's and human rights associations - to bring UNSCR 1325 to the attention of Afghan policy-makers and to place it on the agenda for reforms to national laws, policies and strategies such as ERAW Law, Family Law, NAPWA, ANDS. Afghanistan is an ongoing-conflict state where the lack of strong mechanisms to protect internally displaced persons (IDPs) renders IDP women and children particularly vulnerable. Long-term commitments and efforts from both the national and international communities are needed in order to establish strategic and systematic mechanisms to protect women and increase their access to transparent and fair justice. Finally, this paper reflects on the important role SCR 1325 should play in the elimination discrimination against women - which is reinforced by perceived or 'symbolic' gender roles. To ensure peace and security in Afghanistan, women and girls must participate in decision-making at all levels and their presence must be guaranteed in all peace talks with insurgent groups.

It has been ten years since the United Nations Security Council unanimously adopted Resolution 1325 (SCR 1325) and nine years since the fall of the Taliban and the drafting of the Bonn Agreement (the international agreement which set the stage for initiating Afghanistan's peace process, democratization and reconstruction). Over these years, what steps have been taken to protect women from a war which continues to rage in many parts of the country? Have the principles of Resolution 1325 been realized to any degree for Afghan women?

SCR 1325 represents a landmark piece of international law, which resulted from over 20 years of advocacy and lobbying by women activists from war zones and post-conflict states around the world. The Resolution recognizes that women and children constitute the majority of victims of armed conflicts and that women and girls are affected by conflict differently from men and boys. The Resolution states that women have a role to play, and a right to participate, in all levels of the peace-building process. Resolution 1325 calls attention to the consequences of war on women's lives, including sexualized violence, the spread of HIV/AIDS, the displacement of women and girls as refugees and internally displaced persons. Resolution 1325 not only recognizes the important place of women at the decision-making table but also their positive contribution to conflict prevention, conflict resolution and the promotion of peace and security.

Resolution 1325 is not specifically referred to in key documents that guide the reconstruction and peace-building process in Afghanistan; its provisions are nevertheless echoed in many of these documents, such as the Berlin Declaration that followed the meeting of donors to Afghanistan's reconstruction (Berlin 2004). This Declaration clarified commitments previously made by donors concerned with Afghanistan's reconstruction process (Tokyo Conference, 2002). This year the spirit of SCR 1325 was incorporated in the efforts of national and international civil society in the London and Kabul Communiqués. Besides these communiqués, elements of SCR 1325 have also been incorporated into the NAPWA and ANDS laws. All of these documents and laws pledge to assist the Afghan government with security and peace needs - including entrenching the rule of law, implementing DDR processes, realizing women's rights and political participation and developing the capacity of an independent civil society - among other issues.

The Kabul communiqué states:

Participants reiterated the centrality of women's rights, including political, economic and social equality, to the future of Afghanistan, as enshrined in the Constitution of the Islamic Republic of Afghanistan. Participants commended the mainstreaming of gender into all priority programs and reiterated their commitment to assist all national ministries and sub-national government bodies in implementing their respective responsibilities under the National Action Plan for the Women of Afghanistan (NAPWA), and to ensure that all training and civic education programs contribute to concrete advancements in its implementation. In addition, the Government of Afghanistan, over the next six months, is to identify and prioritize NAPWA benchmarks for implementation within each cluster; and develop a strategy to implement the

Elimination of Violence Against Women Law (EVAW), including services for victims. Participants committed to respect and prioritize the fulfillment of the rights of Afghan children, and to invest in girls' and boys' education, protection and healthcare.<sup>1</sup>

The final communiqué of the London Conference clearly reflects the advocacy efforts of the Afghan women who traveled to London, and the document includes central priorities of the women of Afghanistan that they were charged to represent.

The Government of Afghanistan's commitment to continue development of a National Security Strategy must be consistent with UN Security Council resolutions 1325, 1820, 1888 and 1889. A National Action Plan on Women peace and security should be integrated as a core element of the national security policy, and a quota of women's representation in all peace and security deliberations be established.<sup>2</sup>

Women should be consulted by and represented by the authorities developing the national Peace and Reintegration Programme. The proposed Peace and Reintegration Trust Fund to finance the Afghan-led Peace and Reintegration Programme should ensure that a proportion of the financial incentives to communities to support reintegration are used to support women's empowerment and development and the protection of their human rights through rigorous monitoring and redress.<sup>3</sup>

Afghanistan presents a particularly challenging environment for the implementation of Resolution 1325 and for the full realization of the obligations it imposes on States. A long series of violent wars, and the pervasive insecurity that continues in many parts of the country, have left many Afghans – both men and women - traumatized and in need of psychosocial counseling. Healing after trauma is one aspect of post-conflict recovery that is missing from the otherwise very comprehensive support embodied in the principles set out in SCR 1325.

The unpredictable tensions between the will of Afghans to build peace and the complex forces still at play against peace in Afghanistan, make real change for the women of Afghanistan seem illusory and even unobtainable. Yet the foundations that are in place can be built upon, provided there is a sustained effort to meet the security needs of women and the demands of a lasting peace in a country that has been tormented by war for over a quarter of a century.

#### **Protection of Women and Girls in Conflict Zones from Violence:**

Resolution 1325 imposes a direct duty on all parties in an armed conflict to take special measures to protect women and girls both from the conflict itself and from gender- based and sexualized violence.

The security situation in Afghanistan is critical. It is like a ticking bomb, and it is very possible that at any time a civil war will break out. Women and girls have been particularly affected by the insecurity. There are hundreds of attacks on teachers, students and schools across Afghanistan, with girls' schools being particularly hard hit. In most remote villages there are not even any signs of schools for girls. Hundreds of Afghan women have committed suicide due to these intense pressures and hopelessness. When the entire nation is living under the shadow of guns and warlords, how can its women enjoy their basic freedoms?<sup>4</sup>

Violence against women and girls in Afghanistan is gender-based and pervasive. It is both domestic and structural and takes place in both the public and private spheres. The prevalence of gender-based violence in society results from, among other factors, pre-existing cultural roles which allow the abuse of women, a tribal structure that largely commodifies women, and deeply entrenched patriarchal norms. These factors have been further aggravated by war, militarization, poverty, and the lack of social services.

Resolution 1325 specifically calls on all Member States to take special measures to protect women and girls from violence, particularly from rape and other forms of sexualized violence. Yet, in Afghanistan, institutional and state protection for women and girls remains weak. Sexualized violence is an ever-looming threat. Women and girls are vulnerable to rape outside their homes by insurgents, warlords' henchmen and men unknown to them. They are equally vulnerable to sexualized violence at the hands of men known to them. Sexualized abuse is very common and often starts at a young age. Girls might be abused in their birth homes, and may also experience sexualized violence in their marriage homes at the hands of their husband

<sup>1</sup> Kabul Communiqué

<sup>2</sup> London Communiqué

<sup>3</sup> London Communiqué

<sup>4</sup> RAWA – October 2006, [www.rawa.org](http://www.rawa.org)

or other male family members. The pervasiveness of child marriage makes girls much more vulnerable to sexual abuse and rape, often leaving long-term physical and emotional damage.

The recently signed EAW Law aims to protect from violence and repeated violence but, unfortunately, due to the pervasive culture of impunity in Afghanistan, perpetrators remain free and are not punished according to the existing laws. To protect women from further violence there are a number of shelters around the country managed by national civil society organizations. These shelters operate despite enormous challenges emanating from both state authorities and society.

#### **Protection of Refugees and IDP's in Conflict Zones:**

Internal migration has continued as Afghans flee from less secure areas of the country to larger cities such as Kabul. Gender-specific security threats contribute to increased internal displacement as families flee to safer areas due to the threat of rape. At the same time some refugees have returned to find their homes destroyed or occupied by new "owners". Refugee camps outside of Afghanistan offer women little protection, restricted access to employment and other opportunities, and continue to be poverty-stricken. As such they provide easy recruiting grounds for the Taliban.

Tens of thousands of people from Helmand, Zabul and Uruzgan provinces have been displaced from their villages as a result of the US/NATO bombardments and Taliban insurgency. Over 700 families are living in a IDPs camp in Charahi Qambar area of Kabul. The living conditions of people in this camp are deplorable and they say neither government nor any NGO provide help to them so their children are starving.<sup>5</sup>

As Resolution 1325 recognizes, women and girls have special needs during repatriation and resettlement and for rehabilitation and reintegration as well as post conflict reconstruction. In addition, the needs of women and girls must be considered in the design of refugee camps and in the implementation of humanitarian measures. Over the last 30 years Afghanistan has had the world's largest refugee population. Given the prevailing insecurity, conditions on the ground are not conducive to the return of refugees or IDPs to their place of origin within Afghanistan. Insecurity results in continuous refugee and IDP movements from unstable areas such as the south to the comparative safety of Kabul or Pakistan.

Currently the situation for IDPs within the country is dire. Neither government nor NGOs have taken serious steps to address the life situation of IDPs, particularly women and children.

Most IDPs said they had received no assistance from the government or aid agencies, and faced food, health, water and cold-related problems.<sup>6</sup>

To ensure the protection of women, NGOs have been active in working with the MOWA, and are aiding in drafting new family, marriage and violence against women laws. There has also been lobbying and advocacy for gender mainstreaming within other newly drafted and reformed laws. Such legislation is crucial to ensuring the basic legal system is in place to ensure women are able to claim their rights. In addition, NGOs have been working with MOWA to establish women's shelters and support centers for those experiencing violence and abuse, and ensuring some of women's most basic health and economic needs are met. Training and empowering women is also being undertaken by different national and international organizations to enable women to advocate for themselves and protect themselves at a household and community level.

#### **Recommendations**

1. The Afghan President should issue a decree referencing the Constitution, the ANDS and NAPWA. Such a decree should be applicable to all Ministries ordering them to priorities gender equality and in this respect, establish Clear plans and implement practical strategies towards gender equality and women's leadership within the civil service. High officials should be held accountable for the implementation of the decree.
2. The government of Afghanistan should create a National Action Plan for the implementation of Resolution 1325 in Afghanistan and should appoint a Committee of committed, competent and qualified women and men to oversee the implementation of the Action Plan

<sup>5</sup> IRIN, January 12, 2010

<sup>6</sup> IRIN, January 12, 2010

3. The Ministry of Women's Affairs should integrate the implementation of UN SC resolution 1325 into its Action Plan
4. The Security Council should create a monitoring mechanism for 1325's implementation, within the UN system-wide Action Plan on SCR 1325.
5. Include the Resolution 1325 as an essential tool for peace- and state building in capacity-building programmes for state institutions like ministries, the judiciary and police but also for civil society organizations and traditional policy-making organs like shuras and jirgas.
6. Carry out capacity building on sexualized violence against women, traumatization and its consequences as a tool for peace building and reconciliation.
7. Establish awareness raising programs for young men in schools on gender equality and gender roles as a tool of prevention for gender based violence and peace building
8. Support the peace building activities of Afghan women's organizations throughout the country and provide technical assistance and capacity-building for the local implementation of the provisions of Resolution 1325
9. Women's organizations should use a common peace building agenda to overcome divisions and collaborate on advocacy and service provision activities.
10. Establish a strong and systematic support and protect the rights of IDPs particularly women and children
11. Afghanistan should increase civic education on UNSCR 1325.

#### Acronyms

UNSCR 1325	United Nation Security Council Resolution 1325
EVAW Law	Elimination of Violence Against Women Law
NAWPA	National Action Plan for the Women of Afghanistan
ANDS	Afghanistan National Development Strategy
DDR	Disarmament, Demobilization and Reintegration
IDP	Internally Displaced Person
NATO	North Atlantic treaty Organization
MOWA	Ministry of Women's Affairs (Afghan Government)
Shura	Consultative Council
Jirga	National Assembly