

Gender Equality and Women's Rights in Afghanistan

**Gulsah
Gures***

Abstract

This paper seeks to examine the issues of gender inequality and women's human rights in Afghanistan by looking at the developments in the fields of education, political participation and economics over the past 12 years. This complex issue will be studied by assessing what has been achieved on paper so far, and how much of that has been implemented successfully. The author concludes that if Afghan women are empowered to make meaningful contributions to deciding the country's post-conflict development priorities, and are listened to by their male colleagues in the political, economic and social contexts, the country's socio-politic and economic development prospects will be improved. To this end, the author suggest that the international community should increase its development-focused support to post-2014 Afghanistan by prioritizing education, the protection of civil and human rights, and economic and social development by underlining the strong connection between women and development.

* Ms. Gulsah Gures is Project / Research Officer responsible for Afghanistan and Pakistan at the International Centre for Migration Policy Development (ICMPD), Vienna, Austria.

The critical year of 2014 will see the transition of security responsibilities. Now that this is fast approaching, there is an increasing focus on security and military priorities due to the existing unstable and unpredictable situation in Afghanistan. Though there are general concerns with regard to post-2014 Afghanistan, nearly half of Afghan society - namely women, have an additional concern in addition to security. This is the significant possibility that they rights that have regained since 2001 will be traded away either as part of peace negotiations, or in return for support from warlords, or for votes from swing voters in the country.¹ These concerns have been voiced by various actors, both internal and external, in several different fora since the London Conference in January 2010. Since then, the handover of security responsibilities has dominated the international agenda, together with the issue of troop withdrawal and Afghan President Hamid Karzai's statements favoring peace talks with more senior Taliban members who are not related to terrorist organizations.² Although Afghan President Karzai promised that Afghan women's rights will not be compromised during these peace talks,³ this insufficient to allay con-

1 Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency(Sida) Gender Review-Afghanistan, 7 June 2011, pp.6-17.

2 "Karzai Says He Has Always Favored Peace Talks With Taliban", RFE/RL, 29 January 2010, at http://www.rferl.org/content/Karzai_Says_He_Has_Always_Favored_Peace_Talks_With_Taliban/1943664.html

3 Julian Borger, "Afghanistan conference sets out plan for two-

cerns. During the Kabul Conference (July 2010), international donors and politicians voiced their concerns that the hard-won gains of Afghan women since 2001 may be sacrificed in peace deal.⁴ Similarly, during an event held in the American Embassy compound in Kabul, Afghanistan in March 2013, Afghan businesswomen conveyed their concerns with regard to women's human rights in the upcoming transition period. These women asked US Secretary of State John Kerry, "what will happen if Afghan officials negotiate a peace accord with the Taliban whose leaders are determined to reinstitute restrictions on the role of women?"⁵

Indeed, there are several developments that have exacerbated these concerns. At minimum, there are multiple weaknesses in the implementation, reporting and accountability of the high-level political commitments with regard to the gender equality and women's human rights in Afghanistan. Further to this, there is an identifiable correlation between the intensifying insurgency since 2005-2006 and the erosion of some of the gains made in terms of the rights of Afghan women. Notably, the passing

tier peace process", *The Guardian*, 28 January 2010, at <http://www.theguardian.com/world/2010/jan/28/afghanistan-london-conference-analysis>

4 Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency(Sida) Gender Review-Afghanistan, 7 June 2011, p.20.

5 Michael R. Gordon "Kerry Hears Afghan Fears From Women in Business", *The New York Times*, 26 March 2013, at http://www.nytimes.com/2013/03/27/world/asia/kerry-hears-concerns-of-afghan-businesswomen.html?_r=0

of the “Shiite Personal Status” Law in 2009 places heavy restrictions on the rights of women from the Shia sect, in contradiction to not only the Afghan Constitution but also in violation of a number of national and international binding documents signed or adopted by the Afghan Government. In addition, the strong criticism by conservative Afghan MPs of the ‘Elimination of Violence Against Women (EVAW) Law’ -which criminalizes numerous acts of violence against women - during the parliamentary debate in May 2013 show that the concerns of Afghan women and the international community with regard to the losing the hard-won gains of Afghan women are quite legitimate.⁶ These two events also triggered an outcry in national and international fora.

Indeed, over the past 12 years, the Afghan government together with the international community has invested significant effort in providing and strengthening gender equality and women’s human rights, which entails struggling against so many political, economic, social, cultural and security challenges. This is demonstrated in a number of policy and strategy papers and international commitments. However, the implementation

6 Jon Boone, “Afghanistan’s Women Find Their Voice”, *The Guardian*, 18 April 2009, at <http://www.theguardian.com/world/2009/apr/18/afghanistan-womens-rights-politicians>; European Parliament Resolution on Women’s Rights in Afghanistan, B6-0197/2009, 22 April 2009, at [of these documents and commitments has not yielded the expected results. It is true that when considering the tragic situation of Afghan women and gender relations in Afghanistan during the Taliban era, some extraordinary achievements have been made, especially in the field of education and political participation. On the other hand, gender inequality persists. Its extent varies among different ethnic groups in Afghanistan as well as between urban and rural communities, and also depends on education level, religious affiliation, economic status and security situation.⁷ Having said this, seeking to explain the failures in implementation with reference to ‘local culture’ is criticized by Prof. Deniz Kandiyoti:](https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnxhZmdoYW5wb2xpy3lzaXRlfGd4OjZlZjYyZDFkZjU0YzQ:Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency(Sida) Gender Review-Afghanistan, 7 June 2011, p.38.</p></div><div data-bbox=)

...violations of women’s rights in Afghanistan are over-determined by overlapping and mutually reinforcing sets of influences: the dynamics of gendered disadvantage, the erosion of local livelihoods and growing poverty, the criminalization of the economy and insecurity at the hands of armed groups and factions. Combinations of new pressures (such as poverty, indebtedness and predation by local strongmen) with existing practices (such as early

7 Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency(Sida) Gender Review-Afghanistan, 7 June 2011, p.31.

marriage of girls against the payment of bride price) create outcomes that may easily be misread as unmediated expressions of local “culture”. Such misidentification detracts critical attention from the full nexus of influences that deepen the vulnerability of girls and women.⁸

In order to examine this highly significant issue in detail, this paper will first provide a brief outline of the gender-based demographic features of the country. In the second part, the commitments of the Afghan government in relevant strategy and policy papers and international treaties will be examined. Thirdly, the implementation track in the areas of education, political participation and labor market will be reviewed. In the fourth and the final part, a concluding evaluation will be submitted.

Gender-based Demographic Features

According to the 2011-2012 Statistical Yearbook of the Afghan Central Statistics Organization (CSO), approximately 49 percent of the total settled population of Afghanistan is female. This settled population was estimated to be around 25 million

⁸ Deniz Kandiyoti, “The Politics of Gender and Reconstruction in Afghanistan”, United Nations Research Institute for Social Development (UNRISD), Occasional Paper 4, February 2005, p.32.

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people in 2011-2012,⁹ of which the great majority is young (11.5 million or 46.1 percent of the total settled population is under the age of 15) and living in rural areas (19.1 million Afghans live in rural areas, and only 5.9 million Afghans live in urban areas).¹⁰ The country’s fertility rate in 2005-2010 was 6.6, the second highest in the world after Niger,¹¹ though the decreasing population growth rates from 3.77 percent in 2000-2005 to 2.66% in 2005-2010¹² show that the current demographic structure will continue in the foreseeable future.

According to estimates by the United Nations Department of Economic and Social Affairs, Afghan females aged between 15 and 49 made up 42.3 per-

⁹ According to the 2012-2013 estimations, total settled population is 25.5 million (12 455 700 female and 13 444 000 male). For further information, please see: CSO of Afghanistan, “Population Estimation 2012-2013: Settled Population of Afghanistan by Civil Division, Urban, Rural and Sex 2013-2013”, Population Statistics, <http://cso.gov.af/en/page/6449>

¹⁰ CSO of Afghanistan, “Afghanistan Statistical Yearbook 2011-2012: Population”, <http://cso.gov.af/en/page/7108>, pp. 6-7. These figures do not include the nomadic population which is estimated to be 1.5 million.

¹¹ The Economist, “Afghanistan’s Demography: A Bit Less Exceptional”, 23 June 2012, <http://www.economist.com/node/21557370>

¹² UN Data Bank, “Afghanistan: Population Growth Rate (percentage)”, World Population Prospects: The 2012 Revision, UN Population Division, <http://data.un.org/Data.aspx?q=afghanistand&d=PopDiv&f=variableID%3a47%3bcrID%3a4#PopDiv>

cent of the total population in 2000, 42.6 percent in 2005, and 43.3 percent in 2010.¹³

Afghan Settled Population by Sex and Age, 2011-2012¹⁴

Age	Total	Male	Female	%
Total	24 987 700	12 782 000	12 205 700	100
0-4	4 879 182	2 373 708	2 505 474	19
5-9	3 744 680	1 902 185	1 842 495	15
10-14	2 897 639	1 524 594	1 373 045	12
15-19	2 368 063	1 250 690	1 117 373	9
20-24	2 027 792	1 038 565	989 227	8
25-29	1 674 245	826 931	847 314	7
30-34	1 395 516	664 820	730 696	6
35-39	1 225 447	585 981	639 466	5
40-44	1 058 169	535 176	522 993	4
45-49	917 456	485 347	432 109	4
50-54	774 191	426 538	347 653	3
55-59	623 315	353 268	270 047	2
60-64	481 068	276 037	205 031	2
65+	920 937	538 160	382 777	4

The Afghan Government's Commitments to Women

This section will present gender-related aspects of strategy, policy and international documents signed or adopted by the Afghan government, in order to show the political commitments made by the Afghan government.

13 UN Department of Economic and Social Affairs, "Afghanistan: Women Aged 15-49", <http://esa.un.org/unpd/wpp/unpp/p2k0data.asp>

14 CSO of Afghanistan, "Afghanistan Statistical Yearbook 2011-2012: Population", <http://cso.gov.af/en/page/6070>, p. 7. These figures do not include the nomadic population which is estimated to be 1.5 million.

First and foremost, is the Bonn Agreement of December 2001, which was seen as a framework for the establishment of democratic governance. In this document, specific focus was given to the role and status of women in this challenging process by encouraging women's involvement in all levels of the new government, and underlining the necessity of advancing the role of women in the society.¹⁵ The relevant women-specific articles in the 2004 Constitution and the establishment of the Afghan Ministry of Women's Affairs (MoWA) should be evaluated as the results of the Bonn process.¹⁶

The current Constitution (adopted in 2004) has several articles targeting at increasing and protecting the legal rights of women. Article 22 clearly states that women and men have equal in rights and duties before the law, by strictly prohibiting any kind of discrimination and distinction.¹⁷ Articles 44 and 53 require the State to develop and implement the necessary programs to design and to promote a balanced education for Afghan women, and to provide the necessary aid to women.¹⁸ Article 58 announces the establishment of the Independent Human Rights Commission of Afghanistan to monitor developments, both

15 National Action Plan for the Women of Afghanistan (NAP-WA) 2008-2018, at <http://mowa.gov.af/en/page/6686>, p.5

16 Ibid.

17 The Supreme Court of Afghanistan, "Laws: Constitution of Afghanistan", at <http://supremecourt.gov.af/en>

18 Ibid.

achievement and violations, in the field of human rights. This institution is also responsible for conveying the human rights violations raised by individuals to the relevant legal authorities and assisting those people in defense of their rights.¹⁹ The Afghanistan Independent Human Rights Commission (AIHRC) was established in June 2002.²⁰ Articles 83 and 84 of the Constitution addresses the representation of women in the bicameral national assembly of Afghanistan, which is composed of the *Wolesi Jirga* (House of the People) and *Meshrano Jirga* (House of Elders). Accordingly, in the *Wolesi Jirga*, at least two seats from each province are reserved for women, and the President is assigned to reserve half of the seats for women in the *Meshrano Jirga*.²¹ Furthermore, Article 7 states that Afghanistan must comply with the treaties (United Nations Charter, international treaties, inter-state agreements and the Universal Declaration of Human Rights) to which Afghanistan is party. Afghanistan has signed and ratified a number of binding international agreements promising to enforce women's human rights. The country's ratification of the Convention on the Elimination of all forms of Discrimination against

19 The Supreme Court of Afghanistan, "Laws: Constitution of Afghanistan", <http://supremecourt.gov.af/en>

20 Harvard Kennedy School, Carr Center for Human Rights Policy, "Establishment of the Afghanistan Independent Human Rights Commission", at <https://sites.google.com/site/afghan-policysite/Home/establishment-of-the-afghanistan-independent-human-rights-commission>

21 The Supreme Court of Afghanistan, "Laws: Constitution of Afghanistan", <http://supremecourt.gov.af/en>

Women (CEDAW) in March 2003, without any reservations, is the most significant among them. However, Dr. Laura Grenfell draws attention to a crucial point of conflict with the Constitution:

Despite Afghanistan's basic recognition of gender equality under the law, fulfillment of its obligations under CEDAW may be threatened by Article 3 of the 2004 Constitution. This article states, "No law can be contrary to the beliefs and provisions of the sacred religion of Islam." While Islam *per se* is not inimical to women's rights, this provision has the potential to undermine women's rights in Afghanistan because its interpretation by a conservative judiciary could invalidate the rights recently gained by women. Because Afghanistan made no reservation to CEDAW with regard to this provision, Afghan courts will have to reconcile Articles 3, 7, and 22 of the Constitution in the future in order to avoid possible conflict.²²

The establishment of the Afghan Ministry of Women's Affairs (MoWA) by

22 Grenfell, Laura; "The Participation of Afghan Women in the Reconstruction Process", Human Rights Brief, 12/1, 2004, at <http://digitalcommons.wcl.american.edu/hrbrief/vol12/iss1/7/>, p.23

the Afghan Interim Administration as part of the executive of the Interim Administration is considered as a significant step in demonstrating the political will of the Afghan leadership to secure and expand the legal rights of women.²³ Today, MoWA has 9 central departments and 34 provincial departments to reach Afghan women and carry out its activities.²⁴ Furthermore, in 2005, the MoWA established the Inter-ministerial Commission on the Elimination of Violence against Women (IMC-EVAW), in order to launch a coordinated action plan among all the relevant stakeholders in improving the social status of Afghan women and reaching an overall solution to gender inequality.²⁵

In 2004, Afghanistan would have been eligible to join the community of nations committed to the Millennium Development Goals (MDGs). Due to the ongoing conflict situation in the early 2000s, Afghanistan was unable to attend to the Millennium Summit of the United Nations held on 6-8 September 2000 in New York. Thus it could not sign the United Nations Millennium Declaration at the conclusion of the Millennium Summit on 8 September 2000, at which world leaders had unanimously agreed upon certain objectives based on shared values and principles to be achieved

23 Afghan Ministry of Women's Affairs, "Introduction to MoWA", at <http://mowa.gov.af/en/page/1332>

24 MDG Afghanistan Project, "Challenge Questions: Gender", at <https://sites.google.com/site/mdpafghanistan/challenge-questions/gender>

25 MoWA Brochure on the EVAW Commission, p.1.

The establishment of the Afghan Ministry of Women's Affairs (MoWA) by the Afghan Interim Administration as part of the executive of the Interim Administration is considered as a significant step in demonstrating the political will of the Afghan leadership to secure and expand the legal rights of women.

by 2015.²⁶ However, in 2004, the government of Afghanistan approved the Millennium Declaration together with the Millennium Development Goals (MDGs)²⁷ based on an adjusted time frame and targeted figures according to the realities of the country; i.e. most of these global targets were 'Afghanized'. Furthermore, a ninth Goal of 'Enhancing Security' was added to the existing eight, in consideration of the fact that development is directly linked to security. Afghanistan promised to reach the goals in the MDGs by 2020 instead of 2015, by taking 2002-2005 as the baseline instead of 1999 as agreed by the international community.²⁸ Of the 9 MDGs of Af-

26 Kabul Process, "MDG", at <http://www.thekabulprocess.gov.af/index.php/ands/mdg>

27 8 MDGs are as follows: Eradicating extreme poverty and hunger (goal 1), achieving universal primary education (goal 2), promoting gender equality and empowering women (goal 3), reducing child mortality (goal 4), improving maternal health (goal 5), combating HIV/AIDS, malaria and other diseases (goal 6), ensuring environmental sustainability (goal 7), developing a global partnership for development (goal 8). For details please see, UNDP Afghanistan, Millennium Development Goals Status in Afghanistan, at <http://www.undp.org.af/MDGs/MDG-status07.htm>

28 Kabul Process, "MDG", at <http://www.thekabulprocess.gov>

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ghanistan, Goal 3, ‘to promote gender equality and empower women’, is targeted at eliminating gender disparity at all levels of education by 2020, in economic spheres by 2020, and in access to justice by 50 percent by 2015, and completely by 2020. The final aspect of this is to increase female participation in elected and appointed bodies at all levels of governance to 30 percent by 2020.²⁹

In 2005, the Afghan government adopted ‘The Way Ahead: Work Plan of the Afghan Government’, during the Berlin Conference.³⁰ This paper, referring to the constitutional guarantees of equality and non-discrimination with regard to women’s political participation as voters, candidates and civil servants, underlined the reinforcement of the MDG Goal on

af/index.php/ands/mdg

29 UNDP Afghanistan, *Millennium Development Goals Status in Afghanistan*, at <http://www.undp.org.af/MDGs/MDGstatus07.htm>

30 *National Action Plan for the Women of Afghanistan (NAP-WA) 2008-2018*, <http://mowa.gov.af/en/page/6686>, p.18.

education and gender mainstreaming in all sectors, programs and policies.³¹

During the London Conference (31 January-1 February 2006), the Afghanistan Compact was signed as a new framework for cooperation by the Government of Afghanistan, the United Nations and the international community upon the completion of the terms of the Bonn Agreement in 2005 (i.e. having passed a new Constitution in January 2004, conducted the Presidential elections in October 2004 and the National Assembly and Provincial Council Elections in September 2005).³² Principles 5 and 7 of the Afghanistan Compact (2006-2010) underlined the importance of the development of women’s human capital in addition to men’s in order to create robust human capacity and effective state mechanisms together with necessary civil society institutions. The principles also recognized that Afghan men and women have equal rights and responsibilities in all policies and programs.³³ In its benchmarks and timelines, the expectation with regard to the full implementation of the National Action Plan for Women in Afghanistan and the strengthening of female participation in all Afghan governance institutions by late 2010 was voiced.³⁴ With regard to education, targets were put forward

31 *Ibid.*

32 *Ibid.*, p.19.

33 *Ibid.*

34 *Afghan Foreign Ministry, The Afghanistan Compact*, at <http://mfa.gov.af/en/page/3881>, p.7

for increasing the enrollment rate of female students in all levels of education as well as increasing the number of female teachers, giving marketable skills training to women together with men.³⁵ Furthermore, improving conditions for vulnerable Afghan women - defined as poor female-headed households - and their employment rates was also mentioned.³⁶

Another important development during the London Conference in 2006 was the initiation of the interim Afghanistan National Development Strategy (i-ANDS) by the Afghan Government, complementing the Afghan Compact by detailing the country's future development agenda for 2006 - 2010.³⁷ In this strategy paper, there were strong references to the existing gender inequality in Afghanistan across almost all spheres of life, by giving the rationale, context, constraints along with the possible strategies to overcome the challenging obstacles either in the form of capacity building or advocacy or awareness programs. Those constraints were listed as the weak capacity of the government in mainstreaming gender; cultural, social and religious sensitivities on gender issues, underdevelopment, lack of education affecting the pace and acceptance of reforms; social resistance to the schooling of the girls, physical obstacles such as lack

35 *Ibid.*, p.10.

36 *Ibid.*, p.11.

37 *European Commission Country Strategy Paper for Islamic Republic of Afghanistan 2007-2013*, p.10.

of female teachers-especially in rural areas, early marriages, shortage of schools for girls; low participation of women in economy due to low literacy rates, lack of skills, restricted mobility, lack of financial and technical services; persistence of widespread inequalities though the constitutional guarantees and poor representation of women in leadership and power.³⁸

In order to materialize the benchmarks within the allocated time stated in the Afghanistan Compact and the ANDS, the Afghanistan National Development Strategy (ANDS) 2008-2013 was adopted by the Afghan Government and the international community during the Paris Conference in 2008.³⁹ The ANDS (2008-2013), which has three pillars, namely security, governance and socio-economic development covering 17 sectors, includes a Gender Equity Cross Cutting Strategy. In this strategy paper, after the main problems faced by Afghan women and men are discussed in-depth, policies to be followed in order to reach certain benchmarks in the coming few years were designed based on gender specific issues such as nondiscrimination and equality considered in terms of rights and duties.⁴⁰

38 "Afghan Foreign Ministry, *Afghanistan National Development Strategy: An Interim Strategy for Security, Governance, Economic Growth & Poverty Reduction*", Reliefweb, 30 January 2006, at <http://reliefweb.int/report/afghanistan/afghanistan-national-development-strategy-summary-report-interim-strategy>, p.16, p.35, p.48, pp.51-52, p.54, p. 71, p.79, pp. 90-94.

39 *National Action Plan for the Women of Afghanistan (NAP-WA) 2008-2018*, at <http://mowa.gov.af/en/page/6686>, p.7

40 *Ibid.*

In 2008, the Afghan government also adopted the National Action Plan for the Women of Afghanistan (NAPWA 2008-2018) as a policy framework in order to carry on and coordinate the Afghan Government's efforts of protecting women's citizenship rights in Afghan society, in line with the objectives stated in the Constitution, Millennium Development Goals (MDGs) and CEDAW.⁴¹

In 2009, the Elimination of Violence Against Women (EVAW) Law, criminalizing numerous acts of violence including child marriages, forced marriages, selling and buying girls or women for the purpose or under the pretext of marriage, the tradition of giving away a woman or girl to settle a dispute, rape, beating and several other acts of violence against women, was signed by the President Karzai as a decree and, only three years later, in May 2013, it was submitted for ratification by Parliament. This led to a series of provocative remarks by conservative MPs, who described the decree as "un-Islamic". Thus it has not been ratified by Parliament.⁴² Although the law can still be implemented due to its presidential decree standing, legitimacy comes with the parliamentary ratification.⁴³ There has been no development on this issue since then.

During the Kabul Conference in July 2010, the Government of Afghanistan initiated 22 National Priority Programs (NPPs) in order to improve its development efforts.⁴⁴ In addition to the fact that gender has been mainstreamed in all programmes of the Human Resource Development Clusters, the Afghan government also adopted the MoWA Priority Program in order to increase the capacity of the Ministry for successful and timely implementation of the NAPWA.⁴⁵

Last but not least, with regard to Security Council Resolution 1325 of October 2000 on women, peace and security, calling for a gender perspective in post-conflict processes in all UN peace and security operations and in UN programming in addition to the increased participation and representation of women at all levels of decision-making during the reconciliation and transition process,⁴⁶ a National Action Plan (NAP) has not yet been developed for its implementation, despite the fact that the government had voiced its commitment to SCR 1325.

41 *Afghan Ministry of Women's Affairs, NAPWA*, at <http://mowa.gov.af/en/page/6686>

42 *Sethna, Razeshta; "Afghan Women's Rights under Threat", The Guardian*, 20 June 2013, at <http://www.theguardian.com/global-development/2013/jun/20/afghan-womens-rights-under-threat>

43 *Ibid.*

44 *Kabul Process, "Prioritization"*, at <http://www.thekabulprocess.gov.af/index.php/clusters--npps/prioritization>

45 *Afghan women's Network (AWN), "Women in the Peace Process of Afghanistan"*, p. 2.

46 *UN Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI), "Landmark Resolution on Women, Peace and Security"*, <http://www.un.org/womenwatch/osagi/wps/>

Implementation Track

On the issue of the implementation of gender related action plans and international commitments in all these documents, although the political commitments are high and some of the achievements are quite impressive, there remain many flaws in the implementation process. This section of the paper will cast a critical eye on the implementation process over the past years by looking at three specific fields, namely education, political participation and economic activity.

A) Education

Widespread illiteracy, particularly among females, has been observed as one of the significant consequences of the war and conflict situation in the country, which has destroyed the core of the state institutions as well as the economy. Although the country has had some remarkable achievements in the field of education since 2001, Afghanistan still has one of the lowest literacy rates in the world. According to the Afghan Ministry of Education, the estimated literacy rate of the total Afghan population aged 15 and above is around 26 percent, and the gender gap remains large here with the female literacy rate much lower (12 percent) than the male literacy rate (39 percent).⁴⁷ Literacy is much lower in rural areas, especially in insecure and remote regions and among nomadic people, due to the lack of infra-

47 Afghan Ministry of Education, "Strategic Plan-Program Four: Literacy", <http://moe.gov.af/en/page/2015>

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structure and difficulties in accessing education services.⁴⁸ Several nine-month literacy programs have been developed separately for male and female populations all over the country. As seen from the table here below, the number of these literacy courses (both for males and females) is decreasing and the number of graduates is quite low in comparison to the number of students enrolled. Between 2009 and 2012, although the number of female graduates increased, the participation of females in these courses decreased significantly.

Some significant developments recorded in the field of education are as follows: 9,000 out of 12,500 schools existing today have been built since 2001; the number of teachers increased from 20,700 men in 2002 to 174,400 people in 2011 - 50,000 of whom are female. More than 60 million textbooks for both primary and secondary schools have been published and distributed.⁴⁹

48 Afghanistan National Development Strategy (ANDS) 2008-2013, p.30.

49 David Cortright and Kristen Wall, "Afghan Women Speak: Enhancing Security and Human Rights in Afghanistan", Kroc

Since 2001, a remarkable increase in the enrolment rates in schools of and especially in the number of female students has been observed: the number of students in 2002 was 900,000, consisting of only males.

Literacy Activities by Gender between 2009 and 2012⁵⁰

	2009 2010	2010 2011	2011 2012
Total Number of Courses	31 278	27 087	22 660
*Courses for Males	13 531	11 819	11 278
*Courses for Females	17 747	15 268	11 382
Total Students	682 679	607 669	574 433
*Male Students	287 124	251 850	278 801
*Female Students	395 555	355 819	295 632
Graduates	104 994	159 970	227 539
*Male Students	27 092	50 125	90 680
*Female Students	77 902	109 845	136 859

This increased to 8.4 million students by 2012, and 39 percent are female.⁵¹ However, at higher levels of schooling, the percentage of girls decreases. For instance, in 2008, only 26 percent of Grade 12 graduates were female.⁵² As seen from the table below, there is a decreasing tendency in the gender parity index when moving from primary level enrolment to tertiary level enrolment. This is mainly due to the persistence of barriers to female ed-

Institute for International Peace Studies, University of Notre Dame, August 2012, p.16.

⁵⁰ *Afghanistan Central Statistics Organization, "Afghanistan Statistical Yearbook 2011-2012", at <http://cso.gov.af/en/page/7108>, p.93.*

⁵¹ *Ibid.*

⁵² *Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency(Sida) Gender Review-Afghanistan, 7 June 2011, p.17.*

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ucation such as early marriage, limited mobility for girls, and the lack of value given to female education, in addition to the worsening security situation - which triggers attacks on schools, teachers and students (mostly girls' schools).⁵³

Since the female enrolment rate decreases with each year of schooling, the percentage of the schools allocated for girls is also decreasing from 39.1 percent at the primary level, to 33.2 percent at the secondary level and to 28.1 percent at the high school.⁵⁴ Especially in rural areas, 80 percent of districts do not have high schools for girls.⁵⁵ In addition to the separate schools for female students, training of female teachers is also crucial in providing schooling for girls at

⁵³ *David Cortright and Kristen Wall, "Afghan Women Speak: Enhancing Security and Human Rights in Afghanistan", Kroc Institute for International Peace Studies, University of Notre Dame, August 2012, p.16.*

⁵⁴ *Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency(Sida) Gender Review-Afghanistan, 7 June 2011, p.17.*

⁵⁵ *Ibid.*

all levels. In 2010, only 30 percent of the 170,000 teachers and 38 percent of the students going to Teacher Training Colleges were female.⁵⁶

Gender Parity Index in Primary, Secondary and Tertiary Level Enrolment, 2002-2011⁵⁷

Gender Parity Index in:	Primary Level Enrolment	Secondary Level Enrolment	Tertiary Level Enrolment
2002	0.46	---	---
2003	0.57	0.35	0.28
2004	0.44	0.21	0.28
2005	0.59	0.33	---
2006	0.63	0.37	---
2007	0.63	0.38	---
2008	0.65	0.43	---
2009	0.67	0.49	0.24
2010	0.69	0.51	---
2011	0.71	0.55	---

B) Political Participation

The steps taken by the Afghan government with regard to women's participation in the new political order have been encouraged by the international community. Six out of 60 Afghan delegates attending to the Bonn

⁵⁶ Ibid.

⁵⁷ UN Data Bank, "Gender Parity Index in Primary Level Enrolment", at <http://data.un.org/Data.aspx?q=Afghanistan&d=MDG&f=seriesRowID%3a611%3bcountryID%3a4>; UN Data Bank, "Gender Parity Index in Secondary Level Enrolment", <http://data.un.org/Data.aspx?q=Afghanistan&d=MDG&f=seriesRowID%3a613%3bcountryID%3a4>; UN Data Bank, "Gender Parity Index in Tertiary Level Enrolment", at <http://data.un.org/Data.aspx?q=Afghanistan&d=MDG&f=seriesRowID%3a614%3bcountryID%3a4>

negotiations held in November 2001 were women; 12 percent of the participants during the Emergency Loya Jirga in June 2002; 20 percent of the Constitutional Loya Jirga in December 2003; and seven out of 35 mem-

Six out of 60 Afghan delegates attending to the Bonn negotiations held in November 2001 were women; 12 percent of the participants during the Emergency Loya Jirga in June 2002; 20 percent of the Constitutional Loya Jirga in December 2003; and seven out of 35 members of the Constitutional Commission were women.

bers of the Constitutional Commission were women.⁵⁸

In accordance with the 2004 Constitution, Afghan women have held more than 25 percent of the seats in the national parliament since 2006.⁵⁹ With the adoption of this electoral law in May 2004, 68 women in the September 2005 elections and 69 women in the September 2010 elections entered the *Wolesi Jirga* (65 seats were already reserved for women), equal to

⁵⁸ National Action Plan for the Women of Afghanistan (NAP-WA) 2008-2018, at <http://mowa.gov.af/en/page/6686>, p.5; Grenfell, Laura; "The Participation of Afghan Women in the Reconstruction Process", Human Rights Brief, 12/1, 2004, at <http://digitalcommons.wcl.american.edu/hrbrief/vol12/iss1/7/>, p.23

⁵⁹ "Afghanistan: Seats held by women in national parliament, percentage", UN Data Bank, at <http://data.un.org/Data.aspx?q=afghanistan&d=MDG&f=seriesRowID%3a557%3bcountryID%3a4>

27.7 percent of the seats.⁶⁰ However, initially only 11 women entered the *Meshrano Jirga* in the February 2010 elections, but in January 2011, with the assignment of 17 women members by the President, this number increased to 28, giving 27.45 percent of the seats to women.⁶¹ These figures are above the world average. Furthermore, the number of female candidates for *Wolesi Jirga* increased from 12 percent in 2005 to approximately 16 percent in 2010, though it remains the case that female candidates for parliamentary elections face serious challenges in relation to campaigning in public.⁶²

Proportion of seats held by women in Afghanistan's National Parliament⁶³

Year:	1990	2006	2007	2008	2009	2010	2011	2012	2013
Seats held by women in %	3.7	27.3	27.3	27.7	27.7	27.3	27.7	27.7	27.7
Total Number of Seats in the Parliament	189	249	249	242	242	249	249	249	249
Seats Held by Men in the Parliament	182	181	181	175	175	181	180	180	180
Seats Held by Women in the Parliament	7	68	68	67	67	68	69	69	69

Currently, there are nine women in the 70-member Afghanistan High Peace Council, which was set up in 2010 as a body of the Afghanistan Peace and

Currently, there are nine women in the 70-member Afghanistan High Peace Council, which was set up in 2010 as a body of the Afghanistan Peace and Reintegration Program (APRP) to broker peace with the Taliban.

Reintegration Program (APRP) to broker peace with the Taliban.⁶⁴ These nine female members of the Council are trying to form a united voice and to be heard by the other members in the Council. They established a committee in order to protect the constitutional rights of Afghan women during the negotiations.⁶⁵ They are mostly excluded from the major decisions

and main consultations.⁶⁶ There are also Afghan women on the peace talk committees of provincial and local levels but, as in the Council, they are

60 Inter-Parliamentary Union (IPU) Database, "Afghanistan: Wolesi Jirga (House of the People)", at <http://www.ipu.org/parline-e/reports/2381.htm>

61 Inter-Parliamentary Union (IPU) Database, "Afghanistan: Meshrano Jirga (House of Elders)", at <http://www.ipu.org/parline-e/reports/2382.htm>

62 Joint Norwegian Agency for Development (Norad) and Swedish International Development Cooperation Agency (Sida) Gender Review-Afghanistan, 7 June 2011, p.17.

63 UN Millennium Development Goals Indicators, "Afghanistan: Proportion of Seats Held by Women in National Parliament", 01 July 2013, at <http://mdgs.un.org/unsd/mdg/Data.aspx>

64 Miriam Arghandiwal, "Women on Afghan peace council say they are sidelined", Reuters, 22 March 2012, at <http://www.reuters.com/article/2012/03/22/us-afghanistan-women-idUSBRE82L0FP20120322> ; Selah Hennesy, "UN: Women's Rights at Risk in Afghan Peace Process", Voice of America, 30 July 2013, at <http://www.voanews.com/content/united-nations-womens-rights-at-risk-in-afghan-peace-process/1713318.html>

65 Miriam Hennesy, "Women on Afghan peace council say they are sidelined", Reuters, 22 March 2012, at <http://www.reuters.com/article/2012/03/22/us-afghanistan-women-idUSBRE82L0FP20120322>

66 Ibid.

only symbolically involved in the ongoing peace talks.⁶⁷ The Gender Policy of the ARPR, issued by the Council's Joint Secretariat in September 2011, underlined the importance of a gender balance in the composition of committees.⁶⁸ All in all, these figures, both in Parliament and the Council, show that Afghan women hold a symbolic place at the political table rather than true participation. Their meaningful participation in the design and implementation of national peace and reconstruction processes is necessary if their voice is to be heard in the political context.

C) Economic Activity

Since the Afghan economy has largely been dominated by the informal sector (80 to 90 percent), and it is hard to capture the features of this informal economic activity and the share of women there, only the share of women in public sector is given below.⁶⁹ The percentage of women in public sector employment has fluctuated over the years and is still far from the targeted level.

67 Stefanie Nijssen, "Afghanistan in Transition: The Peace Process & Afghanistan's Women", Civil Military Fusion Center, April 2012, p.3.

68 Ibid.

69 National Action Plan for the Women of Afghanistan (NAP-WA) 2008-2018, at <http://mowa.gov.af/en/page/6686>, p.72

Share of women in wage employment in the non-agricultural sector⁷⁰

Share of Women in Public Sector Employment	%
2002	19.2
2003	17.8
2004	18.5
2005	25.9
2006	18.0
2007	17.6
2008	18.4

For a number of reasons, such as limited access to education and vocational training and dealing mainly with agriculture, livestock, handicraft etc, either without being paid or underpaid, along with high fertility, inability to exercise reproductive rights, very limited access to work outside the house, limited access to productive assets, wage discrimination-especially in the civil service, and the weak position of women in the informal sector,⁷¹ the position of Afghan women in the labor market is very weak, especially in the rural areas (where the majority of the population resides). To address this, the Afghan government launched several programs designed to aid rural development, such as the National Solidarity Program (NSP), the National Area Based Development Program (NABDP), the National Rural Access Program

70 UN Millennium Development Goals Indicators, "Afghanistan: Share of women in wage employment in the non-agricultural sector", 01 July 2013, at <http://mdgs.un.org/unsd/mdg/Data.aspx>

71 National Action Plan for the Women of Afghanistan (NAP-WA) 2008-2018, at <http://mowa.gov.af/en/page/6686>, pp.69-72.

(NRAP), the Afghanistan Rural Enterprise Development Program (AREDP) and the Microfinance Investment Support Facility in Afghanistan (MISFA). Nearly one-third of the beneficiaries were rural women.⁷²

Afghanistan's GII in comparison to selected countries and groups, 2012⁷³

	GII Value	GII Rank	Maternal Mortality Ratio	Adolescent Fertility Rate	Female Seats in Parliament (%)	Population with at Least Secondary Education (%)		Labour Force Participation Rate (%)	
						Female	Male	Female	Male
Afghanistan	0.712	147	460	99.6	27.6	5.8	34	15.7	80.3
Nepal	0.485	102	170	86.2	33.2	17.9	39.9	80.4	87.6
Pakistan	0.567	123	260	28.1	21.1	18.3	43.1	22.7	83.3
South Asia	0.568	-	203	66.9	18.5	28.3	49.7	31.3	81
Low HDI	0.578	-	405	86	19.2	18	32	56.4	79.9

Among these programmes, the NSP is particularly important because it provided for the widespread involvement of rural women in community decision-making structures through Community Development Councils (CDCs), by getting benefit from the block grants.⁷⁴

Last but not least, with regard to the newly developed Gender Inequality Index (GII) in 2010, replacing the

⁷² Statement by H.E. Dr.Husn Banu Ghazanfar, Minister of Women's Affairs at the 56th Session of the Commission on the Status of Women, Permanent Mission of Afghanistan to the United Nations, 2 March 2012

⁷³ UNDP Human Development Report (HDR) 2013, Afghanistan: HDI Values and Rank Changes in the 2013 Human Development Report, Explanatory Note on 2013 HDR Composite Indices, p.4.

⁷⁴ Statement by H.E. Dr.Husn Banu Ghazanfar, Minister of Women's Affairs at the 56th Session of the Commission on the Status of Women, Permanent Mission of Afghanistan to the United Nations, 2 March 2012

previous Gender-related Development Index (GDI) and Gender Empowerment Measure (GEM), and reflecting gender-based inequalities in the dimensions of reproductive health, empowerment and economic activity, Afghanistan had a GII value of 0.707 in 2011. This put it at 141 out of 146 countries in that year's index.⁷⁵

With a GII value of 0.712, the country was ranked 147th out of 148 countries in the 2012 index. In comparison to the South Asian GII average of 0.568 and low HDI countries' GII average of 0.578 in 2012 index, Afghanistan's GII value is still quite high.

Conclusion

Since 2001, the Afghan government, with the assistance of international community, has taken gradual but significant steps towards ensuring gender equality and women's human rights. Considering the Taliban rule, the fragile security situation,

⁷⁵ UNDP Human Development Report (HDR) 2011, Explanatory Note on 2011 HDR composite Indices, Afghanistan: HDI values and rank changes in the 2011 Human Development Report, at <http://hdrstats.undp.org/images/explanations/AFG.pdf>, p.4

economic difficulties, the devastated infrastructure and a number of other political, economic, religious, cultural and social barriers, this has been an extremely challenging task from the start. Although there are many aspects open to criticism, a certain momentum has been achieved and the hard-won gains either regained or obtained by Afghan women should not be traded away as part of peace negotiations with the Taliban. The Afghan women who have robust education, influential political participation and strong positions in the labor market will be able to make a great contribution to sustainable peace in Afghanistan. Without a doubt, if Afghan women can have a meaningful seat at the table in deciding the country's post-conflict development priorities and having their voice heard by their male colleagues in the political, economic and social contexts, the socio-politic and economic development of the country will improve in the long-run. For this purpose, international community should increase its development-focused support to post-2014

Afghanistan by giving precedence to education, the protection of civil and human rights, and economic and social development, by underlining the strong connection between women and development.