

**UNAMA**

**United Nations Assistance Mission in Afghanistan**

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**Transcript**

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**TRANSCRIPT**

**Press conference for the launch of UNAMA's 2013 Annual Report – 'A Way to Go: Implementation of the Law on the Elimination of Violence against Women in Afghanistan.'**

(near verbatim; edited for clarity)

**Kabul – Sunday, 8 December 2013**

**Participants:**

- **UNAMA's Director of Human Rights and Representative of the UN High Commissioner for Human Rights, Georgette Gagnon**
- **The Executive Director of the Afghan Women's Network, Hasina Safi**
- **The Executive Director of the Afghan Women's Skills Development Center, Mary Akrami**
- **UNAMA Spokesperson Nilab Mobarez**

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**Nilab Mobarez:** Ladies and gentlemen, welcome to today's press conference. I am very sorry to announce that Ján Kubiš, the Special Representative of the Secretary-General (SRSG) for Afghanistan, and Ms. Mojgan Mostafawi, the Policy and Technical Affairs Deputy Minister of Women's Affairs, could not attend due to conflicting schedules. I would like to introduce our speakers for today's press conference: Ms. Georgette Gagnon, UNAMA Human Rights Director and Representative of the United Nations High Commissioner for Human Rights, and who is launching the 2013 annual report on the implementation of the law on the Elimination of Violence against Women in Afghanistan; Hasina Safi, the head of the Afghan Women's Network, and Mary Akrami, the head of the Afghan Women's Skills and Development Centre, who will both present their remarks on it.

**Georgette Gagnon:** Goodmorning everybody and thank you for coming. I am here on behalf of SRSG Kubiš. As you heard, he had a conflict in his schedule and could not be here, but I think we have here very worthy and expert people to talk about violence against women.

Today, UNAMA marks both the global campaign of 16 Days of Activism against Gender Violence and, also, we are marking, in advance, International Human Rights Day which is on 10

December. And the way we are doing that is by releasing this report called '*A Way to Go: An Update on the Implementation of the Law on the Elimination of Violence against Women in Afghanistan.*'

We invited our colleagues from two of the main civil society women's activists groups, who have been working very hard over many years across the country to address violence against women, and we are very pleased to have them here with us as we discuss our joint efforts to address violence against women in Afghanistan.

Just to remind everyone about the Elimination of Violence against Women law (EVAW law). It was passed in 2009 and it is a landmark law here. It, for the first time, criminalized forced marriage, child marriage, selling and buying women under the pretext of marriage, *baad* (giving away a woman or girl to settle a dispute), forced self-immolation and 17 other acts of violence against women including rape and beating. The law also specifies punishment for those perpetrators.

UNAMA asserts that periodic evaluation of how the EVAW law is being implemented by governmental institutions is imperative in view of pervasive violence against women in Afghanistan and widespread harmful practices and violence against women and girls – which have long been preventing women from participating in public life, from going to school, from holding jobs, as well as blocked their voices from being heard in political and decision-making forums, including initiatives aimed at promoting peace and reconciliation.

Progress in implementing the EVAW law can contribute to improving the realization of women's human rights, which can enable them to fulfil their crucial and imperative role in the country's economic, social and political development, particularly through the next period of transition.

The report, which I just held up, compares and updates findings from UNAMA's previous December 2012 report. You may recall our first report two years ago was called '*A Long Way to Go.*' The report last year was called '*Still a Long Way to Go*' and this report is called '*A Way to Go.*' So we are trying to mark how the law is being implemented over another year.

The current report is based on consultations with 203 judicial, police and Government officials, and the monitoring of almost 500 cases of violence against women throughout the country, and also statistical information obtained from judges police, prosecutors and courts in 18 of Afghanistan's 34 provinces over the one-year period of October 2012 to September 2013.

The UN report found mixed results on EVAW law implementation, with both advances and continuing gaps in enforcement of the EVAW law by police, prosecutors and courts in 18 provinces, which also includes Herat and Kabul provinces.

Like last year, the report found that the crime of battery and laceration was the most prevalent form of violence against women among the registered cases reported in these 16 provinces [excluding Herat and Kabul].

The main point is that, compared to last year's findings, what we found is that while registration of reported incidents of violence increased by 28 per cent in the 16 provinces, use of the EVAW law as a basis for indictment for charging perpetrators increased by only two per cent.

Also important is that in the general context of an estimated total of 1,669 incidents of violence against women registered with Departments of Women's Affairs (DOWAs) and police and

prosecutors in these 16 provinces, UNAMA notes that only 109 cases went through a judicial process using the EAW law. That is only seven per cent. This indicates that the overall use of the EAW law to prosecute perpetrators of violence against women remained low in the 16 provinces, and also in Herat and Kabul.

So what we are seeing is that encouraging increases in the reporting and registration of incidents of violence against women by police and prosecutors did not lead to a similar increase in the use of the EAW law to indict and prosecute. What we found is that, instead, the police and prosecutors were mediating more cases of violence against women. Our finding is that in many cases mediation does not fully protect women and does not enforce the legal protections available to them.

Two more points before I am handing over to my colleagues.

It is important to know that most incidents of violence against women still remain largely under-reported, although there have been increases in reporting and registration. Still, this is a small number in the context of the thousands of incidents of violence against women that came to the Afghanistan Independent Human rights Commission (AIHRC), the DoWAs and other organizations.

We [UNAMA] have found that police, prosecutors and courts, in our view, need increased resources and technical and political support and direction from the highest levels of Government to deal adequately with the increase in reporting and registration of cases of violence against women documented in this report. In our view, only if that is done can Afghan women's demands for justice be met. They are coming forward in demanding justice. The Government needs to step up and provide that justice. And we have made a number of recommendations to the Government to assist. Thank you.

### **QUESTIONS AND ANSWERS**

**Nilab Mobarez:** Now we are inviting Ms. Hasina Safi, the head of Afghan Women's Network, to present her remarks.

**Hasina Safi:** Goodmorning to everyone. I would like to thank UNAMA very much for sharing their report with us, and giving us the opportunity to be with them in the launch of the report about the Elimination of Violence against Women law.

The message which I got from the report, which UNAMA is presenting, is something that we have been advocating since the last couple of months. That message was about the implementation of and awareness of the law. Not only in the centres of provinces, but going a bit out of the centres to the districts, villages and to the remote areas, where there is no access for the people in order to give justice to women, in order to tell women that there is a law which will help them, and strengthen them and their position in society.

The opportunity that I would like to take in here is to state that the campaign that the Afghan Women's Network has initiated from 25 November until 10 December, is about telling our friends, the world, the Government of Afghanistan, that women's rights are human rights. So we have specifically two messages: on early marriages and forced marriages. We think that early marriages and forced marriages are the causes, the roots of violence in the community and in society. If we consider these then we will never have these cases [of violence against women],

we will never have divorce, and we will never have conflict – I would not say we will never have but, it [violence against women] will decrease.

I would like to emphasize more that these early marriages and forced marriages are the cause –I starting from the family, from there to the community, from the community to the provincial level, from the provincial level to the country level and national level. So, if we are really thinking about the ways how we can decrease it, for example, at all the different stages, we would really have an environment which would not be totally without violence, but we could definitely decrease that.

Something which I would like, and Georgette also mentioned, is that the reporting has been 28 per cent increased, but the follow-up has increased only two per cent, which is almost nothing. So now we would really push within Afghanistan's court system for serious monitoring mechanisms.

Now, I would like to relate this to the last international conference which was held in Afghanistan – the Senior Officials Meeting – where the international community and the Government of Afghanistan made a commitment that there will be a specific cluster group, a group which will follow up on the EVAW law and the human rights pillar. So this is now the time to show the commitment from a policy level and take it to the very, very grassroots level, which is the life of a widow in a village who is looking to us as responsible citizens of the country, for what we do for them. Thank you

**Nilab Mobarez:** Now I would like to invite Ms. Mary Akramy of AWSDC to present her remarks.

**Mary Akramy:** As has been said in the report and has been covered by my colleagues, Georgette Gagnon and Hasina Safi, we still have problems. The challenges are still there because everyone has emphasized support for the judiciary system but no one has focused on institutionalization to support the system, to have a friendly system to support women and respect women. This is the main challenge and now we see the problems – that more than a hundred cases were registered but seven per cent were implemented. The biggest challenge is the culture of impunity, which creates a lot of problems in the system. That's way we see now that women of Afghanistan are still facing a lot of challenges and difficulties.

One of the biggest issues is with the relations between civil society and the Government. There is still long way to go, but we also have made great achievements during the last years. When women are facing problems, civil society organizations and the Human Rights Commission coordinate with women's groups to bring pressure on the Government and support women's cases. The recent case that we have of Jawzjan province, one of many painful cases: a young girl was raped by a group of local police, and could not access justice in Jawzjan for two years. With her people, she came to Kabul, and after one year, after a lot of lobbying and advocacy, we successfully brought the case to the Ministry of Interior, and I would like to acknowledge that with the support of the Ministry of Interior, these criminals were arrested and given to the judicial system.

But the problem is that now, even inside Kabul, we have problems within the system. The problem is that people who have power, people who have connections, are very difficult to have punished. And, as I said, those people who come to Kabul, we try to support them, but it is really difficult and painful for those across the country who don't have easy access to justice and the police. It is really the biggest issue, the biggest challenge for the women of Afghanistan.

**Georgette Gagnon:** Just one point before questions. The report has a lot of statistical information in it, and graphs of what is happening in these 16 provinces. It's interesting stuff. Also there are accounts of women who have experienced violence, including those in forced and child marriages, and how it affects the entire family and community, and it's an extremely important point as Hasina has highlighted.

**Nilab Mobarez:** Now we can take only three questions because of GMIC's shortage of time. So please, one question at a time and short questions.

**Voice of America:** I would like to ask UNAMA about the statistics of the three years of reports on this issue and also to see the differences in each year. And also, the second point that I would like to raise is whether these reports are coordinated with the Afghan Independent Human Rights Commission, (the Department of) Women's Affairs and other institutions that are releasing such reports.

**Georgette Gagnon:** Thank you. Well, the statistics are all in the report and if I talk about them all here, everyone will fall asleep. So, you need to read the report in order to get all the statistics, because they're quite detailed. There are charts, and they compare with last year's findings the same 16 provinces, plus Herat and Kabul.

Yes, all the information in the report is shared with the Human Rights Commission and some of the information we get from the Commission. It's shared with the Ministry of Foreign Affairs, the Ministry of Women's Affairs, in addition to colleagues in the NGO community. And also a lot of the information comes from police, prosecutors and courts. They're giving information and we're analyzing it.

**Shamshad Television:** In your speech, you mentioned 18 provinces and also you mentioned 16 provinces, can you clarify this? In the meantime, what has the UN done to eliminate violence against women? Also, I have a suggestion, if the UN has representatives in each district or province to follow the cases to see what the result is, that will benefit, I think, society. Thank you.

**Georgette Gagnon:** Thank you for the question. The report is based on information from 18 of 34 provinces – 16 provinces where we looked at information compared to the same 16 provinces last year, plus two more provinces, Herat and Kabul. That makes 18 provinces – 16 plus Herat and Kabul – and that is spelled out in the report and also in the press release.

We do have representatives in each of the regions of the country. That's how we collected all of this information. And it is our plan over the next period to follow a number of cases from beginning to end. And that will help us and help everyone, we hope, get even deeper into how the cases are resolved.

And finally, this report is from October 2012 up to September of this year. So, it's a 12-month period and it's compared to the same 12-month period in 2012.

**Xinhua News Agency:** You mention in your speech that this EAW law will also help women to fulfill their political rights. My question would be related to the Presidential election next year. Previously, some reports said that some women, Afghan women, would abandon their voting rights due to fear of domestic violence. My question would be what will UNAMA or local women's rights communities do to help the female voters to vote and what kind specific measures will be

taken to ensure the application or enforcement of the EVAW law during the Presidential election. Thank you.

**Georgette Gagnon:** Well, I will have my colleagues talk about the political participation of Afghan women in the election since it is their specialty and their expertise. And I know their organizations are doing a lot in that. From the UN perspective, we will be and we are already working with the Government and those involved in the election to ensure that those who want to participate can participate. You can speak to others in the UN about how that's being done. But in terms of this law, of course, what we're going to be asking candidates and all those running is how they are going to improve the situation for women and how they are going to advance women's rights, including specific action to end or to really reduce the high level of violence and harmful practices here.

**Nilab Mobarez:** Ms. Safi would like to add some points on that.

**Hasina Safi:** It's a very good question. I think women's political participation and the EVAW law are parallel – equivalent to each other. If the violence increases, we will have less political participation of women. If there's less violence, we will have more political participation of women in the national processes. What we are doing: the Afghan Women's Network consists of 112 civil society organizations which are individually delivering programmes of awareness on the importance of women being involved in the election process and on how important their role is. That is at the grassroots level. We are also doing awareness and advocacy in order to tell partners to give more opportunities to women's local organizations to get more involved in the election process.

At the policy level, we have close coordination with the Independent Election Commission. Just today or tomorrow, we are going to sign a memorandum of understanding related to us being observers, where we will give them suggestions, where they require, for example, female staff. Also, the Election Commission had some challenges in some of the provinces where they couldn't find candidates for the [local] Election Commissions. And then the Network and its members – through advocacy and awareness efforts in those provinces specifically; I think there were 11 provinces – mobilized women through community groups and women's groups in order to make it possible. The lists were completed with advocacy.

So what we are doing is advocacy and awareness, and also trying to give suggestions to the Election Commission in order to increase [female participation]. For example, security and the physical appearance of women. If there is a polling station, for example, where you see male police outside, you will have fewer women going there because the confidence is not there, specifically at the provincial level. If you see more women police – more women, for example, such as electoral employees – women will be more confident and they will very easily and confidently go register themselves through to the last stage for voting in the election process.

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