

Violence against women: UN expert urges Afghanistan to focus on accountability, empowerment and change

KABUL / GENEVA (13 November 2014) – The United Nations Special Rapporteur on violence against women, Rashida Manjoo, called on the Government of Afghanistan and the international community to adopt sustainable measures to address the causes and consequences of violence against women in the country.

At the end of her nine-day official visit*, Ms. Manjoo warned that violence against women continues to be a source of deep concern in Afghanistan, despite positive legislative and institutional developments brought forward amid the situation of insecurity throughout the country.

“Accountability for all crimes committed against women and girls, the empowerment of women, and the transformation of society, need to remain a focus for the government of Afghanistan, independent State institutions, civil society organisations and also the international community,” the expert stressed.

“It is imperative that the best interests of all women and girls in Afghanistan should guide the response of relevant stakeholders to ensure coherent and sustainable solutions to address the individual, institutional and structural causes and consequences of violence against women and girls,” she said.

During her information-gathering visit to Afghanistan, the expert confirmed the continuing prevalence of different manifestations of violence against women and girls in both the public and private spheres, through numerous reports and interviews.

These include violence perpetrated by husbands and other relatives; violence linked to early and forced marriages - including *baad* (the exchange of girls for dispute resolution) and *baadal* (exchange marriages); incest; so-called honour crimes; and self-immolation and self-harm due to domestic violence and forced marriage practices.

Other manifestations of violence consist of targeted killings of women; sexual harassment in the workplace and in public spaces; and the rape of women and girls, the Special Rapporteur noted.

The issue of access to justice and to justice itself for women and girls, whether in the formal justice system or in the informal dispute resolution forums, was a source of deep concern. “In numerous interviews, it was stated that the formal justice system was deficient in many respects, including being inaccessible, unresponsive, corrupt, and, untrustworthy, especially as regards matters related to women’s rights.”

“These factors and also societal pressure to deal with problems within the family, often leads to women opting to use mediation and the resolution of disputes outside of the formal justice system,” Ms. Manjoo noted. “The informal dispute resolution forums such as *jirgas* and *shuras* were also criticised by many interlocutors,

especially for violating fair trial and equality and non-discrimination rights, particularly in matters concerning women and children.”

When reporting crimes committed against them, many women and girls do not register complaints due to their lack of knowledge of the law and its protective remedial provisions; fear of reprisal from the perpetrators and family members; financial and other constraints, including the lack of freedom of movement; and fear of being treated as criminals instead of victims.

Many interviewees alleged that they had been charged for ‘moral crimes’ including when fleeing domestic violence and early or forced marriages. Women and girls who try to escape from situations of violence or abuse are often condemned and shunned by their families, communities and the authorities, and are threatened with death.

Shelters are viewed by many as institutions which encourage women to leave home; to behave immorally and outside of what is traditionally considered ‘acceptable’ in a conservative and religious society; as prostitution houses; and as establishments that are causing the break-up of families. However, the Special Rapporteur said, “interviewees in shelters that I visited expressed their gratitude that these mechanisms exist, as it is the only alternative of escape from a life of violence.”

“Over the past 15 years, several legislative and institutional advances have been made towards the promotion of human rights broadly and women’s rights in particular,” Ms. Manjoo said, recalling the creation of a national human rights institution, a ministry for women’s affairs provincial departments of women’s affairs, human rights and gender units in some ministries, and the enactment of landmark legislation on the elimination of violence against women.

The 2009 End Violence against Women Law, created by Presidential Decree, includes a reference to ‘fighting against customs, traditions and practices that cause violence against women contrary to the religion of Islam’. The law represents a key step towards the elimination of violence against women and girls and includes both criminal and civil remedies.

(*) Check the full end-of-mission statement:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15284&LangID=E>

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Ms. Rashida Manjoo (South Africa) was appointed Special Rapporteur on Violence against women, its causes and consequences in June 2009 by the UN Human Rights Council. Ms. Manjoo holds a part-time position as a Professor in the Department of Public Law of the University of Cape Town. Learn more, visit:

<http://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/SRWomenIndex.aspx>

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UN Human Rights, Country Page – Afghanistan:

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