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# AFGHANISTAN

## and the United Nations

### Women's Rights Need Greater Support

#### A call to punish the perpetrators, not the victims

Fatima was 14 when she was married to a man who had already divorced twice. After marrying she was physically and mentally tortured for the next 16 years by her husband and in-laws until she divorced. At the time of divorce, Fatima had three daughters and a son. The husband took the son and left her with three daughters to survive on their own.

When the daughters became adults Fatima's husband returned into their lives. He came with a proposal to marry one daughter to the son of a Taliban commander in Kunduz. Fearing that if that daughter married she too would be cruelly treated Fatima took her daughters and fled to a women's shelter in Kabul. Her case is being prosecuted through the judicial system.

17-year-old Mahtab is another girl living in a Kabul shelter. For two years she suffered from severe physical violence caused by her husband. Finally, Mahtab lost



UN: Running away from home to escape violence is not a crime-- Photo by Eric Kanalstein

her patience and ran away from home. Currently, she is seeking a divorce and is being assisted by

mediation services provided by the Ministry of Women's Affairs. Many girls and women run away

from their homes to escape violence but not all of them are lucky  
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### A Decade of Success In Girls Education

#### UNESCO reports dramatic rise in number of girls attending schools

Afghanistan has registered major progress in girls' education and a "remarkable increase" in the number of students enrolled in primary school over the last decade, according to a recent United Nations report.

That report -- *Education for All Global Monitoring Report* -- was created by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and confirms the strong gains made in Afghanistan's educational sector. "Despite its place at the bottom of the rankings, Afghanistan

has overcome the biggest obstacles to girls education any country has witnessed," the report notes.

Afghanistan has still a long way to go to achieve 100% enrollment of youth in schools but strong gains have been noted. In 1999, when the Taliban ruled the country, less than 4% of girls attended schools. In 2010 about 79% of girls attended schools, resulting in an increase in the Gender Parity Index (GPI) from 0.08 to 0.69, said the report. Despite these gains the report calls on the Government

to continue to address constraints on girls' schooling.

The UNESCO report said there were fewer than 1 million primary school students in 1999 but more than 5 million in 2010, including over 2 million girls. To achieve gender parity, a country's GPI should be between 0.97 and 1.03. A GPI below 0.97 indicates a disparity in favour of males. A GPI above 1.03 indicates a disparity in favour of females.

The theme of this year's UNESCO report was "Youth and Skills: Putting Education to Work". UNESCO publishes its *Education for All Global Monitoring Report* annually.

The remarkable progress in girls' education in Afghanistan has been attributed mainly to the creation of hundreds of local community schools that reduce the distance students need to travel from home. The model is proving to be a successful approach to skirt the insecurity that continues in many parts of the country and deters girls' enrolment.

Aid for basic education to low income countries grew by just US\$ 16 million in 2010. But not all countries benefited equally. Afghanistan was one of two countries (Bangladesh was the other) which received 55 percent of the additional funding. Funding to 19 low income countries fell.



More girls than ever before are attending Afghan schools-- Photo by UNAMA

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After running away from homes, young girls could fall into the hands of human traffickers and end up in sex industries-- Photo by Eric Kanalstein

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enough to end up in safe shelters. A recent Human Rights Watch (HRW) report, *"I Had To Runaway"*, estimates that of the about 700 women and girls currently detained in prisons across Afghanistan, 470 have been found

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guilty and imprisoned on the charge of fleeing from home with the intent to commit adultery.

"The Supreme Court in the past had sent a memo to judges instructing them that running away is a crime under some circumstances. If a woman runs away and goes straight to the police or to her family members, then that is not a crime but if she goes elsewhere then it is a crime," said Heather Barr, a HRW researcher in Afghanistan.

A recent press release from UN Women in Afghanistan called the arrest of women and girls on charges of running away and intent to commit 'Zina' (adultery) a direct contradiction of Afghan laws. UN Women asserts that "intent alone is not sufficient to prosecute a woman for adultery".

On 16 September, the Minister for Justice, Habibullah Ghalib, the Minister for Women's Affairs, Hussn Banoo Ghazanfar, and Deputy Interior Minister Baz Mohammad Yarmand strongly condemned the imprisonment of women and girls who were charged with running away.

UN Women, human rights organizations and women's activists welcomed this official clarification, calling it a milestone in the protection of the rights of women and girls in Afghanistan.

Since then UN Women, Human Rights Watch and a Parliamentary Commission on Women's Rights have demanded that the Govern-

ment immediately and unconditionally release all women and girls being detained for running away and for considering adultery.

"The Government should work to ensure the protection of these women and girls, including the provision of appropriate support ser-

vices, and bring all perpetrators of violence against women to justice," said Ingibjorg Gisladottir, the UN Women Country Director in Afghanistan.

In most cases the women and girls fleeing from home are the victims of crimes that could themselves be prosecuted under the Elimination of Violence Against Women (EVAW)

**"After running away from homes, young girls could fall into the hands of human traffickers and end up in sex industries in other countries. It is therefore significantly important to raise awareness among families and young girls on this issue"-- Dr. Suraiya Subhrang, a Commissioner at AIHRC**

law. That law was enacted by the Government of Afghanistan in 2009 to fight against customs, traditions and practices that are contrary to the religion of Islam and cause violence against women. The law criminalizes 16 acts including early marriage, forced marriage, physical and mental torture, giving away a girl to settle family disputes and verbal abuse.

In the majority of the cases of the violence against women, the actual perpetrators do

not receive any punishment. Instead it is the women who have already been victimized who are punished.

"When people victimize women they are not arrested and not punished and the women who are victims of these crimes, they are often treated like criminals," said Ms. Barr.

The head of the Human Rights Unit of the United Nations Assistance Mission in Afghanistan (UNAMA), Georgette Gagnon said that "these arbitrary and selective applications of the law violate fundamental rights and guarantees protected under international law including the right to life, security of the person, freedom of movement, right to health and arbitrary and unlawful interference with privacy, family or home."

Women activists and human rights experts believe that the effective implementation of the EVAW law can help reduce the number of cases of violence against women and protect the rights of women in Afghanistan.

However, there is also a need to change social attitudes. Factors that drive women and girls to flee their homes should be identified

and families should pay attention to address the needs of women, particularly young girls.

"After running away from homes, young girls could fall into the hands of human traffickers and end up in sex industries in other countries. It is therefore significantly important to raise awareness among families and young girls on this issue," said Dr. Suraiya Subhrang, a Commissioner at the Afghanistan Independent Human Rights Commission (AIHRC).<sup>4</sup>

# Transition Process Should Be Turned Into A Great Opportunity: Senior UN Official

*Izumi Nakamitsu became Director of the UN's Department of Peacekeeping for Asia and the Middle East Division in August 2012. She made Afghanistan her first field visit in October. During that visit Ms. Nakamitsu suggested that the ongoing transition process should be viewed as a "great opportunity". The former professor of international relations at Hitotsubashi University in her native Japan said the UN had a lot to contribute during the transition. During her stay in Afghanistan, Ms. Nakamitsu visited Kandahar, Herat, Jalalabad and Maimana, where she met government officials and residents. Our reporter spoke to her as she finished her trip.*

**UNAMA:** Why did you choose Afghanistan of all the hotspots in the region for your first field visit?

**NAKAMITSU:** Geographically, I cover the area between the Western Sahara to Timor-Leste. I came here obviously because Afghanistan is one of the most important files that I watch over. It's a priority agenda (not only) for my division, but for the entire United Nations. The top leadership of the UN in New York believes that Afghanistan will continue to be a top priority agenda, very important agenda for the United Nations. So, I came here. It's been a really great visit. I am learning a lot from this visit.

**UNAMA:** What are the most striking things that you saw in the field?

**NAKAMITSU:** They are obviously many. My impression is that I am so fascinated by this country, by the people, by the diversity of culture. It's true that this country has enormous challenges. The people have great difficulties, but also I am very much impressed by how much progress that we have made in this country. Sometimes, it is under-reported. I think we have to collectively make efforts to really advertise that we have indeed made a lot of progress in this country. Another impression is that things are evolving. The country is going through a transition. The voices that I heard from different corners of society and different parts of the country also give me hope. The people are really committed to making it (transition) a success.

I became so convinced that the UN can do a lot to contribute in that process. As you know the UN and UNAMA exist here in Afghanistan to help the authorities and help the people of Afghanistan. We are genuinely committed. We need to turn this transition process into a great opportunity for the country to have a political solution in the future.

I think the SRSG and the leadership team are working very hard, very intensely engaged in discussions with the authorities here to, for example, prepare for the 2014 election. We have to make the election a success. I am also very much encouraged that the Afghan authorities, the people of civil society, the media, they are all very much eager to make it (election) a success. There, I think we can make contributions and the mission is making a lot of efforts in that regard.

**UNAMA:** How much of a priority is Afghanistan for the UN with the all competing demands around the world?

**NAKAMITSU:** It is one of the top priorities. It has always been a top priority. As we all know, the UN was always here. We were here before, we are here during and after 2014. The Afghanistan file at the United Nations Headquarters is near to the top leadership of the UN. It remains a very important priority agenda and we are in fact sending messages to our international community partners. They also have a responsibility, a continued responsibility vis-à-vis Afghanistan. We have collectively made so much progress in this country. It would just be pity if we just all leave the country and forget about the progress in this country. I don't think it will happen and we are sending messages that we do have collective continued responsibility for this country. As the UN, of course we are still firmly committed to this country.



Izumi Nakamitsu, Director of the UN's Department of Peacekeeping for Asia and Middle East Division --- Photo by Fardin Waezi

**UNAMA:** How can the UN address the growing expectations of the Afghan people?

**NAKAMITSU:** We have to understand that the UN can't do everything. I have been with the UN for many years and I where the UN can do very good job, and areas where we are not so great. We have to engage in continuous discussions with all stake-holders to identify and shape expectations of the UN in this country. We can't take over everything that the international community has been doing, but there are areas where we can probably contribute more. It's just a matter of identifying those areas where we can deliver and we can deliver well and we can add value. The international community actually is thinking about where the important areas are, where they need to continue to invest. I think, together with them, and obviously most importantly, together with the Afghan counterparts, we can identify roles where we can make great contributions.

**UNAMA:** What will the UN family's footprint in Afghanistan be like after 2014?

**NAKAMITSU:** It is very difficult to say. At the moment, we don't really see a dramatic increase or decrease because 2014 is sort of unrelated to us. As I said, we are always here. When the context and environment within which we operate changes, then we also need to adjust our approaches. But, at the moment, we are not really expecting huge changes in terms of the kinds of things that we are doing or huge changes in the footprint of the mission.

We will continue to analyze the situation, review the context and environment, especially the security environment. But again, the commitment is there for us to play an important role to support Afghan authorities and also the people. The approach might be different. I think we need to become increasingly more innovative, even creative in terms of also maintaining the coverage, the access within the country. But, at the moment, I think we will just simply continue doing what we have been doing in the areas of peace, reconciliation, contributing to a political solution in this country. We have a very important role to play in terms of coordinating international aid in this country. We need to have a coherent approach to that. We of course have a very important mandate in the areas of human rights promotion, and also promoting better gender equality in this country remains a very important goal. I believe firmly that the country can't have a sustainable peace if half the population can't participate effectively in various processes. 🌍

# Working to Prevent Conflicts Over Resources

## UN & Government Project Aims To Build Trust Over Natural Resources

Afghanistan has abundant mineral, water, rangeland and forest resources. Although geographically dispersed, these resources have the potential to dramatically improve the living standards of the country's citizens. Or that very wealth could lead to further conflicts between Afghan communities as well as neighbouring countries.

That is the dilemma that has led to the creation of a programme that aims to promote collaboration and cooperation in the area of natural resource management. The project is being led by the United Nations (UN) Country Team and the Sustainable Livelihoods Working Group, together with government, ministries as well as NGOs.

By examining the causes of local conflicts through the lens of resource management instead of attributing conflicts to causes like ethnic tension or political differences, the objective of the project is to better understand and raise awareness of the dynamics of that conflict. Thereafter the programme aims to guide projects to be more conflict sensitive in their design and implementation.

“Addressing conflicts over natural resources requires local knowledge, political will and the buy-in from affected communities,” said Nicholas Haysom, the Deputy Special Representative of the Secretary General in Afghanistan. “The effective governance of natural resources is especially important in the context of societies with weak institutions because control over the benefits from local natural resources is a chief motivator of ethnic or identity-based conflicts.”

The Working Group has identified numerous instances in Afghanistan where conflicts between communities have a significant environmental management component.

For instance, Kuchi nomads have been moving their herds of goats through pastures owned by Hazara farmers for centuries. But tension between the two groups has sometimes spilled into armed clashes. In the news the sources of this new tension get explained in different ways. For some the conflict can be traced to ethnic issues. For others the root



Extractive industries create job opportunities for the local people--Photo by Eric Kanalstein

cause is political differences. Yet interviews with some of the affected Hazara communities suggest it is more complex than this. They are

**“Addressing conflicts over natural resources requires local knowledge, political will and the buy-in from affected communities”-- Nicholas Haysom, the Deputy Special Representative in Afghanistan**

worried that ever-larger Kuchi herds of goats and sheep are taking ever-larger quantities of pasture-lands from these farmers. Kuchis nomads respond that some Hazara

communities are ignoring longstanding laws and traditions that permit the nomads' herds to graze along predetermined summer and winter pastures routes.

Lately leaders from both groups have signed up for a program called “Peace on the Pastures”, which was spearheaded by the Vice-President's office and supported by UN agencies, various ministries and NGO's.

To ease tension, the project empowered Kuchi and Hazara elders to work as “Peace Ambassadors”. There were also development projects and farmers and herders were instructed in reconciliation techniques. The project is being viewed as a possible model but success isn't assured. Despite positive signals from both groups community leaders still expect tension and violence to continue.

Similar efforts at turning conflict into cooperation are taking place in other parts of the country. Water resources are particularly contentious, as Afghan rivers flow from the highlands across cultural and political boundaries. The Patkia river, for example, flows south through several Afghan provinces and then into Pakistan. During times of drought communities along the way have less water, causing tension and economic difficulties for communities further downstream. The Working Group is helping communities explore ways to manage the river in a way that takes into account the interests of these different groups.

These resources are just two of the many natural resources and peace-building initiatives across the country. Mining, extractive industries for petroleum, forestry in the east and even groundwater access in cities are also being looked at.

“Our goal is to map potential resource conflicts – conflicts over renewable resources, land and tenure rights and extractive industries,” said Andrew Scanlon, country manager for the United Nations Environment Programme (UNEP). “The project is important because sustainable development and stability will depend on environmental sustainability as much as economic growth and security. All of these elements are interlinked.”



Transparent use of resources can prevent tensions--Photo by Eric Kanalstein