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Haysom: upcoming elections critical for Afghans

Afghanistan is slated to hold Presidential elections on 5 April 2014.

In line with its mandate from the United Nations Security Council and at the request of the Afghan authorities, the UN Assistance Mission in Afghanistan (UNAMA) is charged with supporting the 2014 poll. The election will mark a transfer of power from one elected government to another – the first time this has happened in the Afghanistan's history.

One of the key UNAMA officials involved in this activity is the Secretary-General's Deputy Special Representative, Nicholas Haysom.

His experience prior to his appointment in March 2012 includes serving in the Executive Office of Secretary-General Ban Ki-moon and the UN Assistance Mission for Iraq. Prior to his UN appointment in Baghdad, he worked on constitutional reform, electoral reform, conflict resolution, good governance, and democracy-strengthening in several countries in Africa and Asia. He was also closely involved in the constitutional negotiations leading up to the interim and final Constitutions in South Africa, serving as Chief Legal Adviser throughout Nelson Mandela's presidency until 1999 and continuing to work with Mr. Mandela on his private peace initiatives up to 2002.

UNAMA Quarterly spoke with Mr. Haysom about the upcoming elections.

UNAMA: From a historical perspective and in light of your own experiences, just how important is the election



The Secretary-General's Deputy Special Representative for Afghanistan, Nicholas Haysom. (Photo: Eric Kanalstein)

for the future of Afghanistan?

Haysom: The forthcoming election is critical for the future of the country. It offers an opportunity to renew the legitimacy of the government, which is very important. But this is not only important for Afghans themselves, but also, for Afghanistan's relationship with the rest of the world. Afghanistan, for various reasons, still needs continued support, both financial and otherwise, from the outside world. If the elections work out badly, it will undermine the level of international support for Afghanistan which, in turn, will threaten the viability of the government, the economy and the security forces.

UNAMA: How are the preparations going for the elections?

Haysom: The good news, as far as the elections are concerned, is that Afghanistan has never been better prepared for elections and certainly as compared to previous election cycles in 2004/05 or 2009/10. So we can take encouragement from that. We follow closely the extent of electoral preparations. I can assure people that not much more could be done to be better technically prepared. There are still significant challenges ahead, but, at the technical level, the preparations are well-advanced.

UNAMA: Is there any truth to rumours that the elections could be delayed?

Haysom: The principal stakeholders have committed to holding elections on the due date [5 April 2014] – that is what the con-

stitution envisages. We are aware that some people have raised the issue of voter station accessibility at that time of the year in some districts – especially in Badakshan and the Central Highlands. On the other hand, it is a favourable time – security-wise. We would support a firm commitment to the electoral timetable and the Afghan Constitution. That provides some certainty also for Afghans themselves.

UNAMA: There are reports that the UN will monitor the elections. What exactly is the role of UNAMA in relation to the elections?

Haysom: The UN has played a significant role in providing capacity-building support to the people who are actually administering the elections, who are the Afghans themselves. So the UN is not itself conducting the elections, as it were on behalf of the Afghans. It is helping Afghans, at their request, to conduct the elections themselves.

The UN has a principled approach to observing elections: once it is assisting in the conduct of elections, it will not monitor these same elections as well. There is a conflict of interest between helping conduct the elections and being the body which is monitoring and judging how well these elections are conducted. It is best to separate those roles.

We expect the Afghans themselves to monitor the elections, supplemented by international observers. But, primarily, it will be domestic observers from Afghanistan who will bear most of

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the responsibility as the number of international observers are few, and even less will actually go to insecure areas.

So the UN will not be officially observing. We will not however be invisible. We will be closely following events so as to perform our other functions including offering “good offices” should problems arise and coordinating international assistance. In regard to certifying that the elections are free and fair – that is not going to be our role for the very same reason.

UNAMA: What are the key challenges for the smooth holding of elections?

Haysom: I think we all acknowledge that the security situation in the country at the time of the elections will be quite critical. That is for two reasons: a major concern is that the elections are held in a way in which they are accessible to all Afghans. In other words, conducted and inclusive in a manner that Afghans feel free to go out and vote.

The importance of inclusivity in the conduct of elections also means that all parts of the country, all groups in the country, must have an equal opportunity to come out and vote. So providing security will be an important aspect of conducting the elections in an inclusive, credible way – which in turn makes a legitimate outcome.

Another challenge is to ensure that the administration of the voting process, together with the proper observation of the elections, are conducted so as to prevent fraud. We know that there was widespread practice of fraud in the last election. Afghans are



Nicholas Haysom speaks during a press conference in Kabul. (Photo: Eric Kanalstein)

entitled to know that when they vote, firstly, their vote will count. Secondly, that their vote will not be outweighed by fraudulent votes and thirdly, that their votes will not be stolen.

For that reason we are doing whatever we can to advise those responsible for administering the elections to do so in a way which combats fraud, especially ballot box stuffing.

UNAMA: What should be done to make the elections inclusive and transparent?

Haysom: We think that public outreach is important. We think there needs to be a proper public education campaign which reaches out to all parts of the countryside, helping people to appreciate

the value of voting, understanding how to go about voting, reassuring them that they will be safe on election day and reassuring them that their vote will count – that will be important.

It will also be vitally important for the IEC [Independent Election Commission] and IECC [Independent Electoral Complaints Commission], the election management bodies, to work in an independent and transparent way. Regarding the registration of candidates, there were suggestions that the adjudication of complaints was not done in an open and transparent way. I think the authorities have moved to deal with the criticisms and to review the way they deal with complaints so as to do this in a

way which meets the standards of transparency.

UNAMA: How do you assess the progress of the Independent Election Commission in implementing its plan to ensure fraud mitigation, build the capacity of its staff and raise awareness of participation for voters?

Haysom: So far they are implementing it in accordance with the law and the election timetable. The law provides relatively detailed provisions regarding the architecture and operation of the election management body. As far as we can tell, they are pretty far advanced in the preparations and arrangements for conducting not only the first round but a possible second round of the vote. This includes the training of staff and implementing a public education campaign.

The election authorities are attempting to address those aspects which will strengthen transparency and combat fraud. They are doing so in regard to how the votes will be counted, how the ballot boxes will be moved and secured. Both monitors and party agents – the representatives of those who are contesting the elections – will have access to all stages and events in the electoral process in every place where voting takes place. So we are hoping that the conduct of the elections will be a lot better than the last time.

UNAMA: How satisfied are you with the overall voter registration process, particularly regarding women's participation?

Haysom: The voter registration top-up exercise has seen the registration of over three million people who have come of age,



Nicholas Haysom soon after landing at Faizabad airport during a field visit. (Photo: Fardin Waezi)

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have lost or were not issued cards in previous registration processes. The exercise is still continuing in the provincial capitals, although it is now completed at the district level.

Thirty four per cent of those who have registered are women. We know that in previous elections it has been a bit higher, but all things considered, I think that the exercise is being conducted properly, and with very few security incidents.

The number of people who have come out to register is estimated at 78 per cent of the maximum number that could have registered. Maybe we can even make 100 per cent by April. We would like to have seen a higher percentage of women register. When the registration exercise started the figure was under 20 per cent, so there has been some catch-up in regard to registration of women voters.

UNAMA: Given your past experience, what would be your advice to the Afghan authorities to ensure a level-playing field for all candidates?

Haysom: As regards a level playing field for candidates – the

most important restrictions are those restricting access to government resources or obtaining any form of official support which is not offered to all candidates equally. The people who have the most important role in combatting fraud are the candidates themselves, and they should send a clear signal to their supporters that they want the elections to be peaceful and that they do not want to see it ruined by fraud.

UNAMA: One of the key challenges for the holding of the elections is security. It may further deteriorate given the stated goal by anti-government elements to disrupt the polls. How can their threats be diminished, and what would be your message for those opposed to the polls?

Haysom: During the period of voter registration we have seen very little violence directed at this exercise. So, at this point, there has been no indication that there would be an effective campaign of violence against the elections and election officials. However, this may change. To those who may disrupt it, we would only emphasize that it is a fundamental right of Afghans to make choices about their future. Ordinary people

going out to vote can never be considered a legitimate military target. It is clear in international law that ordinary people going out to vote are civilians and to deliberately attack civilians is a war crime.

UNAMA: What is the role of international community in the upcoming elections?

Haysom: In the first instance, it is to support the Afghan authorities in conducting proper, fair and credible elections. The international community has an important role in supporting the Afghans in this election, which can mean technical advice and it can mean financial support. There has been considerable financial support offered to the IEC and the ECC to conduct the best election that can be conducted under the circumstances. In the future, Afghan authorities are going to have to be increasingly self-reliant in administering their elections, so everybody has an interest in ensuring that these elections are competently Afghan-managed and -run.

UNAMA: If the elections do not turn out to be inclusive and transparent, what reaction could be expected from the in-

ternational community?

Haysom: The international community will look to see how Afghans respond to the elections results. The best outcome would be one that satisfies Afghans rather than one that satisfies the international community. But I need to say that if the international community is of the view that the elections were improperly conducted and the new government is not legitimate as a result, it will certainly impact on the level of development aid for Afghanistan. Legislatures in donor countries will simply divert it to other countries in need of development assistance or which are recovering from conflict, such as Mali and Syria.

UNAMA: What is your message for the people of Afghanistan regarding the upcoming elections?

Haysom: I would just emphasize that the right to vote is a very important and fundamental right that all Afghans have and they should exercise it. Considerable sacrifices have been made to ensure that they can exercise this right. It is their opportunity to shape the future and to determine their own destiny, and we would encourage them to make the best use of that opportunity. ■

Afghan de-mining efforts face drop in funding

Afghanistan's mine action programme has registered significant progress with the clearing of more than 21,000 minefields and battlefields since 1989. But a 25 per cent decrease in its funding in 2013 has left authorities worried about their target to make the country mine-free by 2023.

In its flagship report launched in late October 2013, the Mine Action Coordination Centre of Afghanistan (MACCA) – which is supported by the United Nations Mine Action Service (UNMAS) and 21 other international donor countries and organizations – said it cleared more than 1,900 hazardous areas, covering 112 square kilometres of land, during the Afghan year of 1391 (which ended on 20 March 2013).

The report also highlighted a “tremendous decrease” in civilian casualties as a result of its mine clearance operations – down to 397 casualties from 2,116 civilian casualties recorded 12 years ago.

Having experienced violence for much of the last 35 years, Afghanistan has witnessed widespread and indiscriminate use of mines and munitions during its protracted conflict, making it one of the most heavily mined countries in the world. Its mine action programme – known officially as



Over 1,900 hazardous areas, covering 112 square kilometres of land, were cleared during 2012. (Photo: Fardin Waezi)

the Mine Action Programme of Afghanistan (MAPA) – is one of the largest in the world.

“The year 1391 was an outstanding period for MAPA, where the programme under most of its components could achieve beyond its initial plan,” according to the ‘Annual Report 1391.’ It added that a total of 1,925 minefields were cleared against the initial target of 1,660.

The launch of the report came a month after the country's Second Vice President, Mohammad

Karim Khalili, wrote letters to Permanent Missions of a number of countries with Permanent Missions to the United Nations in New York, appealing to the international community for funds for the country's mine action programme.

“I appeal to your government to consider supporting mine action in Afghanistan,” wrote Mr. Khalili in the letters, according to MACCA. The underfunding, the Afghan agency added, will “put at risk Afghanistan's commitment”

to becoming mine-free by 2023.

A senior official with the UN Mine Action Service (UNMAS), which has supported MAPA since 2002, expressed disappointment over the drop in funding, especially as Afghanistan is at the start of a work plan which will help it achieve mine-free status within ten years.

“Actually – if donors were to maintain their support at the same levels as in the previous three years, the problem would be solved in five – not ten – years,” said the UNMAS Programme Manager in Afghanistan, Abigail Hartley. “Without the necessary financial support, for sure Afghanistan will fail to meet its Ottawa Treaty obligation to be mine free by 2023.”

Afghanistan is a signatory to the Ottawa Mine Ban Treaty – officially known as the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction – which aims to eliminate anti-personnel landmines around the world. In December last year, the state parties to the treaty approved Afghanistan's request to extend its 2013 deadline for becoming mine-free by 2023. ■

Opium poppy cultivation at record levels in 2013

Opium poppy cultivation in Afghanistan rose to record levels in 2013 with a 36 per cent increase compared to last year, according to the latest survey conducted by the United Nations drug and crime agency and the Afghan Government, released in November.

Describing the findings as “sobering,” the Executive Director of the UN Office on Drugs and Crime (UNODC), Yury Fedotov, said the situation poses a threat to the country’s health, stability and development. He called for “an integrated, comprehensive response to the drug problem.”

In 2013, the area under poppy cultivation rose to 209,000 hectares, up from the previous year’s total of 154,000 hectares and higher than the peak of 193,000 hectares reached in 2007, according to the Afghanistan Opium Survey 2013, produced by UNODC and Afghanistan’s Ministry of Counter-Narcotics (MCN). With two northern Afghan provinces – Balkh and Faryab – losing their poppy-free status this year, only 15 out of the country’s 34 provinces are poppy-free, the report noted.

With 74 per cent of the world’s illicit opium production recorded in Afghanistan in 2012, the country is the largest producer and cultivator of opium in the world. The poppy harvest time varies from mid-April to July depending on the location of provinces where cultivation takes place.

UN officials have said in the past that Afghanistan’s “large-scale drug economy” is one of the drivers of instability in the coun-



Authorities burnt over 20 tons of illicit drugs in November 2013. (Photo: Eric Kanalstein)

try, which has experienced armed conflict for much of the last 35 years. Not curtailing its production and trade threatens to undermine Afghanistan’s institutions, security and economic self-sufficiency, they have warned.

Together with profits made by drug traffickers, the total value of the opium economy within Afghanistan was significantly higher, the report found, implying that the illicit economy will grow further while a slowdown of the legal economy is predicted in 2014.

The launch of the joint UNODC-MCN report came a day af-

ter Afghan authorities destroyed more than 20 tons of illicit narcotics, precursor materials and alcohol seized by Afghan authorities, on 12 November, as part of government efforts to fight the trade in illicit drugs and other items.

“Narcotics have become a big challenge for Afghanistan, the region and the whole world... it has endangered the life of many Afghans, which is a top matter of concern,” said the country’s Deputy Minister of Counter-Narcotics, Baz Mohammad Ahmadi, in his remarks at the ceremony organized for the burning of the illicit

drugs and other items, which took place outside of the capital, Kabul.

According to the latest UN-backed survey, almost 90 per cent of the opium poppy cultivation in 2013 remained confined to nine provinces in the country’s south and west, which include the most insurgency-ridden provinces in the country.

Afghanistan’s poppy eradication campaign also takes a toll on human lives. In 2013, the number of human casualties during the campaigns rose “significantly,” with 143 people killed compared to 102 fatalities in 2012. ■

World Bank predicts slowdown in Afghan economy

Following last year’s strong economic growth driven by “an exceptional agriculture harvest and rapid expansion of the services sector,” Afghanistan is facing a slowdown in growth in 2013 mainly due to uncertainty surrounding the ongoing political and security transitions, according to a World Bank (WB) report.

The Bank’s bi-annual Afghanistan Economic Update, released in October, projected economic growth at 3.1 per cent in 2013. This follows strong growth of 14.4 per cent in 2012.

The study also projected a weak economic outlook in 2014 before picking up in 2015 “assuming a smooth political and security transition,” but “much will depend on Afghanistan’s success in achieving peace, sta-



Job creation remains a key challenge. (Photo: Fardin Waezi)

bility and reconciliation.”

“Economic activity and private investment appear to be slowing considerably in 2013 as a result of increased uncertainty surrounding the political and security transition,” the report added. “Con-

tinued violence, economic crime and systemic corruption also have often undermined progress in Afghanistan’s governance and state-building agenda.”

The study said the fragile security environment has been “a con-

siderable constraint” to private investment and growth.

Despite the transition-related uncertainty and underperformance, the World Bank urged Afghanistan to stay focused on its medium-term structural reform goals by safeguarding sustainability and by mobilizing revenue and securing grant assistance; supporting inclusive and job-creating post-transition growth by unlocking the potential of the agriculture and natural resource sectors; improving upon the low levels of human capital and skills; and continuing to strengthen institutions and governance.

The Government of Afghanistan had agreed to these reform goals at an international donor conference in the Japanese capital, Tokyo, in 2012. ■

Shukria Hikmat: progress in Afghan women's sports

Shukria Hikmat is the head of the Directorate of Women's Sports at the National Olympic Committee of Afghanistan (NOCA).

Born and raised in Kabul City, she graduated from Shehdani High School and subsequently studied teaching for two years. During her studentship, she was an active member of her school's girls' basketball team. She married soon after graduation and her sports activities came to an end. Afghanistan's civil war led to her moving with her family to Pakistan, where they lived as refugees for several years.

After the fall of the Taliban regime in 2001, Mrs. Hikmat and her family returned to Afghanistan, where she joined the NOCA at a time when women's sports had all but disappeared. Along with some other women in NOCA, she formed Afghanistan's first women's ping-pong team.

She recently talked with UNAMA on the progress of women's sports in Afghanistan.

UNAMA: How do you evaluate the progress of women's sports in Afghanistan over the past decade?

Ms. Hikmat: Like all other fields of life that suffered during the civil war in Afghanistan, women's sports had also been totally diminished. Before the political crisis in Afghanistan, women were active only in three sports: handball, cycling and volleyball. Currently, women are practising 20 different sports in the country. We have a total of 59 sports federations, out of which women are actively part of 20. These include women's federations for volleyball, basketball, football, handball, hockey, and individual sports such as tennis, ping-pong, karate, osho, taekwondo and chess.

UNAMA: What achievements, in terms of victories, have Afghan female athletes had over this past decade?

Ms. Hikmat: In 2004, two Afghan female athletes, Rubina Muqimyar and Fariba Rezayee, participated in the Summer Olympics in Athens, in athletics and judo. Although they did not win medals for Afghanistan, they conveyed a key message to the world: that sports exist in Afghanistan and women also play sports! Rubina Moqimyar again participated in the 2008 Olympic Games in Beijing in athletics. In 2012, another female athlete, Tehmina Kohistani, participated in the Olympic Games in London, also in athletics.



The head of the Directorate of Women's Sports at the National Olympic Committee, Shukria Hikmat. (Photo: Fardin Waezi)

UNAMA: What are the key challenges to women's sports in Afghanistan?

Ms. Hikmat: First and foremost, there is a lack of security. The second biggest challenge is social perceptions towards women's sports. Many families do not allow girls to participate in sports. Families allow their daughters to attend school – but they don't allow them to take part in sports. The National Olympic Committee has a Directorate for Women's Sports in which all staff are women. We have a gymnasium where women can practice while wearing the Islamic hijab. I call on families to allow women to take part in sports because sports help ensure women's health and, in this way, they can help give our

nation a healthy, new generation of youth.

UNAMA: What about facilities for women's sports – does Afghanistan have enough?

Ms. Hikmat: As a whole, the budget for physical fitness activities is insufficient. We need to keep in mind the eagerness of girls towards sports – this is rapidly increasing in the wake of Afghanistan's achievements in men's sports, particularly football, cricket and taekwondo; our taekwondo athlete, Rohullah Nekpa, won the bronze medal twice for Afghanistan, in the Olympic Games in Beijing in 2008 and in London in 2012. These achievements have significantly encouraged girls to increase their practice in their respective areas of sports. Girls

are trying to compete with their brothers to bring recognition to Afghanistan through the hoisting of the Afghan flag at international sports events, alongside other countries. Girls are equally competent as boys and we are very happy about this positive competition.

UNAMA: What are your suggestions for further improvement of women's sports in Afghanistan?

Ms. Hikmat: I have had intense discussions in previous budget meetings with the [NOCA] management and tried to create a separate budget for women's sports so that we can work more independently for its promotion. But, due to some challenges in the governing system, it was not possible. We hope that international donors to Afghanistan can extend their financial assistance to the Directorate of Women's Sports at the National Olympic Committee. They can help put in place international coaches and training to better prepare our girls for competing at the international level.

UNAMA: Is there anything else you would like to add in relation to women and sports in Afghanistan?

Ms. Hikmat: I ask Afghan women to take part in sports to improve their health and to help give Afghanistan a healthier new generation of youth. I also request that Afghan families work towards removing social barriers and allow their women and girls to participate in sports. ■



Security and social perception are key challenges for women's sports. (Photo: Eric Kanalstein)

Helping reverse the ‘brain drain’ in Afghanistan

IOM helps return of hundreds to Afghan experts to take part in rebuilding of homeland

Since starting work at Kabul University’s Faculty of Fine Arts, Dr. Abdul Sharif Azizyar has made an impact.

He teaches post-graduate classes at the Faculty, trains future teachers and has helped develop the Faculty’s curriculum.

His presence at the educational institution is thanks to the ‘Return of Qualified Afghans’ (RQA) project of the International Organization for Migration (IOM). He returned to Afghanistan after some 14 years in the Netherlands where he had settled down following studies which led to a doctorate in the fine arts.

Dr. Azizyar is not alone - the RQA programme has facilitated the return of hundreds of skilled Afghans scattered around the world with the aim of contributing to nation-building and the rehabilitation of social services, with a focus on priority sectors, including education and health.

“Afghan society went through a severe brain drain during the civil war and subsequent years,” said an IOM Liaison Officer, Mohammad Sediq Hazratzai. “After the



Dr. Sharif Azizyar explains one of his student’s pieces of work. (Photo: Fardin Waezi)

collapse of the Taliban regime, Afghanistan desperately needed human resources, in terms of professionals and people with technical knowledge, many of whom had migrated from Afghanistan to neighbouring countries and other parts of the world.”

Through the RQA programme, some 1,433 Afghan experts living abroad have returned to Afghanistan from 31 countries to participate in rebuilding their nation, between 2002 and December 2013. IOM provides relocation as-

sistance, including a special support package for female experts, and helps them to secure placements in key development-related positions within ministries, government institutions and the private sector.

These experts are currently working in 24 government ministries, 33 government offices and institutions and in 75 non-governmental and international organizations in 28 provinces of the country. Out of these returned experts, 220 are female

professionals. The majority of the experts work in the fields of infrastructure, health, education and information technology.

IOM publicizes opportunities via the RQA programme on its website and through media outlets. Interested candidates are asked to submit details of their qualifications, which are then shared with Afghan authorities and institutions, according to priority sectors, in the search for a suitable fit between the skilled Afghan and the potential place of employment. Afghan employers also reach out to IOM in the hope of receiving assistance.

“For example, recently, the national broadcaster Radio and Television of Afghanistan (RTA) told us that they want to start a news channel and they needed professionals to help them start this. We have not yet helped them with the provision of any professionals but the request is being considered,” said Mr. Hazratzai.

The RQM programme falls within IOM’s strategic focus of maximizing the relationship between migration and development. Through the request of the Government of Afghanistan, IOM is mandated to assist with orderly and humane migration. Its programmes in Afghanistan are implemented in close cooperation with national government counterparts and are designed to support the goals of the Afghan National Development Strategy. ■



Students admire some of their fellow students’ paintings. (Photo: Fardin Waezi)

VOX POPULI

In this issue, UNAMA asked the following question to Afghans in different regions of the country: *“How can human rights improve life in Afghanistan?”*

Bamyan

Ishaq Akramy, radio journalist

“If everyone respects each other’s rights, everything will be alright. Children can go to school, women can work, and there will be no violence – this will improve the lives of everyone and society will progress. When human rights are respected, we will have less violence against women, less violence against children and against everybody in the country. The country will progress, people will be able to live and work freely. Problems come when people do not respect and accept each other’s rights.”



Balkh

Fazlur Rehman Fikrat, university student

“Ensuring human rights standards in the political system of Afghanistan, particularly in the traditional society of the country, will help ensure rule of law. In a society which has always been traditional and where the boundaries and limitations of customary laws have always been effective, the implementation of human rights standards can open up a new way towards ending social and political disorder. It can help integrate the rule of law into the basic structure of the political system. In addition, the implementation of human rights standards would also ensure individual freedoms that are elaborated in international conventions. Finally, it can help boost social justice in the country.”



Kandahar

Mohammad Rafiq, truck driver

“As an ordinary citizen, I haven’t seen any improvements in the human rights situation in Kandahar. Even though there has been a lot of progress in general, it didn’t change the lives of ordinary people. If the rights of all people in the country are taken into consideration, I am sure the situation will change. Currently, we need security, job opportunities and development more than anything else. We want education for our children. Afghans are suffering violations of human rights for the last few decades and this trend still continues, despite the claims of the Government that there has been significant progress in terms of ensuring the rights of all Afghans.”



Herat

Massoumeh Hassan, journalist

“After the fall of the Taliban and the establishment of the new government, positive steps were taken to address human rights issues in the country, for example, as a woman I could not work in the past or leave my home and now I can. Women now enjoy good protective laws and they can even drive cars. Furthermore, there are many human rights organizations working for women’s rights; there are courts where women can seek justice without fear – therefore, in my opinion, in the last twelve years, women have witnessed good achievements in this respect. I am very much optimistic about the future.”



Khost

Saifullah, petrol station attendant

“There will be peace and tranquility among the people and they will be living with gaiety and fervor if they are able to exercise their human rights. People usually tend towards violence when they are deprived of their basic rights – for example, if I am not permitted to work freely and my children are not allowed to go school, I’m compelled to resort to illicit means to solve this problem. The provision of working opportunities for the people is the primary obligation of our Government; if people are economically self-sufficient they will not search for illegal ways of income.”



Kunduz

Arian Nabil, photographer

“Wherever human rights are upheld and respected, society prospers and makes advances in all respects. People are at ease, satisfied and take full part in all fields of life. If people see first-hand that social justice is in place, that criminals and violators of human rights are apprehended and sentenced, the people would have more confidence in the system and live happier lives.”



Nangarhar

Asadullah Dawlatzai, radio broadcaster

“Protecting human rights in Afghanistan will improve life in Afghanistan because they are relevant in many of the situations people experience and the decisions people make on a daily basis. Human rights provide a crucial safety net for protecting all Afghans, particularly when they are facing disadvantage or discrimination, or are at their most vulnerable. Human rights also provide a useful framework for public authorities – including central and local government departments, hospitals and schools – to ensure that people’s needs are met and that they live lives free from fear. During last 11 years, the Afghan Human Rights Commission and the international community played, more or less, a good role in protecting human rights and in launching awareness campaigns to inform people of their rights. I would like to ask our Government and international agencies to continue their valuable role in this regard.”



Paktya

Abdul Ghani, butcher

“In a society where people are allowed to practise their basic rights without any fear, there will be amicable relations among people as they will be enjoying prosperous lives. Poverty and richness are not that serious matters – relations and behaviour among family members is important as these ties worsen when they don’t respect each other’s rights. As an example: education is the right of our children. If they are not well-educated, they won’t have successful lives and will be a burden on society. Everywhere people are fighting because of the deprivation of their rights. If they were able to enjoy their rights, there would be all sorts of joy in people’s lives and they will be happily seeing the daily development of their country.”



UNAMA report says authorities registered more cases of violence against women under EVAW law

Afghan authorities registered more reports of violence against women under the law on the Elimination of Violence against Women (EVAW law) over the past year, but prosecutions and convictions under the law remained low, with most cases settled by mediation, according to United Nations report released in December.

“The landmark law on the Elimination of Violence against Women was a huge achievement for all Afghans,” said the UN High Commissioner for Human Rights, Navi Pillay, said in a news release. “But implementation has been slow and uneven, with police still reluctant to enforce the legal prohibition against violence and harmful practices, and prosecutors and courts slow to enforce the legal protections in the law.

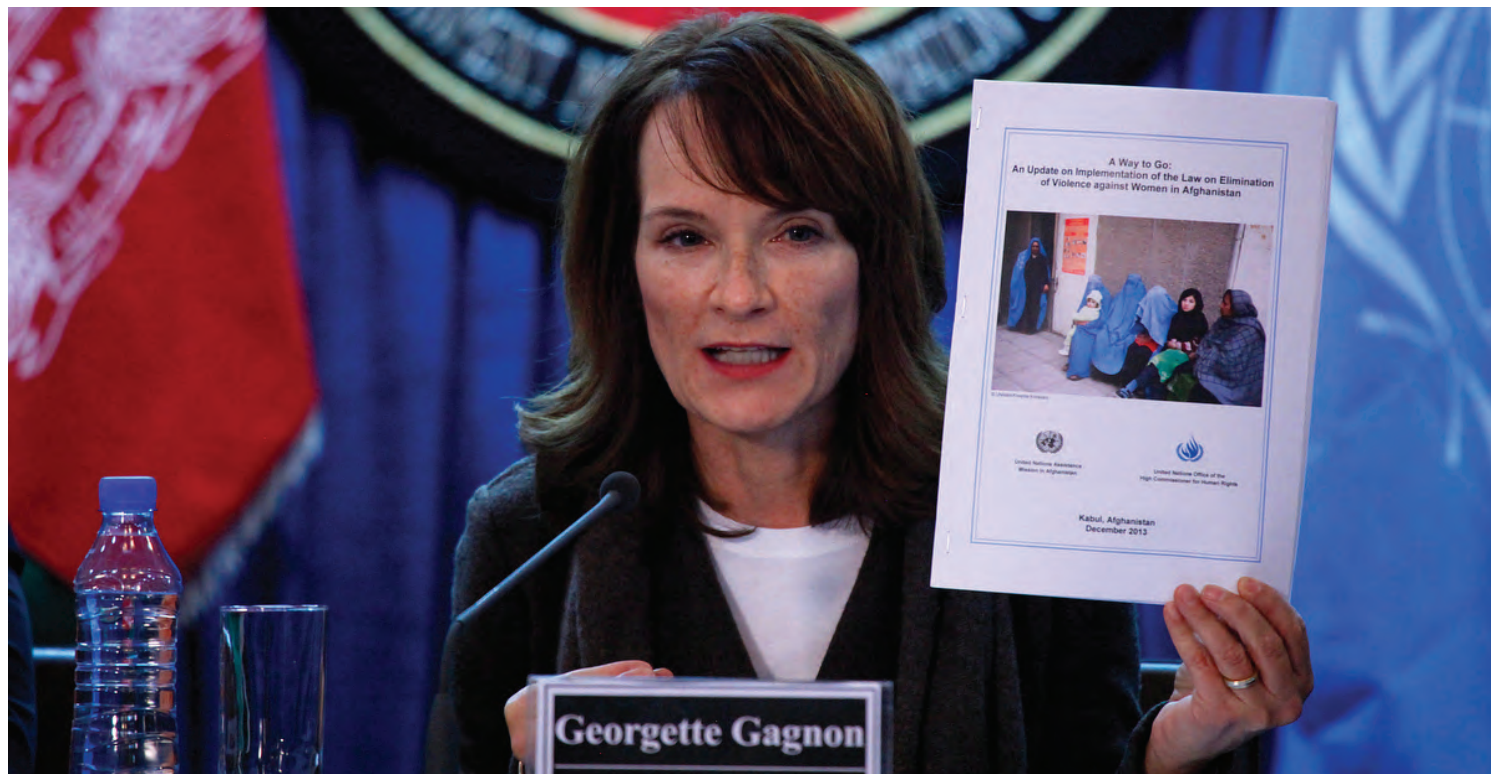
“Afghan authorities need to do much more to build on the gains made so far in protecting women and girls from violence,” Ms. Pillay added.

Produced by the UN Assistance Mission in Afghanistan (UNAMA) and the Office of the UN High Commissioner for Human Rights (OHCHR), the annual report – entitled this year: *A Way to Go: An Update on Implementation of the Law on the Elimination of Violence against Women in Afghanistan* – found that police and prosecutors were mediating more cases registered under the EVAW law and that large numbers of cases were still resolved through informal dispute resolution mechanisms such as jirgas and shuras.

Mediation whether through formal or informal dispute resolution bodies often fails to protect women from further violence by not applying criminal sanctions and legal protections for women, according to the report, which was released at a news conference in the Afghan capital of Kabul by UNAMA’s Director of Human Rights and Representative of the UN High Commissioner for Human Rights, Georgette Gagnon.

“We 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,” Ms. Gagnon told the gathered journalists.

“In our view, only if that is done



UNAMA’s Georgette Gagnon addresses the media at the report’s launch. (Photo: Fardin Waezi)

can Afghan women’s demands for justice be met. They are coming forward in demanding justice,” the UNAMA official said. “The Government needs to step up and provide that justice. And we have made a number of recommendations to the Government to assist.”

Enacted in 2009, the EVAW law criminalizes acts of violence against women and harmful practices including child marriage, forced marriage, forced self-immolation, baad (giving away a woman or girl to settle a dispute) and 18 other acts of violence against women including rape and beating. It also specifies punishment for perpetrators.

“Increases in reporting and registration of incidents of violence against women by Afghan authorities are encouraging,” the Secretary-General’s Special Representative and head of UNAMA, Jan Kubis, said in a news release.

“But it is a real concern that

these positive steps have not been met with increased use of the EVAW law to indict and prosecute those who commit violence against women and girls,” the UN envoy continued. “Until the EVAW law is enforced fully, progress in ending violence against women and advancing women’s rights in Afghanistan will be limited.”

The 49-page report compares and updates findings from UNAMA’s December 2012 report on EVAW law implementation and is based on consultations with 203 judicial, police and Government officials, and monitoring of almost 500 cases of violence against women throughout Afghanistan. The report analyses statistical data on the law’s application obtained from police, prosecutors and courts in 18 of Afghanistan’s 34 provinces over the one-year period October 2012 to September 2013.

The UN report found both

advances and continuing gaps in enforcement of the EVAW law by police, prosecutors and courts in 16 provinces and in Herat and Kabul provinces. In the sample of 16 of Afghanistan’s 34 provinces, police and prosecutors registered 650 incidents of violence against women with prosecutors using the EVAW law in 109 or 17 per cent of cases and courts applying the law in 60 decisions.

In the previous UN report covering the same 16 provinces and the time period of October 2011 to September 2012, 470 reported incidents of violence against women were registered to which the EVAW law was applied in 72, or 15 per cent, of cases with courts using the law in 52 decisions.

The crime of battery and laceration remained the most prevalent form of violence against women among the registered cases documented in the current period.

The current report observes that while registration of reported incidents increased by 28 per cent in the 16 provinces, use of the EVAW law as a basis for indictment increased by only two per cent. Courts this year applied the EVAW law in 60 decisions (55 per cent of 109 indictments filed) compared to 52 decisions (72 per cent of indictments filed) last year, a 17 per cent decrease in courts’ use of the EVAW law to decide cases in the current period.

Of concern, the report found that the overall number of criminal indictments filed by prosecutors in violence against women cases under all applicable laws decreased this year despite the rise in reported and registered incidents. ■



A large number of cases of violence against women are still resolved through informal mechanisms. (Photo: E. Kanalstein)