



**CONVENTION ON THE ELIMINATION OF ALL FORMS OF  
DISCRIMINATION AGAINST WOMEN**

**MISSION TO AFGHANISTAN, 26-30 AUGUST 2006**

**FINDINGS AND RECOMMENDATIONS**

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## **EXECUTIVE SUMMARY**

At the invitation of the Government of Afghanistan, a panel of experts on the Convention on the Elimination of All Forms of Discrimination against Women (the “Convention”) participated in a mission to Afghanistan in August 2006. The mission was organized by the United Nations Division for the Advancement of Women, Department of Economic and Social Affairs.

The purpose of the mission was to identify gaps and challenges faced by the Government in its efforts to implement the Convention and develop appropriate recommendations for priority action by both governmental and non-governmental bodies for enhanced implementation of the Convention.

The present report contains the experts’ assessment of the situation in Afghanistan with respect to implementation of the Convention, and a set of recommendations for follow-up action. The report was compiled from the individual reports (summaries of discussions, assessments and findings, and recommendations) of the five experts.

The report covers a number of substantive areas, including law reform, awareness-raising, access to justice, violence against women, and women’s education. A major focus is on strengthening the catalytic role of the national machinery for the advancement of women in highlighting the objectives of the Convention and strengthening commitment to and enhancing action for its full implementation across all sectors of the country.

## **I. BACKGROUND TO THE MISSION**

### ***1.1 Introduction***

This report outlines the outcome of high-level consultations on the Convention on the Elimination of All Forms of Discrimination against Women (the “Convention”) held in Afghanistan in August 2006.<sup>1</sup> These consultations were the first part of an overall effort to support and strengthen the capacity of the Government of Afghanistan, at its request, to implement the Convention. The purpose of the mission was to identify the gaps and challenges faced by the Government in its efforts to implement the Convention as well as identify training needs and develop appropriate recommendations for priority action for enhanced implementation. The high-level consultations were also guided by the desire to strengthen the catalytic role of the national machinery for the advancement of women in ensuring that the Government as a whole embraces the objectives, implementation and dissemination of the Convention.

The first part of the report outlines the background and purposes of the mission. This is followed by an assessment of the gaps, challenges, progress made and opportunities for implementation of the Convention in Afghanistan. Finally, recommendations for priority action for implementation of the Convention are outlined.

### ***1.2 The obligations in the Convention***

Afghanistan ratified the Convention in March 2003 without reservations. Although the treaty allows for progressive rather than immediate implementation of many provisions,

States parties are required by the Convention to eliminate discrimination against women in the exercise and enjoyment of all civil, political, economic, social and cultural rights. The Convention requires States parties to pur

participate in and benefit from rural development on the same basis as men. Lastly, in Part IV (articles 15-16), States parties agree to afford women equality with men before the law, in the exercise of legal rights, and in marriage and family law.

Given the scope of the Convention, its implementation requires a concerted effort and response from the Government as a whole. Such an effort and response should be based on a comprehensive review of national legislation, administrative rules and procedures, and of practices to determine the present degree of compliance with the terms of the Convention. During such a review, attention needs to be paid to each of the substantive provisions of the Convention to assess the exte

to enhance the capacity of the



Prof. Goran Melander, former member of the Committee; and  
Dr. Heisoo Shin, current member of the Committee.

Ms. Christine Brautigam, Chief of the Women's Rights Section of the Division for the Advancement of Women, and Ms. Yasmeen Hassan, Social Affairs Officer in the Division, accompanied the experts.

The experts held meetings with a number of key ministries and institutions, including the Ministries of Women's Affairs, Foreign Affairs, Public Health, Education, Rural Rehabilitation and Development, Hajj, Interior, Information and Culture, and Justice, the



women and girls have been, and continue to be, subjected to various forms of violence. In the period of rebuilding, women's rights and gender equality, as in other conflict and post-conflict situations, remain low on the list of priorities.

In late 2001, a conference in Bonn, Germany, established a process for political reconstruction that included election of Hamid Karzai as president in 2004, the adoption of a new Constitution in 2004, and National Assembly elections in 2005. The Afghanistan Compact, adopted in early 2006, established security, governance, rule of law and human rights, economic and social development, and counter-narcotics as critical areas of activity.

The culture of human rights has not been incorporated into Afghanistan. There is generally a lack of knowledge and discussion on human rights. Women's rights in particular are seen as externally imposed and there is not much recognition of women's right to equality. According to members of civil society, there is no strategy for realization of women's rights and no mechanisms to uphold and guarantee such rights. While political support for women's rights is expressed in certain circumstances at the highest level, such support may waver in response to the precarious political situation and religious conservatism. Gender equality is not seen as integral to all Government functions but as a separate issue to be left to the Ministry of Women's Affairs.

## ***2.2 Security***

Security is a pivotal factor in ensuring enjoyment of human rights. Right to life is the prime human right without which all other rights become meaningless. In times of conflict and absence of security, women become more vulnerable, and are subjected to a broad and diverse range of violations of their rights, further aggravated by lack of access to justice and impunity for perpetrators, including the State and its agents.

In the five years since international military operations began, Afghanistan's security situation has deteriorated significantly. After a period of relative calm during the first five years that followed the removal of the Taliban, violence is spreading once again throughout the country. The Taliban have returned and the insurgency frontline now cuts halfway through the country. Attacks occur on a daily basis and several provinces experience suicide bombings, murders, ambushes and explosions. International Security Assistance Force troops, led by the United States and NATO, are regularly engaged in

war operations and are experiencing significant losses, especially in the southern provinces of Helmand and Kandahar, and an increasing number of civilians are being killed.

Lack of security is the gravest problem facing Afghanistan today and a principal obstacle to the education, health, livelihood opportunities and political participation of Afghan women and girls.

### ***2.3 Poverty***

Afghanistan continues to rank at the bottom of most poverty indicators. The situation of women and children is particularly grave. Afghanistan is an agricultural society with eighty percent of its population in rural areas and sixty percent engaged in agriculture. Poverty, the cultivation of poppy in rural areas and, relatedly, drug trafficking, are issues of primary concern in recovery and reconstruction programmes.

Poverty is a major obstacle towards the full realization of human rights, including women's rights, and to the implementation of the Convention, as access to health care, education and employment are dependent on economic resources. Poverty also inhibits an individual's capacity to avail him/herself of civil and political rights. In this regard, it is essential that promotion of enjoyment of the

#### ***2.4 Prevalence of customs and practices that constitute discrimination against women, and stereotypes***

Articles 2 (f) and 5 (a) of the Convention require introduction without delay of measures, including legislation, to modify or eliminate customs and practices that discriminate against women and to modify social and cultural patterns of conduct so as to promote women's full enjoyment of their human rights. Article 5(a), in particular, requires States parties to eliminate prejudices and customary and all other practices which are based on the idea of inferiority or superiority of either of the sexes or on stereotyped roles for men

Cultural diversity is the most common rationalization for discrimination against women -  
- that is, that such different treatment is an integral part of Afghan culture. Such an  
argwis an

and other secondary sources), may be categorized into 4 groups; non-discriminatory, corrective, protective and discriminatory. In the non-discriminatory category, there are many Quranic verses on the equality of men and women.<sup>5</sup> The protective and corrective categories of women's rights in Islam relate to mostly the socio-economic sphere of life where it appears that men have greater rights. However, some Islamic law experts have argued that these rights have been so framed to initiate a process of correction of centuries of discrimination against women.<sup>6</sup> The category of Islamic law that is discriminatory towards women is derived from 6 verses of the Quran<sup>7</sup> which, according to experts, are not straightforward in establishing discrimination against women but are sites of contestation in terms of their content, context and interpretation.

Conformity to the basic principles of Islam is a requirement of the 2004 Constitution. However, since both Islam and the Convention stand for similar values of justice, equality and fair treatment of all citizens, the vast majority of Islamic laws are consistent with the Convention. The mission was informed that there were "three or four" or "a maximum of seven or eight" issues of possible conflict between the provisions of Islamic law and the Convention, some of which could be reconciled.<sup>8</sup> It is important that the exact provisions of Shariah that are in conflict with the Convention be identified and articulated, so as to clarify that Shariah is not a general obstacle to the implementation of the Convention. In addition, it is critical that efforts be made to reconcile the seemingly conflicting provisions of Shariah with obligations under the Convention, including through more progressive interpretations of Shariah.

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<sup>5</sup> Most prominently, verses on the origin of humankind (Verse 39:6), joint and equal responsibility for transgression by Adam and Eve (Verse 7:18-26), equality of men and women on the ethico-religious level (Verse 9: 71-72), equality in moral and spiritual obligations (Verse 33:35; 40:17; 6:164; 74:38), equality in

## ***2.6 Violence against women***

Violence against women is a serious problem in Afghanistan. A study by UNIFEM shows that intra-family violence is endemic in Afghan society.<sup>9</sup> In General Recommendation 19, the Committee noted that gender-based violence is a form of discrimination that inhibits women's ability to enjoy human rights and fundamental freedoms equally with men. The General Recommendation stated that the full



are sexually exploited. Afghanistan is not a State party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Comprehensive legislation on trafficking has yet to be enacted.

### ***2.7 Law reform***

Article 2 of the Convention, inter alia, provides that States parties must eliminate legal discrimination against women by revising existing and enacting new legislation, and by abolishing customs, traditions and other practices that discriminate against women. Afghanistan's ratification of the Convention without any reservation requires review of existing national laws to bring them into conformity with the provisions of the Convention, and enactment of new laws to enable Afghanistan to meet the obligations set out in the Convention, especially in articles 2 and 3.

In most of Afghanistan, the rule of law has historically been weak. Currently what is applied in Afghanistan is a combination of tribal/customary law, Islamic law and some statutory law. All these systems of law contain provisions that are discriminatory to women.

There are several examples of laws that directly or indirectly discriminate against women in Afghanistan in contravention of explicit provisions of the Convention. For example, women do not have the same right to enter into marriage or get divorced as men, and many find themselves imprisoned for "running away from home" when they try to marry of their own will or to leave bad marriages. Women also do not have equal rights to custody and guardianship of their children or to inheritance. The practice of polygamy continues to exist in Afghanistan. The law on the minimum age of marriage of 16 years for girls and 18 years for boys is not enforced and child marriages are widely practiced. Despite the law which requires registration of marriages, it is estimated that only five percent of marriages are registered, to the detriment of women. Afghan women not only lack the right to pass their Afghan citizenship to foreign husbands and children born outside Afghanistan, they stand to lose their Afghan citizenship and their ability to retain property in Afghanistan upon marriage to a foreign national.

Criminal law and procedure in Afghanistan remains strongly prejudiced against women victims in many respects. Criminal law provides lenient sentences for honour crimes and



## ***2.8 Access to justice***

This area, next to security issues, is the most crucial in

respect to the appropriateness or suitability of police response to women's problems. The civil security sector remains unfamiliar with human rights obligations and the human rights unit within the Ministry of Interior is unsure of its continued existence in the reform process.

There is a lack of women police officers. Of the 53,400 police officers in Afghanistan in 2005, only 180 (0.3 percent) were women. Moreover, women police officers serve mainly in guard and body-searching duties, rather than in investigative or patrol duties. In the new police training programmes, only 40 of 1500 trainees are women. It is essential that the number of well-trained and empowered policewomen in Afghanistan be increased to ensure that crimes involving women as suspects, complainants or victims are adequately addressed.

The difficulty in accessing information about the situation of women in remote areas prevents the development of meaningful programmes for access to justice in these areas. In this respect, it should be noted that while the Ministry of Women's Affairs' Legal Affairs Department and district level women development centers, and the Afghan Independent Human Rights Commission provide some legal assistance to women, it is not clear whether these institutions have developed linkages between their programmes, especially in remote areas, and to what extent they further the agenda of women's access to justice.

Considerable resources and capacity-building efforts are required to re-build the law enforcement and justice systems to a level where they can function adequately, particularly for the protection of women's human rights. To that end, matters pertaining to women and justice, including women's access to justice, need to become a priority. Lack of knowledge and awareness of the Convention and women's human rights among the judiciary and law enforcement officials need to be addressed through capacity-building and awareness-raising efforts.

### ***2.9 The role and capacity of the Ministry of Women's Affairs***

The Committee's General Recommendation 6 encourages the establishment of national machinery to promote the advancement and development of women in all States parties. The mandate of such machinery should include advice on monitoring progress in compliance with international human rights standards. Under the Beijing Platform for

Action, Governments are required to create and strengthen national machinery for the advancement of women at the highest possible level of authority to perform policy analysis, undertake advocacy, communication, coordination and monitoring of implementation. The national machinery set up in Afghanistan in December 2001 is the Ministry of Women's Affairs which is responsible, inter-alia, for coordinating the implementation of the Convention.

The effectiveness of a women's ministry is dependent on the strength of its mandate and authority, its credibility and its power to influence other ministries. Since the establishment of the Ministry of Women's Affairs, there have been four Ministers of Women's Affairs. On August 8, 2006, a fortnight before the delegation's visit to Afghanistan, Ms Housn Banou Ghazanfar was confirmed as the new Minister of Women's Affairs.

From discussions with the Minister and officials of the Ministry of Women's Affairs as well as other stakeholders during the course of the mission, it is clear that the role, function and scope of the Ministry of Women's Affairs need to be further clarified and defined. This is not an issue specific to Afghanistan as the mandates of women's ministries have been the subject of similar debate and discussion in many other countries.

One issue of concern is the 'location' of the Ministry of Women's Affairs in the hierarchy of Government departments. Neither the Minister of Women's Affairs, nor the ministry as an organization, currently have the power to engage the attention of other ministries when it comes to mainstreaming women's rights into their work. While the Ministry of Women's Affairs maintains its key structural relationships with line ministries via gender focal points, most gender focal points are lower-level officials with little authority to shape planning and policies. In addition, civil society organizations and parliamentarians seem uncertain of the role and authority of the Ministry of Women's Affairs. One way to address these issues is through the political location of the Ministry of Women's Affairs: In some countries, the women's ministry is placed in the Prime Minister/President's office and receives more 'direct' attention as well as greater authority as a result of physical proximity with the head of state.

Secondly, the mandate of the Ministry of Women's Affairs lacks clarity and is confusing for the ministry as well as the beneficiaries of its work. It is not clear whether it is intended to be a parallel 'government' for women as it implements projects of health,



### ***2.10 Role and capacity of civil society***

Non-governmental organisations (NGOs) play an important humanitarian role in

understand in light of the strong international criticism of the status of women during the Taliban regime.

An additional concern is that donors may support newer civil society groups who can meet certain requirements, such as writing project proposals and partnering with international agencies, at the expense of indigenous civil society organizations with relevant experience and legitimacy. There is also concern that donors may place emphasis on high-visibility, quick impact projects, rather than projects that are sustainable in the long-term.

### **3. Progress made in implementation of the Convention**

The experts identified the following as promising developments that will further gender equality and the implementation of the Convention in Afghanistan.

#### ***3.1 Establishment of the Ministry of Women's Affairs***

The establishment of the Ministry of Women's Affairs as the national machinery for the advancement of women in December 2001, i.e. only a few weeks after the adoption of the Bonn Agreement, is an important step forward in laying the foundation for sustainable work for the promotion of women's human rights.

#### ***3.2 Provisions in the 2004 Constitution***

Chapter two of the 2004 Constitution on the fundamental rights and duties of citizens,





Convention.<sup>10</sup> The wider societal efforts for development are strengthened if gender-based constraints, which curtail women's enjoyment of their rights and contribution to development and entrenched inequalities, are identified and addressed explicitly and at an early stage as part of overall national development efforts.

Article 7 of the 2004 Constitution mandates respect for ratified treaties. The reconstruction of the legal system will provide an opportunity for the country to review its legislative framework and carry out the legal reforms needed to align its laws with the provisions and obligations of the Convention. The Convention is multi-disciplinary and its implementation requires technical expertise in various fields. An inter-ministerial and inter-departmental approach is required to achieve results.

The Afghanistan National Development Strategy, the Interim National Action Plan for Women in Afghanistan and the Afghanistan Compact are parts of the reconstruction process and provide opportunities for an active and visible implementation of the Convention. The Interim National Action Plan for Women is still in draft form. It acknowledges that the elimination of discrimination is a legal obligation and mentions international obligations under the Convention, as well as the Beijing Platform for Action and the Millennium Development Goals, to promote and protect women's rights, and proposes holistic approaches that include interventions in the private and public spheres. However, the Interim National Action Plan for Women is problematic in some aspects: it frequently refers to the goal of equity rather than equality; and, while the obligations under the Convention are acknowledged, all analysis of the situation of women is organised according to the Beijing Platform for Action or Millennium Development Goals and cohesion between the legal obligations under the Convention and the strategies of the Beijing Platform for Action is not demonstrated. An important issue is whether the Interim National Action Plan for Women is integrated into the Afghanistan National Development Strategy. While the Afghanistan National Development Strategy makes the implementation of the Interim National Action Plan for Women a benchmark, it does not explicitly incorporate its provisions.

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<sup>10</sup> Existing consultative, planning and implementing processes – such as the consultative groups and the cross cutting them(e)moup.45-5(ttJ5.5d)9. trngnt St



Similarly, given the strong role that religion plays in Afghanistan, the initiative of the Ministry of Hajj to tackle issues such as forced and child marriages, self immolation and violence against women, and to show that discriminatory customary practices have no basis in Islam, will be critical. The mission was also encouraged by the Ministry's willingness to engage in harmonizing the provisions of the Convention with Shariah and in highlighting the rights of women incorporated in the Convention in religious sermons.

#### ***4.3 Civil society organizations willing to work with the Government***

The emergence of a lively civil society in Afghanistan, including NGOs working on women's issues, is a development that holds great potential. Although NGOs currently have a far from ideal relationship with the Government, they are willing to cooperate with the Government and to be complementary to the Government in working on women's rights. The Ministry of Women's Affairs should enhance strategic cooperation and networking with such organizations for greater impact and better outcomes for women. However, while collaborating with the Government, NGOs need to maintain their autonomy and independence in order to continue to effectively monitor Government efforts and demand accountability.

#### ***4.4 Presence of the international community***

There are a large number of international organizations, including United Nations entities and international NGOs, that are actively support have in.1394 c0(have os)5.44(p)0.6(le)-5.6(m)8.4(uagrn)2

ensures that States parties regularly monitor the situation with respect to each right in the Convention; provides States parties with the basis for the elaboration of clearly stated and targeted policies; permits public scrutiny of Government policies and encourages the involvement of various sectors of society in their formulation and review; provides a baseline against which States parties can evaluate the progress made in respect to implementation of the Convention; enables States parties to develop a better understanding of the problems and shortcomings involved in the progressive realization of the aims; and enables the Committee and States parties as a whole to identify the most appropriate means by which the international community might assist them.

Implementation of the Convention and preparation of the report requires data on the situation of women. Currently, data is being collected for development purposes, including via a household survey. This provides an opportunity to collect data required for implementation of, and reporting under, the Convention. In addition, shadow reports prepared by civil society organizations will further enhance the availability of information on issues relating to Afghan women.

#### ***4.6 Temporary special measures to enhance political participation by women***

Article 4, paragraph 1, of the Convention provides for the use of temporary special measures aimed at accelerating de facto equality between men and women. General Recommendation 25 encourages States parties to employ more temporary special measures, such as preferential treatment or quotas to accelerate achievement of women's equality in fields such as education, the economy, polit

## **5. Recommendations**

On the basis of the findings of the mission, the following key reco

proactive in designing and implementing awareness-raising campaigns and capacity-building projects.

The Ministry of Women's Affairs should clarify and regularize its manner of cooperation with Afghan Independent Human Rights Commission so that both entities can liaise more effectively and support and build on each other's work on gender equality. In particular, the Ministry of Women's Affairs should, through its district level departments, collaborate with Afghan Independent Human Rights Commission's regional and provincial offices to enhance efforts for gender equality in





All training must emphasize women as rights holders rather than victims. Where appropriate, training should focus on correlating substantive rights under the Convention with comparable rights within indigenous religious and cultural systems in order to facilitate the internalization and acceptability of rights under the Convention to the Afghan population. Training should be regularly assessed and monitored to ensure consistency of concepts.

The Ministry of Women's Affairs should be actively involved in training and capacity building projects.

### ***5.3 Review of national laws and policies***

The Government should, as an integral part of the ongoing law reform process, embark on a well-coordinated effort, with clear time lines, to review national laws and policies and ensure their conformity with international principles of human rights and the specific obligations enshrined in the Convention. This reform effort should include the following:

The incorporation of the principle of non-discrimination on the basis of sex in line with article 1 of the Convention in the Constitution (Article 22 of the Constitution does not include discrimination on the basis of sex) or other appropriate national legislation.

The incorporation of the Convention into domestic legislation.

The reflection of the principles of non-discrimination on the basis of sex and equality of women and men by abolishing all discriminatory laws in all fields.

The harmonization of Shariah, statutory law and international obligations in order to address prejudicial customs that are a principal source of discrimination.

The elaboration of the exact provisions of Shariah ("a maximum of seven or eight") that conflict with the Convention (in order to dismiss claims that Shariah is a general obstacle to the implementation of the Convention) and ways to harmonize them.

ensure complete and effective conformity between the domestic legislative framework and the provisions of the Convention.

The reform of family law based on more progressive interpretations of Shariah. Examples of how other Islamic countries have overcome discrimination in this area may be a useful point of reference.

The enactment of comprehensive legislation to combat trafficking in women, covering, among other things, the prosecution and punishment of offenders and the rehabilitation of victims.

The ratification of the UN Convention agai

#### ***5.4 Access to justice***

The Government should take specific steps to enhance women's access to the structures of justice. These should include:

Sensitization of judicial officers, police and prosecutors to the particular challenges women face in accessing justice, and on the types of violations of rights and discrimination women commonly suffer.

Training programmes for judges and prosecutors on relevant sections of the Constitution and Civil Code and on the Convention.

Recruitment of female prosecutors and other female staff in the Office of the Attorney General, including through the use of temporary special measures.

Awareness raising campaigns and educational measures to enhance women's knowledge of their rights and their legal literacy, and measures directed at the elimination of social stereotypes that prevent women from seeking justice.

### ***5.5 Awareness-raising and elimination of stereotypes***

There is an urgent need for awareness-raising in Afghanistan on women's human rights and the Convention across all sectors and levels of Government, as well as to the general public. The media in Afghanistan can be used in this regard. To encourage the media to promote women's rights and contribute to the elimination of stereotypes, it is necessary to create and train a pool of women journalists and media personnel. In addition, the Ministry of Women's Affairs's plan to establish a broadcasting network for women and to have regular radio broadcasts on issues related to women, will enhance awareness among women of their rights. The Ministry of Women's Affairs should also consider upgrading and enhancing its two existing publications on women's rights and holding discussion groups on women's issues, particularly in the provinces. Such programming and broadcasts should include awareness raising on the Convention and Afghanistan's obligations under the Convention. Other ministries are also encouraged to include gender equality issues related to their sector in their publications.

The need to eliminate entrenched and pervasive stereotypes of the roles of men and women in Afghanistan that are based on tribal and customary practices is critical, not only for the advancement of women but also for the health and well being of the family. A process of deep societal change needs to be supported through the development of strategies to eliminate gender stereotypes in all spheres of life and foster the positive portrayal of women and girls at all levels, including through developing and implementing appropriate legislation, policies and programmes and awareness campaigns.

The Government should adopt policies to integrate compulsory gender awareness programmes and human rights training in the school curricula at all levels, designed in particular to eradicate stereotypes and discriminatory practices and to establish a culture of human rights in Afghanistan. The Government should ensure that all stereotypical

attitudes and norms about the roles and responsibilities of women and men in the family and society are removed from the educational curricula.

Other measures to raise awareness on women's rights and eliminate stereotypes should include:

Campaigns and educational measures (including adult education) to promote awareness about women's human rights, equality between women and men and the persistence of discrimination against women, and to make the Convention and the Government's obligations under the Convention more widely known.

Targeted programmes and activities designed to raise awareness of and eliminate violence against women and discriminatory cultural practices, such as and forced and early marriage, and stereotypes.

Engagement of non-traditional stakeholders such as imams and religious and community leaders to educate the community about women's rights and to reinforce that Shariah recognizes, and is not an obstacle to, women's equality.

Campaigns related to legal reform and enactment of new legislation so that both men and women are aware of their rights and responsibilities.

Awareness raising on the significant long term benefits to national development, productivity and family health that will result from women's empowerment.

### ***5.6 Supporting civil society***

It is recommended that civil society organizations working on women's rights be supported and strengthened. NGOs can provide various services such as legal services, counselling services and shelters to women. In addition, NGOs can serve as "watch-dogs" to expose and help address injustices against women. Such organizations should also be supported in making use of the international monitoring mechanisms in order to achieve better respect for women's human rights. In addition, a mechanism should be created for cooperation between the Government and civil society on women's rights.

### ***5.7 Role of the international community, including donors***

In order to support Afghanistan to implement fully and effectively the obligations it assumed by ratifying the Convention, the international community, including the United Nations, international multi-lateral and bilateral donors and international non-governmental organizations, s

raising projects and those relating to rule of law and law reform. Efforts should be made to ensure that all such projects and programmes reflect the perspectives and reality of Afghan women. The international community should work with the Ministry of Women's Affairs to identify priority areas for cooperation in every province. Cooperation within the international community should be a guiding principle.

Eighty three percent of the total budget of the Government is from outside funding. The Afghan Independent Human Rights Commission relies one hundred percent of foreign funding. Civil society, including women's NGOs, is heavily reliant on foreign funding. Given the critical role played by donors in the Afghan reconstruction and development effort, it is essential to enhance the capacity of donors so that they can become active in advancing women's human rights and gender equality. Donors can advance the cause of gender equality in Afghanistan by providing targeted funding to ministries and other organizations which incorporate gender equality issues in their programmes, or by providing funding exclusively for programmes related to women's empowerment and gender equality.

The donor community should support projects to build the capacity of the Ministry of Women's Affairs. In addition, the donor community should support NGOs working in the fields of human rights, women's rights and gender equality and, in determining their funding priorities on gender equality issues, consult with such NGOs. In their support of both Government and civil society, donors should give priority to projects that are sustainable over the long term. In this regard, it is recommended that donors regularly monitor and assess the impact of programmes and projects funded by them. Donors should also coordinate their efforts to maximize efficiency in use of resources. Transparency in funding for projects on women's rights and gender mainstreaming should be encouraged.

## **Appendix A: Biographies of Experts**

### **Convention on the Elimination of All Forms of Discrimination against Women: Technical Cooperation Mission to Afghanistan, 27-30 August 2006**

<b>List of Experts Participating</b>
--------------------------------------

1. Prof. Dr. Shaheen Sardar Ali
2. Ms. Shanthi Dariam
3. Professor Dr. Mohammad Hashim Kamali
4. Prof. Goran Melander
5. Dr. Heisoo Shin

#### United Nations Staff Members:

1. Ms. Christine Brautigam, Chief, Women's Rights Section, Division for the Advancement of Women
2. Ms. Yasmeen Hassan, Social Affairs Officer, Division for the Advancement of Women

### **BRIEF BIOGRAPHIES OF THE EXPERTS**

**Prof. Dr. Shaheen Sardar Ali** is a Professor of Law at the University of Warwick. A graduate from the University of Peshawar,

Elimination of Discrimination against Women for a four-year term (2005-2008). She holds a Masters degree in English Literature fr



## Appendix Two: Schedule of Meetings

### *CEDAW Mission to Afghanistan – Schedule 26-30 August, 2006*

<i>Date and Time</i>	<i>Organizations</i>	<i>Objectives</i>	<i>Venue</i>	<i>Member of the Team</i>
<b>Saturday Aug 26</b>				
12.30 – 2.30pm	<b>Arrival/lunch</b>			
2.30pm – 3pm	<b>UNAMA</b>	Security briefing	UNAMA Press Briefing Conference Room	All CEDAW experts.
3.30pm – 5pm	<b>UNIFEM</b>	Briefing by UNIFEM team on Ministries’ response to preparatory meetings on CEDAW	UNAMA Press Briefing Conference Room	All CEDAW experts.
5pm – 6pm	<b>UNAMA</b>	Political briefing by DSRSG Political Affairs, Mr Chris Alexander	UNAMA	All CEDAW experts.
6pm – 7pm	<b>UNAMA</b>	Reconstruction/development briefing by DSRSG Relief, Recovery and Reconstruction, Ms Ameerah Haq	UNAMA	All CEDAW experts.
7.30pm	<b>Reception – SRSG Residence</b>	Welcome dinner reception.	SRSG Residence	All CEDAW experts, SRSG office, Ministers, UNCT, UNIFEM and UNAMA representatives
<b>Sunday Aug 27</b>				
9am - 9.45 am	<b>Ministry of Foreign Affairs</b>	Briefing meeting by Mission and MoFA	MoFA	All CEDAW experts; MoFA high level officials, UNIFEM and UNAMA representatives
10am – 1pm	<b>Meeting with the Ministry of Women’s Affairs</b>	To discuss general questions and difficulties related to implementation of the Convention, as well as a discussion of outstanding issues or strategies related to the mission.	Minister’s office, MoWA	All CEDAW experts, UNIFEM and UNAMA representatives.
1pm – 2.30pm	<b>Lunch meeting</b>	Meeting with German, Norwegian and US police representatives responsible for police reform.	Serena Hotel	All CEDAW experts, UNIFEM and UNAMA representatives.
2.45 – 5pm	<b>Meeting with NGOs</b>	Meeting with civil society representatives on the situation of women and implementation of the Convention.	Afghan Women’s Network	All CEDAW experts, hosted by UNIFEM.

6pm – 7pm

**Meeting with Gender Donor  
Coordination Group**

Reception with Gender Donor Coordination Group and  
EU Human Rights and Gender group

	<b>Human Rights Unit</b>			
1.00 – 2.30 pm	<b>Lunch meeting with UNIFEM team</b>		TBC	All CEDAW experts.
3.00 – 5.00 pm	<b>Meeting with the leadership of the Parliament (Kanuni and the heads of parliamentary committees)</b>		Parliament conference room.	All CEDAW experts, UNIFEM and UNAMA representatives
<b>Wed Aug 30</b>				
8.30 – 10.30	<b>Parallel meetings: Supreme Court Ministry of Information &amp; Culture</b>	Parallel meetings will be held with the Supreme Court and the Ministry of Information & Culture to discuss the main challenges, opportunities and strategies for CEDAW implementation and challenges and strategies for implementation in the area of law, justice and the courts. The Supreme Court and the ministry will also be invited to indicate the priorities and plans in place in relation to issues affecting women.	Supreme Court MoIC	Individual CEDAW experts (2/3 per meeting); representatives of the Supreme Court and the Ministry, UNIFEM, UNAMA, MoWA and MFA representatives.

10.30 – 12.30