



## **Women, Peace and Security in Afghanistan**

### **Submission to the UN Committee on the Elimination of Discrimination against Women, 75<sup>th</sup> pre-sessional working group**

List of issues for the review of Afghanistan (July 2019)

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# I. Introduction

This submission is made by WILPF Afghanistan, which is a national section of the Women's International League for Peace and Freedom (WILPF), which is the longest-standing international women's peace organisation in the world. WILPF Afghanistan started in 2015. Since then, it has worked to include women in peace processes and to engage men to support women's participation and gender equality for peace and the prevention of gender-based violence.

This submission is based on an advocacy brief developed in the context of the third cycle of the Universal Periodic Review (UPR) of Afghanistan. The UPR Working Group reviewed Afghanistan at its 32<sup>nd</sup> session in January 2019. Several issues included in this submission, such as in relation to the implementation of the National Action Plan UNSCR 1325, women's inclusion in electoral process, violence against women and access to justice, the Law on Elimination of Violence Against Women, and the National Action Plan to Eliminate Early and Child Marriage, were raised by States in the context of the UPR. All UPR recommendations are available in the *Report of the Working Group on the Universal Periodic Review, UN Index: A/HRC/41/5, 3 April 2019*. They are being examined by Afghanistan, which is due to provide responses at the upcoming forty-first session of the Human Rights Council (HRC41).

According to the Annual Report 2018 on Protection of Civilians in Armed Conflict by the United Nations Assistance Mission in Afghanistan (UNAMA), the security situation in 2018 worsened, with an increase in overall civilian casualties and in civilian deaths compared to 2017. UNAMA reported "significant increases in civilian casualties from suicide attacks by Anti-Government Elements, mainly Daesh/Islamic State Khorasan Province (ISKP). This, in addition to increases in harm to civilians from aerial operations and search operations, more than offset the continued decrease in civilian casualties from ground fighting. Suicide attacks and aerial operations each caused the most civilian casualties ever recorded by UNAMA for those tactic types."<sup>1</sup> In April 2019, in its Quarterly report on the protection of civilians in armed conflict, UNAMA stated that "it is very concerned by the continued targeting of civilians and increase in civilian casualties from the use of non-suicide IEDs by Anti-Government

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<sup>1</sup> See, UNAMA. Afghanistan Protection of Civilians in Armed Conflict Annual Report 2018, available at: [https://unama.unmissions.org/sites/default/files/unama\\_annual\\_protection\\_of\\_civilians\\_report\\_2018\\_-\\_23\\_feb\\_2019\\_-\\_english.pdf](https://unama.unmissions.org/sites/default/files/unama_annual_protection_of_civilians_report_2018_-_23_feb_2019_-_english.pdf). See also "The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights", Report of the United Nations High Commissioner for Human Rights, A/HRC/40/45, 28 January 2019.

Elements, as well as significant increases in civilian casualties from aerial and search operations, which drove an overall increase in civilian casualties by Pro-Government Forces. Civilian deaths attributed to Pro-Government Forces surpassed those attributed to Anti-Government Elements during the first quarter of 2019.”<sup>2</sup>

## **II. Women’s participation in political and public life**

### **A. Implementation of the National Action Plan on Security Council resolution 1325**

The National Action Plan on UN Security Council resolution 1325 (NAP 1325) covers the period 2015-2022. Its strategic priorities are grouped under the four main pillars of Participation, Protection, Prevention, and Relief and Recovery – divided into 39 indicators and 25 strategic objectives.<sup>3</sup> Difficulties, such as the lack of cooperation between ministries and the absence of budgeting and funding for the implementation of the NAP 1325, compounded with the aggravated insecurity situation, have hampered implementation and programming in provinces as well as in Kabul.<sup>4</sup> The implementation of the NAP was delayed for two years after its adoption in 2015 and, although an implementation plan has been subsequently adopted, the financial mechanism for implementation is not finalised yet.<sup>5</sup> No funding has been allocated by international donors to its implementation yet.<sup>6</sup>

The division of responsibilities in implementing policies regarding women’s rights is patchy as they are divided among the Ministry of Women’s Affairs, the Presidential office, the Chief Executive’s office and the First Lady’s office. This fragmentation of responsibilities is another obstacle to the effective

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2 See, UNAMA, Quarterly report on the protection of civilians in armed conflict: 1 January to 31 March 2019, available at:

[https://unama.unmissions.org/sites/default/files/unama\\_protection\\_of\\_civilians\\_in\\_armed\\_conflict\\_-\\_first\\_quarter\\_report\\_2019\\_english\\_.pdf](https://unama.unmissions.org/sites/default/files/unama_protection_of_civilians_in_armed_conflict_-_first_quarter_report_2019_english_.pdf).

3 Afghanistan’s National Action Plan on UNSCR 1325 - Women, Peace, And Security, 2015-2022, available at: [https://unama.unmissions.org/sites/default/files/wps-afghanistan\\_national\\_action\\_plan\\_1325\\_0.pdf](https://unama.unmissions.org/sites/default/files/wps-afghanistan_national_action_plan_1325_0.pdf)

4 2017 Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security), available at: [http://cdn.mfa.af/reports/NAP\\_English\\_final\\_29-07-2018.pdf](http://cdn.mfa.af/reports/NAP_English_final_29-07-2018.pdf).

5 Afghanistan Public Policy Research Organization, Afghanistan’s NAP 1325 (2015– 2018): A Critical Assessment, May 2018, page 19, available at:

<http://appro.org.af/wp-content/uploads/2018/05/2018-05-13-Afghanistans-NAP-1325-A-Critical-Assessment.pdf> ; and Geneva Conference on Afghanistan 27/28 November 2018, Geneva Mutual Accountability Framework (GMAF), page 6, available at:

[https://unama.unmissions.org/sites/default/files/gmaf\\_final\\_26\\_nov\\_2018.pdf](https://unama.unmissions.org/sites/default/files/gmaf_final_26_nov_2018.pdf).

6 Afghanistan Public Policy Research Organization, Afghanistan’s NAP 1325 (2015 – 2018): A Critical Assessment, May 2018, page 18, available at: <http://appro.org.af/wp-content/uploads/2018/05/2018-05-13-Afghanistans-NAP-1325-A-Critical-Assessment.pdf>.

implementation of the NAP 1325 as well as of other important instruments and policies on women's rights such as, the Elimination of Violence Against Women (EVAW) law, CEDAW, and policies relating to the NAP.

## **B. Women's involvement in the peace process**

The decision on 9 June 2018 by the National Unity Government for an unconditional ceasefire of three days with the Taliban, also observed by the Taliban, was nationally and internationally welcomed.<sup>7</sup> Since then, the peace talks in Afghanistan have been moving fast. It is urgent for all actors (national, regional and international), including the CEDAW Committee, to forcefully advocate the promotion of peace talks that meaningfully involve women. It also essential that there be no setback on women's rights as part of the peace process.

There have been concerns about the politicisation of the peace talks by national, regional and international players. Without an inclusive and comprehensive team for peace negotiations tensions and mistrust in the peace process will continue. The absence of meaningful representation of diverse civil society groups, especially of women, in the peace talks is noticeable. The Afghan government, the High Peace Council, the *Shura* (Council) of *Ulema* of Afghanistan, and the international community continue to ignore women's role in peace talks. Women only represent 26% of the Afghan Peace Council and 20% of provincial peace councils.<sup>8</sup>

The Afghan President has emphasised the role of women in peace talks on many occasions; this commitment should be followed by action.<sup>9</sup> However, in 23 rounds of peace talks between 2005 and 2014, women were at the table on only two occasions.<sup>10</sup> When officials from over 25 countries gathered for the Kabul Process in February 2018, an Afghan-led peace conference, the room was overwhelmingly filled with men.<sup>11</sup> After the November 2018 conference in Geneva, President Ghani

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<sup>7</sup><https://www.reuters.com/article/us-afghanistan-president-ceasefire/afghanistan-announces-ceasefire-with-taliban-until-june-20-idUSKCN1J3002> .

<sup>8</sup> <https://www.cfr.org/interactive/womens-participation-in-peace-processes/explore-the-data> .

<sup>9</sup> <https://edition.cnn.com/2018/03/01/asia/afghanistan-ghani-taliban-intl/index.html> .

<sup>10</sup> <https://www.cfr.org/interactive/womens-participation-in-peace-processes/explore-the-data> .

<sup>11</sup> <https://eu.usatoday.com/story/opinion/2018/03/21/afghanistan-taliban-peace-talks-must-include-women-column/437628002/>; <https://af.usembassy.gov/kabul-process-peace-security-cooperation-afghanistan-declaration/> .

announced a 12-person negotiating team to conduct peace negotiations. Among the 12 members, only three are women but none of them are from civil society.<sup>12</sup>

## Suggested questions

- What mechanisms are in place to ensure that Afghan women from diverse groups, including from civil society and from various social, ethnic, political, and religious backgrounds, are included and meaningfully participate in peace talks, including as negotiators?
- What measures have been taken to finalise the adoption of the financial mechanism for the implementation of the National Action Plan 1325 (NAP 1325)? What measures have been taken to ensure the implementation of the NAP 1325 with adequate financial, human and monitoring and evaluation resources and with full involvement of civil society?
- Which mechanism is envisaged to undertake a gender analysis of annual budgeting of all ministries based on the strategic objectives of the NAP 1325 and work with all ministries to minimise and eliminate the adverse impacts of budgeting practices on gender relations and women's rights?
- What measures have been taken to strengthen and streamline the mandate of the Ministry of Women's Affairs to ensure clear competences, without duplication with other bodies, and allocate budget and resources to improve its operational efficiency?
- What steps have been taken to ensure that the Ministry of Religious Affairs and the Ministry of Education engage boys, men, and full households as subjects of awareness-changing and transformative interventions on gender equality?

## C. Women's participation in elections

In October 2018, Afghanistan held its long overdue parliamentary elections initially planned in 2015. These were the third parliamentary elections since 2001. While polls reported a high number of voters (about 4.2 million voted out of the 8.8 million registered to vote), the election was marked by technical and organisational issues (e.g. delays in opening polling centres, lack of sufficient electoral materials and staff) and fraud problems at some of the 4,900 polling stations across the country.<sup>13</sup> Many Afghans appear to have stayed at home instead of going to the poll stations due to the fear of violence

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<sup>12</sup> <https://www.euractiv.com/section/global-europe/news/afghan-president-names-team-for-taliban-peace-talks-eu-to-act-as-guarantor/>.

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[https://unama.unmissions.org/sites/default/files/special\\_report\\_on\\_2018\\_elections\\_violence\\_november\\_2018.pdf](https://unama.unmissions.org/sites/default/files/special_report_on_2018_elections_violence_november_2018.pdf), page 2 ; <http://www.fefa.org.af/Home/Details?ps=265> .

and to the Taliban's organised campaign of threats and intimidations, which is likely to have disproportionately impacted women's participation.<sup>14</sup>

Women accounted for 39% of the voters in the 2010 Parliamentary elections,<sup>15</sup> 36% in the 2014 presidential and provincial council elections, and 38% in the second round of the 2014 presidential elections.<sup>16</sup> The paucity of data available shows little change over 5 years, and indeed represents a fall from the 2004 presidential elections statistics, in which 44% of the voters were women. Concerted action is required to reverse this trend and to enable women to make up their rightful proportion of the electorate. However, provisional data estimate that the women turnout in the 2018 elections was higher than in previous recent elections, both in city centres and at provincial levels, despite much insecurity, threats, traditional and customary obstacles, which prevent women from participating both as voters and candidates.<sup>17</sup>

Under objective 2 of the NAP 1325, the government committed to strengthen women's active participation in national and provincial elections, including by reviewing and amending relevant laws and by taking measures to create an enabling environment for women to safely run for elections, register, vote and campaign.<sup>18</sup> In its next report on the implementation of the NAP 1325 the Department of Human Rights under the Ministry of Foreign Affairs should report on activities undertaken to implement these activities in view of the 2018 and 2019 parliamentary and presidential elections.

The loss of morale due to the irregularities and corruption in previous elections, and the delayed announcement of the results have cast serious doubts regarding the legitimacy of democratic processes in the country, and the value of the level of risks taken by Afghan women to participate in elections. As of November 2018, one month after the elections, the Afghanistan Independent Electoral

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[https://unama.unmissions.org/sites/default/files/special\\_report\\_on\\_2018\\_elections\\_violence\\_november\\_2018.pdf](https://unama.unmissions.org/sites/default/files/special_report_on_2018_elections_violence_november_2018.pdf) , page 2 ; <https://www.dw.com/en/why-are-afghan-officials-not-announcing-election-results/a-46511656>.

15 <https://www.ndi.org/sites/default/files/Afghanistan-2010-election-observers-final-report.pdf> , page 38

16 [http://cdn.mfa.af/reports/NAP\\_English\\_final\\_29-07-2018.pdf](http://cdn.mfa.af/reports/NAP_English_final_29-07-2018.pdf) , page 20.

17 <https://www.afghanistan-analysts.org/afghanistan-elections-conundrum-19-women-candidates-going-against-the-grain/>; <https://thediomat.com/2018/10/peace-blood-and-hope-women-in-afghanistans-election/>.

18 Afghanistan's National Action Plan on UNSCR 1325 - Women, Peace, And Security, 2015-2022, pages 16 and 17, available at: [https://unama.unmissions.org/sites/default/files/wps-afghanistan\\_national\\_action\\_plan\\_1325\\_0.pdf](https://unama.unmissions.org/sites/default/files/wps-afghanistan_national_action_plan_1325_0.pdf).

Commission (AIEC) had announced the voting results of only 14 provinces. The final results were announced only after seven months. This seriously undermines public trust in the electoral process.<sup>19</sup> The anti-corruption commitments of the Afghan government, including the newly adopted national anti-corruption strategy that comprises specific objectives regarding fair elections, must be effectively implemented as called for in UN Security Council resolution 2405 (2018).<sup>20</sup> According to the Electoral Commission, the presidential election is expected to be held in September 2019.

## Suggested Questions

- What measures have been taken to ensure the promotion and inclusion of women in electoral processes? Has a policy been developed to this effect? What steps have been taken to establish networks for women between government, civil society and other stakeholders in order to promote women's participation in elections as voters, candidates, and electoral observers?
- What measure have been taken to conduct awareness-raising sessions with *Ulema* and other influencers about women's role in elections and country-wide awareness-raising seminars with women on the importance of women's political participation including in elections?
- What mechanism has developed to collect sex-disaggregated data on the participation of women registered on electoral lists and on women voter turnouts as well as on the gender-specific obstacles faced by women voters and candidates participating in the 2018 parliamentary elections and 2019 presidential elections?
- Has a transparent and gender-sensitive review of the security, technical and administrative challenges faced by women during the parliamentary and presidential elections been conducted, with a view to taking corrective measures to ensure the safety of Afghan women and to facilitate the exercise of their right to participate in the political process?<sup>21</sup>
- What measures have been taken to effectively implement the national anti-corruption strategy and its specific objectives related to fair elections, including the holding of the national

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<sup>19</sup> <http://www.iec.org.af/results/en/home>.

<sup>20</sup> Afghanistan National Strategy for Combatting Corruption, Islamic Republic of Afghanistan, page 7, para. 36, available at: [http://mof.gov.af/Content/files/AFG\\_AntiCorruptionStrategy\\_Eng\\_.pdf](http://mof.gov.af/Content/files/AFG_AntiCorruptionStrategy_Eng_.pdf); and S/RES/2405 (2018).

<sup>21</sup> Based on a recommendation by UNAMA to the Independent Election Commission of Afghanistan, see page 8, [https://unama.unmissions.org/sites/default/files/special\\_report\\_on\\_2018\\_elections\\_violence\\_november\\_2018.pdf](https://unama.unmissions.org/sites/default/files/special_report_on_2018_elections_violence_november_2018.pdf).

consultative conference on ensuring electoral integrity for the 2019 presidential elections with the full involvement of civil society and prosecute any case of corruption? <sup>22</sup>

- What strategies have been developed and implemented by the new members of the Electoral Commission to strengthen the Commission's capacities and resources and ensure its independence, including by conducting impartial investigations into allegations of election fraud and irregularities?
- What steps have been taken to include in the next report on the implementation of the NAP 1325 activities undertaken to create an enabling environment for women to safely run for elections, register, vote and campaign in the 2018 and 2019 parliamentary and presidential elections?

## **II. Gender-based and sexual violence against women and girls**

Since the fall of the Taliban, several legislative and institutional advances have been made towards the protection of women's rights. For instance, Article 22 of the Afghan Constitution (2004) declares: "Any kind of discrimination and distinction between citizens of Afghanistan shall be forbidden. The citizens of Afghanistan, man and woman, have equal rights and duties before the law."<sup>23</sup> Similarly, Articles 83 and 84 of the Constitution state measures for women's participation in the upper and lower houses.<sup>24</sup>

The Afghan government also made various commitments to women's rights and gender equality in the Afghanistan Compact (2006) and in the Afghanistan National Development Strategy (ANDS, 2008-2013).<sup>25</sup> One of the ANDS' main focus areas was gender mainstreaming and women's empowerment

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<sup>22</sup> Afghanistan National Strategy for Combatting Corruption, Islamic Republic of Afghanistan, page 8, available at: [http://mof.gov.af/Content/files/AFG\\_AntiCorruptionStrategy\\_Eng\\_.pdf](http://mof.gov.af/Content/files/AFG_AntiCorruptionStrategy_Eng_.pdf)

<sup>23</sup> Islamic Republic of Afghanistan, The Constitution of Afghanistan, available at: <http://www.afghanembassy.com.pl/afg/images/pliki/TheConstitution.pdf>.

<sup>24</sup> Article 83 of the Constitution provides that "The elections law shall adopt measures to attain, through the electorate system, general and fair representation for all the people of the country, and proportionate to the population of every province, on average, at least two females shall be the elected members of the House of People from each province." Article 84 provides that the President shall appoint fifty percent of Members of the House of Elders from amongst women. Islamic Republic of Afghanistan, The Constitution of Afghanistan, available at: <http://www.afghanembassy.com.pl/afg/images/pliki/TheConstitution.pdf>.

<sup>25</sup> The Afghanistan Compact, available at:

[https://www.nato.int/isaf/docu/epub/pdf/afghanistan\\_compact.pdf](https://www.nato.int/isaf/docu/epub/pdf/afghanistan_compact.pdf); Afghanistan National Development Strategy (ANDS, 2008-2013), available at:

[https://www.wto.org/english/thewto\\_e/acc\\_e/afg\\_e/WTACCAFG18\\_CD\\_1.pdf](https://www.wto.org/english/thewto_e/acc_e/afg_e/WTACCAFG18_CD_1.pdf)



in various governmental bodies and society at large. The National Action Plan for the Women of Afghanistan (NAPWA, 2008-2018) was designed with the sole aim of improving women's lives in Afghanistan with a focus on education, health, economic security and political participation.<sup>26</sup>

A law on the Elimination of Violence Against Women (EVAW) was adopted in August 2009. It criminalises 22 acts of violence against women such as, forced and child marriage, rape, beating and many other traditions and practices that lead to violence against women.<sup>27</sup> The EVAW law has however generated many debates, particularly among more conservative parliamentarians, who have argued that forced marriage and child marriage should not be considered as crimes<sup>28</sup> and against women's access to shelters, on the account of these being "un-Islamic". As reported by the Special Rapporteur on Violence against Women after her visit to Afghanistan in 2017, "Shelters are viewed by many as institutions that encourage women to leave home; to behave immorally and outside of what is traditionally considered "acceptable" in a conservative and religious society; or as prostitution houses; or establishments that are causing the break-up of families. Thus, both the service providers and those seeking protection are stigmatised and shunned by society."<sup>29</sup>

In 2017 the Afghanistan Independent Human Rights Commission (AIHRC) reported that 4340 cases of violence against women had been registered, increasing by 11.7% in one year.<sup>30</sup> Very few cases are reported compared to the actual prevalence rate of violence against women, due to family and social pressure.<sup>31</sup> Women and girls are also prevented from reporting violence due to stigma, discrimination, fear of reprisals, as well as due to the treatment of victims of sexual abuse who seek help as perpetrators of *zina* (i.e. sexual intercourse outside of marriage) or "attempted *zina*."<sup>32</sup> Women

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26 National Action Plan for The Women of Afghanistan (NAPWA), available at: <http://extwprlegs1.fao.org/docs/pdf/afg149120.pdf>.

27 Islamic Republic of Afghanistan, Ministry Of Justice, Official Gazette, Extraordinary Issue, Law on Elimination of Violence against Women (EVAW), 1 August 2009, Issue No: (989), available at: <http://www.refworld.org/pdfid/5486d1a34.pdf> .

28 GAPS UK "EVAW Law Stalled in Afghan Parliament" available at: <http://gaps-uk.org/evaw-law-stalled-in-afghan-parliament/>.

29 A/HRC/29/27/Add.3, para. 44.

30 AIHRC. Summary of the Report on Violence Against Women: The causes, context, and situation of violence against women in Afghanistan. 11 March 2018 available at: <https://www.aihrc.org.af/media/files/Research%20Reports/Summerry%20report-VAW-2017.pdf>.

31 CAT/C/AFG/CO/2, para. 37; A/HRC/29/27/Add.3, para. 64 and 65.

32 A Way to Go: An Update on Implementation of the Law on Elimination of Violence against Women in Afghanistan, UNAMA/OHCHR, see page 22, [https://unama.unmissions.org/sites/default/files/unama\\_evaw\\_law\\_report\\_2013\\_revised\\_on\\_16\\_dec\\_2013.pdf](https://unama.unmissions.org/sites/default/files/unama_evaw_law_report_2013_revised_on_16_dec_2013.pdf).

and girls are indeed sometimes charged with the “intention” of committing *zina* when they run away from abuse and seek help.<sup>33</sup>

In addition, the EAW law is not effectively implemented, with very low levels of implementation in rural and remote areas.<sup>34</sup> The EAW law emphasises the State’s role in protection and prosecution, requiring the police to register complaints and protect victims, and courts and prosecutors to prioritise such cases. However, cases of violence against women, including criminal cases, are frequently mediated, notably through traditional dispute resolution mechanisms headed by men and made on the basis of cultural norms, rather than on the legal framework.<sup>35</sup> The United Nations Assistance Mission in Afghanistan (UNAMA) has highlighted that the wide use of mediation in criminal offences of violence against women, including in murder cases, promotes impunity, enables the reoccurrence of violence and erodes women’s trust in the legal system.<sup>36</sup> Sexual harassment and gender inequality at work, including in the public sector, is another great obstacle on the way of women’s social and economic participation, despite harassment being banned under the EAW law and the anti-harassment law.<sup>37</sup>

In 2013, the CEDAW Committee expressed its deep concerns “at the persistence of adverse cultural norms, practices and traditions which are harmful to women, such as child marriage, *baad* (settlement of disputes by giving away girls), *badal* (exchange marriages) and forced marriages, including forced marriages of widows.”<sup>38</sup> In 2017, the Committee against Torture expressed concerns at the widespread phenomenon of forced and early marriages and recommended that Afghanistan “take all measures to ensure that forced and early marriages are prohibited, those responsible are prosecuted and punished and the victims are rehabilitated.”<sup>39</sup> The legal age for marriage is 18 for boys and 16 for girls; however, child marriage practices remain prevalent in Afghanistan with around 35% of girls being

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33 A/HRC/29/27/Add.3, para. 16.

34 CAT/C/AFG/CO/2, para. 37; A/HRC/29/27/Add.3, para. 63 and 64.

35 CAT/C/AFG/CO/2, para. 37; A/HRC/29/27/Add.3, para. 64 and 65.

36 Injustice and Impunity Mediation of Criminal Offences of Violence against Women, page 6, available at: [https://www.ohchr.org/Documents/Countries/AF/UNAMA\\_OHCHR\\_EAW\\_Report2018\\_InjusticeImpunity29May2018.pdf](https://www.ohchr.org/Documents/Countries/AF/UNAMA_OHCHR_EAW_Report2018_InjusticeImpunity29May2018.pdf).

37 <https://www.afghanistan-analysts.org/harassment-of-women-in-afghanistan-a-hidden-phenomenon-addressed-in-too-many-laws/>.

38 CEDAW/C/AFG/CO/1-2, para. 22.

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fAFG%2fCO%2f1-2&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fAFG%2fCO%2f1-2&Lang=en)

39 CAT/C/AFG/CO/2, para. 35 and 36.

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/AFG/CO/2&Lang=En](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/AFG/CO/2&Lang=En).

affected.<sup>40</sup> In 2017, the government adopted a National Action Plan to Eliminate Early and Child Marriage.<sup>41</sup> However, the plan is not publicly available, nor is there publicly available information on the status of its implementation.<sup>42</sup>

Child marriage takes roots in social norms, such as tradition, as well as in poverty, insecurity and lack of education. In order to eliminate violence against women and girls, the link between child marriage and poverty needs to be better understood. The extreme levels of harm inflicted on civilians from the armed conflict in 2017 and 2018 have exposed women to becoming the sole-income providers of their households after the death of their husbands, which in turn exposes girls to the risk of marriage to repay debt or to relieve economic hardship.<sup>43</sup> Rights-based awareness-raising interventions to prevent child marriage should, hence, take into account actions to improve economic conditions and employment opportunities for households.

Afghanistan is one of the countries most affected by landmines and explosive remnants of war. Landmines, explosive remnants of war and gunshot wounds are among the leading causes of disabilities in the country. People with disabilities face tremendous challenges. Women with disabilities face multiple forms of violence and discrimination; this concern has received hardly any attention, if at all, from the Afghan government, civil society and the international community. The 2016-2020 strategy and national action plan on the elimination of violence against women pays no attention to this concern.<sup>44</sup> Any policy should identify the multiple forms of discriminations faced by marginalised groups, including women with disabilities, in order to have inclusive policies that leave “no one behind.”

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40 <https://www.girlsnotbrides.org/child-marriage/afghanistan/>.

41 <https://www.girlsnotbrides.org/afghanistan-launches-national-action-plan-end-child-marriage/>.

42 <https://www.hrw.org/news/2017/04/20/will-afghanistan-follow-through-promise-end-child-marriage>.

43 A/HRC/29/27/Add.3, para. 56; UNAMA documented 8050 civilian casualties from 1 January to 30 September 2018, page 1,

[https://unama.unmissions.org/sites/default/files/unama\\_protection\\_of\\_civilians\\_in\\_armed\\_conflict\\_3rd\\_quarter\\_report\\_2018\\_10\\_oct.pdf](https://unama.unmissions.org/sites/default/files/unama_protection_of_civilians_in_armed_conflict_3rd_quarter_report_2018_10_oct.pdf)

44 Afghanistan’s Strategy and National Action Plan on the Elimination of violence against women, available at:

<http://www2.unwomen.org/->

[/media/field%20office%20eseasia/docs/publications/2017/01/aco\\_evawstrategy\\_jan17\\_email-r2.pdf?vs=1821](http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2017/01/aco_evawstrategy_jan17_email-r2.pdf?vs=1821).

## Suggested questions

- What concrete measures have been taken to ensure prompt investigation and prosecution of cases of violence against women by referring criminal offences to the criminal justice system and never to traditional dispute resolution mechanisms?
- What mechanisms are in place to ensure that EAW judges and prosecutors are fully trained, resourced, supported and empowered to carry out their mandated functions?
- What measures, including short term and long term, have been adopted to ensure that women are informed about their rights during judicial and mediation procedures and are treated with dignity and equality in accordance with international human rights law?
- What strategies have been developed and implemented to work with civil society, community and religious leaders to change the negative perception of shelters or safe houses for women victims of violence who seek support?
- Which measures have been taken to publicise and effectively implement the 2017 National Action Plan to Eliminate Early and Child Marriage in full consultation with civil society? And which measures to address the issue of child marriage as a coping mechanism to poverty?
- Which measures have been taken to address discrimination faced by women with disabilities? And which measures to meet their specific needs and promote their access to education and job opportunities? Which measures have been taken to ensure their meaningful participation at all levels, including in the context of elections, both as voters and candidates?
- When does the government plan to submit its overdue first report to the Committee on the rights of persons with disabilities? What steps is it taking to include specific information on the challenges faced by women with disabilities? How does the government involve women with disabilities to finalise and submit that report?