



## Update on women, peace and security in Afghanistan July 10<sup>th</sup> 2019

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The Informal Expert Group of the Security Council on Women, Peace and Security reviewed the situation in Afghanistan in July 2016 ([S/2016/673](#)), November 2016 ([S/2016/1059](#)), and December 2017 ([S/2018/11](#)). This update summarizes relevant developments since then.

### Developments in the Security Council

In March 2018, the Security Council adopted [resolution 2405](#) extending UNAMA's mandate. Resolution 2405 included comprehensive and strong language on women, peace and security, as detailed below in the annex. In March 2019, the Security Council further extended UNAMA's mandate until 17 September 2019 through [resolution 2460](#).

**Six Afghan women** – from civil society, the Afghanistan Independent Human Rights Commission, and an independent advisory body to the Government – **have briefed the Security Council** since the last time the IEG reviewed the situation in Afghanistan, including [Sima Samar](#) in June 2019, [Storai Tapesh](#) in March 2019, [Ghizaal Haress](#) in December 2018, [Mariam Safi](#) and [Habiba Sarabi](#) in March 2018, and [Wazhma Frogh](#) in December 2017. All of them emphasized in their briefings the importance of safeguarding women's human rights and women's meaningful participation in any peace talks with the Taliban. For example:

*I implore the Security Council and the international community to ensure that transitional justice is not compromised in the pursuit of peace and reconciliation. The peace deal with Hizb-i-Islami (...) showed how easily actors could sideline the need for community healing, exclude women and civil society engagement and take steps that reinforce a culture of impunity in the pursuit of achieving that peace (Mariam Safi).*

*The government must ensure that any continuing obstacles to the participation of women in all spheres of public and political life are eliminated, and that their inclusion is a non-negotiable priority. Women must have formal, substantive and specific roles at every level of the peace process (...). Afghanistan has made modest progress with regards to rule of law, democratic governance and human rights, particularly women's rights. However, this progress has been placed in serious jeopardy by repeated suggestions that the Constitution be amended to accommodate the demands of the Taliban (Ghizaal Haress).*

*Any agreement related to peace and reconciliation in Afghanistan that fails to meaningfully engage women and gender-equality experts or fails to promote and protect the rights of women and reflect the realities of women will not result in peace for women. Rather, it will serve to bring Afghanistan back to the social and political exclusion that women were once subjected to and deepen the drivers of conflict (Storai Tapesh).*

This theme was one of the points of emphasis and objectives of the **Security Council's visiting mission** to Afghanistan in January 2018, and was raised, not only in meetings with women's organizations, but also with President Ghani and other key interlocutors. Following the Security Council's visiting mission, the then president of the Security Council asked all Council members to prioritize women, peace and security during the Council's debate on Afghanistan in March 2018.

### Women's participation in peace talks

In 2018, President Ghani offered to commence talks with the Taliban without pre-conditions, and separately the US began direct bilateral talks with the Taliban Political Commission in Doha.

- In **November 2018, Russia hosted an international meeting on Afghanistan in Moscow**. The Government did not send a delegation to the meeting, but the High Peace Council, as an independent advisory body to the Government, sent a four-member delegation, including **the only woman who sat at the table**, the Deputy Chair of the High Peace Council.
- In **February 2019**, again in **Moscow**, a two-day meeting was held between a 10-member Taliban delegation and 40-50 Afghan political leaders, mainly affiliated with the opposition to the government. **Only two women** -a member of parliament and a representative of the Afghanistan Independent Human Rights Commission- participated in the meeting. They were invited in their personal capacities. Two other Afghan women officials declined to attend, saying peace talks without the government's participation could not yield meaningful results. Topics covered during the two-day conference included foreign troop withdrawal and the formation of an interim government. Only two male delegates brought up women's rights and the importance of preserving the gains made for women's human rights of the past 18 years. The Afghan Women's Network published a six-point statement prior to the talks, asking participants to 1) bring Afghan women to the table; 2) not choose peace without human rights; 3) be direct about women's human rights; 4) not change the political order; 5) not compromise law and order in Afghanistan (a reference to the harm to women brought about by the previous dissolution of the national army and police); and, 6) not cut Afghanistan off from the international community.
- The Office of the First Lady, supported by the High Peace Council, the Ministry of Women's Affairs, the Afghan Women's Network and other civil society organizations, organized a six-month consultation process with 15,000 Afghan women from across all 34 provinces of Afghanistan, culminating in a **national conference of Afghan women for peace** (National Women's Consensus for Peace). 3,000 delegates, including 700 from the provinces, met on 28 February 2019. In his speech to the conference, President Ghani repeated his promise that women's participation in the upcoming *loya jirga* would reach 30 percent, but his speech did not give any assurances that women would be adequately represented in any future negotiations with the Taliban.
- In **April 2019**, a **consultative loya jirga on peace in Kabul** brought together more than 3,000 delegates from across Afghanistan to develop parameters for talks with the Taliban. The *loya jirga* released a communiqué calling for, among other things, the formation of an inclusive negotiating team, continued support from the international community and the preservation of human rights, particularly women's human rights. **Women comprised around 30 per cent of participants** at the consultative *loya jirga*, chaired 13 of its 50 committees, and were elected as two of the five deputy heads of the assembly.
- In April 2019, President Ghani announced a **Reconciliation Council**, consisting of 37 members, including five women, who would "make decisions about the aims of this process and the makeup of [a] negotiating team." In November 2018, President Ghani had announced a negotiating team consisting of 12 members, including 3 women, but following calls for the team to be inclusive and representative efforts are currently being made to broaden the composition of the team.
- To date, none of the bilateral talks between the US and the Taliban in Doha have **included Afghan women**. The **July 2019 intra-Afghan talks, co-hosted by Germany and Qatar** also in Doha, brought together Afghan civil society, government representatives in their personal capacity, and representatives of the Taliban. Out of approximately 50 participants, ten are women. They have played a critical role thus far in the talks by helping to foster an environment for dialogue.
- Women's participation in the **High Peace Council (HPC) and Provincial Peace Committees (PPCs)** has varied through the years. Recently, women's representation increased to 26 per cent of the HPC and 20 per cent of the PPCs. With the appointment of a State Minister for Peace, the future of the HPC and PPCs remains unclear.
- Between February and May 2019, the **Afghan Independent Human Rights Commission**, supported by UNAMA, undertook a **national inquiry on the role of women in peace and security** to give voice to the views of women and men on their expectations of any peace talks and peace agreement. The surveys and focus groups involved more than 3,400 women and men from across the country, who stressed that women's rights cannot be compromised or put on the agenda as an item for negotiation during any political talks.
- At the local level, UNAMA continued working with communities and subnational government authorities in support of local peace and conflict-resolution efforts and implementing **local peace initiatives** through its field offices. For example, UNAMA facilitated a peace *jirga* between two tribes in Nangarhar Province that

concluded with the adoption of a resolution regulating water distribution, and it marked the first time that women played an active role in the jirga itself.

### Women's participation in elections

- In the parliamentary elections in October 2018, initially planned for 2015 and the first elections since Afghan forces took over responsibility for security in the country from NATO forces, 35 per cent of the 8.5 million registered voters were women, an increase of eight points compared with the 2014 presidential election. It is estimated that, on election day, women made up slightly more than 30 percent of all voters, and half of registered voters stayed home. A record 417 women (16.25 per cent of all candidates) competed and secured 66 of the 249 parliamentary seats. There were 7,429 polling stations for women compared with 11,667 for men, and around 13,000 Afghan women served as election observers. The country's constitution reserves 27 percent of the seats for women.
- Since March 2019, and for the first time, women head the main two electoral bodies: the Independent Election Commission, and the Electoral Complaints Commission. Eighteen candidates have registered for the presidential elections expected to take place in late September. None of the candidates are women, but three women are among the running mates registered on presidential tickets.

### Women's protection issues

- In 2018, Afghanistan suffered the highest number of civilian casualties since UNAMA began recording figures. There were 3,804 deaths and 7,189 people were injured. One in ten civilian casualties were women. This increase was partly due to the high levels of civilian casualties from aerial strikes by pro-government forces. Typically, women and children comprise more than 60 percent of those casualties. In the first five months of 2019, 110,000 people were displaced by conflict, and the Taliban and the Afghan government forces and its international allies have intensified their attacks. In areas where the Taliban have reclaimed control, there are reports of honor killings, stoning, and other attacks on women's rights, such as women's access to education.
- As a report by UNAMA in 2018 found, there are **very few prosecutions of violent crimes against women**. More than half of the 237 cases monitored by UNAMA between 2015 and 2017 were referred to informal mediation, in violation of the Elimination of Violence Against Women Law (EVAW Law). The same report found convictions in only 50 out of 280 cases of murder of women, and a majority of the cases were never heard by the courts. Following this report, the Ministry of Women's Affairs established a technical committee to review the EVAW Law of 2009.
- In 2018, 4,424 Afghan women and girl survivors of violence with 712 accompanying children had access to justice and used lifesaving multisectoral essential services, including psychosocial support and vocational skills development, through 11 women protection centers, 5 family guidance centers, and 17 provincial commissions on the elimination of violence against women. This was a significant increase compared to 2017, where there were 1,809 recorded cases, perhaps due to improved reporting systems.
- In April 2018, the Ministry of the Interior issued a national directive prohibiting law enforcement entities from forcing female detainees to undergo gynecological tests.
- In May 2018, the Attorney General's Office recruited 93 female prosecutors, enabling their increased deployment to provinces and districts and the **expansion of female-headed EVAW prosecution units** from 25 to 31 of 34 provinces in the country. The **number of EVAW courts also increased** from 15 in 2017 to 22 in 2018, with 92 judges including 25 women judges deployed to these courts.
- **Reporting on sexual violence in Afghanistan remains limited** due to insecurity, inadequate services, access constraints, discriminatory cultural practices, social stigma and a climate of impunity in which those who defend women's rights face threats from the Taliban and other anti-government elements. In 2018, UNAMA documented 37 cases of sexual violence against women and girls. Five rapes and one forced marriage were verified as having been committed by parties to the conflict, including members of the Taliban and an unidentified illegal armed group. In five of the six cases, the accused were prosecuted and convicted, as a result of positive steps taken by the authorities. UNAMA also verified two cases of sexual violence against boys by members of the Afghan National Police. One case involved *bacha bazi*, a practice involving the sexual abuse and exploitation of young boys typically by powerful older men, including members of the armed and security forces. Although *bacha bazi* is criminalized, prosecutions are rare and the practice

remains common. According to data collected by the GBV sub-cluster, there were at least 23,696 cases of gender-based violence in Afghanistan in 2018.

- In March, the 2017 **Penal Code** was amended to give full effect to the 2009 EVAW Law. The revised Penal Code, which entered into force in February 2018, includes forms of conflict-related sexual violence as a war crime, crime against humanity and/or constitutive act of genocide. Following the launch of a report in May 2018 by UNAMA entitled, “Injustice and Impunity: Mediation of Criminal Offences of Violence against Women”, the Ministry of Women’s Affairs established a technical committee to review the EVAW Law of 2009 (see A/73/624-S/2018/1092) and align its definition of rape with that of the Penal Code. In March 2018, the President issued a decree to amend the Penal Code of 2017 to enable the EVAW Law to remain applicable, following the removal of the entire chapter on violence against women from the revised Penal Code.
- Interviews with **Afghan women human rights defenders** finds a consistent pattern of authorities ignoring or refusing to take seriously threats against women. Few investigations are carried out, while prosecutions and convictions are even rarer.

### Other relevant developments and updates

- The government is currently finalizing Phase II (2019 – 2022) of its **National Action Plan on Women, Peace and Security** (2015 – 2022). Phase II will provide additional clarity on lead ministries with responsibility for overseeing refined indicators. The Geneva Mutual Accountability Framework provides that the financial mechanism for the National Action Plan will be finalized and mainstreamed into the national budget by the end of 2019.
- The government has been making a systematic effort to increase women’s representation in the **civil service**, setting new targets every year, putting in place recruitment quotas, reforming public administration, and appointing women to important posts for the first time (for example, Deputy minister of Interior, Ambassador to the United States, Permanent Representative of Afghanistan to the United Nations, first woman judge of the Supreme Court). The government has committed to reach 30 percent by 2020.
- The national priority programme on **women’s economic empowerment** continues to be implemented by the government. Women’s participation in local decision-making has increased under this programme, with women making up more than 49 per cent of more than 200,000 elected community development council members and 50 per cent of council leaders. An estimated 78 per cent of eligible female voters participated in these local elections, which was higher than the participation rate among male voters. In December, the government approved a policy promoting women’s access to inheritance and property rights, with the aim of increasing women’s economic empowerment and financial independence.
- In 2019, the United Nations and partners remobilized the country’s first all-female demining team in an effort to clear out the last minefields in Bamyán Province and declare Bamyán the first province to be “landmine free”.
- Women currently serving in the **Afghan National Police** number approximately 3300 (2.35 percent of the police workforce), a ten-percent increase since mid-2016. The Ministry of Interior has a target of 10 percent by 2020 but has yet to release a comprehensive policy on sexual assault and harassment prevention.
- In the **judicial sector**, there has been an increase in the number of women appointed, including as judges and prosecutors. However, the overall number of women in the judicial sector at the district and provincial level remains low, especially in areas that maintain strict gender segregation, making it difficult for women to seek redress through the formal justice sector.
- Between 2007 and 2017, possession of **small arms** has grown from one million to over four million, despite successive programmes of demobilization, disarmament and reintegration. These arms are exclusively owned and controlled by men and facilitate the commission of sexual and gender-based violence, with implications in terms of Art. 7(4) of the ATT (2014), pursuant to which it is illegal to transfer weapons if there is a risk they will be used to facilitate GBV. This perspective should inform risk assessments in the context of arms exports/imports.
- The proportion of **female staff in UNAMA** has barely changed since the last IEG meeting: 34 per cent for international staff, 40 per cent for United Nations Volunteers, 13 per cent for National Professional Officers and 8 per cent for national staff. In an effort to improve the gender ratio among national staff, the Mission launched a National United Nations Volunteer programme aimed at establishing a pool of qualified female candidates for possible future recruitment to national staff positions.

## Recommendations for the Security Council and the Informal Experts Group

In **upcoming negotiations for a new resolution on Afghanistan**, the Council should maintain the extensive provisions on gender equality and women's protection and empowerment in **UNAMA's mandate (see annex)**. This should include supporting **women's meaningful participation in any peace talks with the Taliban**, as well as decision-making bodies involved in the peace process, including during informal and formal peace negotiations, calling for the government and international partners to devote **adequate resources to implement the National Action Plan** on Women, Peace and Security, demanding the protection of **women human rights defenders**, and calling on the Afghan government to sign the **Arms Trade Treaty** and make concrete efforts to stop the proliferation of small arms and light weapons in the country.

The Council or the IEG could encourage the UN mission and country team to:

- Undertake a **joint gender-sensitive conflict analysis**, in line the Department of Political and Peacebuilding Affairs' (DPPA) newly adopted Women, Peace and Security Policy (June 2019), building upon UN Women's gender-sensitive conflict analysis, as well as UNAMA's conflict mapping.
- Support the **advocacy and outreach efforts of women-led civil society organisations** and their demands for an active role in the peace process vis-à-vis efforts led by the Afghan government or others.
- Further support **linkages between the national and subnational level** to ensure women's priorities for peace at the district and provincial level are understood at the national level, that information regarding peace and reconciliation processes is widely communicated, and that women are meaningfully included in local peacebuilding initiatives.
- Support women-led organizations' demands for **confidence-building measures** by the Taliban, for example, the re-opening of girls' schools in Taliban-controlled areas, the protection of women human rights defenders and women-led NGOs, full access by women health workers including for vaccinations, and women-led monitoring against misogynistic coverage of women candidates or harassment and threats, including of a sexual nature, intended to humiliate and demean women contesting political office.
- Support women to **monitor the implementation of any agreements** with the Taliban, including as they relate to humanitarian access corridors, ceasefires, and peace and reconciliation.
- Promote joint messaging initiatives encouraging a **culture of peace** to contribute to preventing violent extremism, including by engaging youth and women.
- Provide more detailed reporting on the implementation and financing of the **National Action Plan on Women, Peace and Security**.
- Further support the government to meet its obligation to protect victims from all forms of **sexual violence** and ensure that perpetrators are held accountable.
- Make full use of Security Council resolution **2331** (2016) in their review of the **national strategy to counter violent extremism** and renew efforts to **address the under-reporting of conflict-related sexual violence** including when employed as a tactic of war and terrorism, or in the context of human trafficking.

The IEG co-chairs should reach out to Council Members and other Member States with political influence over the conflict parties to communicate the main points of this discussion and ask how they are addressing the repeated calls for meaningful participation of Afghan women from civil society and the United Nations.

## **ANNEX: Relevant excerpts from resolution 2405 (March 2018)**

*Reaffirming that all parties to armed conflict must take all feasible steps to ensure the protection of civilians, especially women (...), including from sexual and gender-based violence, and that perpetrators of such violence must be held accountable,*

*Expressing its deep concern about the continued high level of civilian casualties (...), and condemning (...) the targeted and deliberate killings, in particular of women and girls, including high-level women officials and those promoting women's rights, as well as journalists,*

*Reaffirming that gender equality and women's and girl's empowerment, education, human rights, and full participation and engagement in all levels of decision-making are critical to efforts to maintain peace and security in Afghanistan, urging the full implementation of resolution 1325 (2000), and emphasizing the need for protection for women's rights activists,*

*6. Decides further that UNAMA and the Special Representative of the Secretary-General (...), will continue to lead and coordinate the international civilian efforts (...), with a particular focus on the priorities laid out below:*

*(e) (...) to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights, including the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW);*

*10. Welcomes the continuing efforts of the Afghan Government to advance the peace process, including by the High Peace Council and the provincial peace committees, and the implementation of the Afghanistan Peace and Reintegration Programme, to promote an inclusive, Afghan-led and Afghan-owned dialogue on reconciliation and political participation, including the effective and meaningful participation of women and women's rights groups, as laid forth in the Kabul Conference Communiqué on dialogue for all those who as part of an outcome of such a process renounce violence, have no links to international terrorist organizations, respect the Constitution and are willing to join in building a peaceful Afghanistan, and as further elaborated in the principles and outcomes of the Bonn Conference Conclusions, and encourages the Government of Afghanistan to make use of UNAMA's good offices to support this process as appropriate, in full respect of the implementation of measures and procedures introduced by the relevant Security Council resolutions;*

*14. (...) Requests that, upon the request of the Government of Afghanistan, UNAMA provides assistance to the relevant Afghan institutions to support the integrity and inclusiveness of the electoral process, including measures to enable the full and safe participation of women, both as voters and candidates;*

*15. Welcomes the new Afghanistan National Peace and Development Framework (ANPDF) setting out the strategic policy priorities of Afghanistan towards achieving Self-Reliance and the presentation of 5 new national priority programs, on a citizens' charter, women's economic empowerment, urban development, comprehensive agriculture and national infrastructure (...).*

*19. Reiterates the importance of increasing, in a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector in line with resolution 1325 (2000) and its successor resolutions on Women, Peace and Security, including 2242 (2015), through appropriate vetting procedures, women's equal and effective participation and full involvement in all stages of the security sector reform process, and training, including on women's and children's rights and their protection, in support of the implementation of Afghanistan's 1325 National Action Plan, and stresses the importance of the commitment by the Government of Afghanistan and the international community to ensure a capable, professional and sustainable Afghan National Defence and Security Force (ANDSF);*

*21. Welcomes the ongoing efforts of the Afghan authorities to enhance the capabilities of the Afghan National Police, calls for further efforts towards that goal, including the commitment by the Ministry of Interior and the Afghan National Police to develop an effective strategy for coordinating increased recruitment, retention, training and*

*capacity development for women in the Afghan National Police, fully implement Afghanistan's 1325 National Action Plan, and further the implementation of their gender integration strategy (...);*

*30. Encourages the engagement of relevant local communities and non-governmental actors and the participation and leadership of women and women's organizations in developing strategies to counter terrorism and violent extremism as and when conducive to terrorism, including through countering incitement to commit terrorist acts, creating counter narratives and other appropriate interventions, and building their capacity to do so effectively;*

*33. (...). Requests UNAMA to continue to support efforts to strengthen the protection of children affected by armed conflict, including engagement with the Afghan Government to fully implement the Action Plan and Road Map, and actions to promote accountability and address other violations and abuses, including sexual violence against children (...).*

*38. Calls for enhanced efforts to secure the rights of women and girls and to ensure that women and girls are protected from violence and abuse, including from sexual- and gender-based violence, and that perpetrators of such violence and abuse are held accountable, and emphasizes the importance of ensuring equal protection under the law, equality before the courts in accordance with international law, and equal access to justice, including through measurable and action-oriented objectives and the integration of gender expertise, knowledge and capacity;*

*39. Welcomes the commitment of the Government of Afghanistan to empower women politically and economically, and reiterates in this regard the importance of increasing the full and effective participation and leadership of women in decision - making, including in peace talks and overall peacebuilding strategies at the national and subnational level, and calls on the Government of Afghanistan to fully implement and finance the 1325 National Action Plan, and encourages the Government of Afghanistan to identify further opportunities to support participation of women in the Afghan-led and Afghan-owned peace process, and requests the support of UNAMA in this regard, and requests the Secretary General to continue to include in his reports to the Security Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan and further calls upon members of the international community to provide assistance as appropriate;*