The Commission On The Status Of Women

Ensuring The Safety Of Women And Girls In Afghanistan



8th, 9th and 10th of March 2024

Gymnasium Haganum, The Hague

Climate Justice and Global Health Equality





Forum: The Commission on the Status of Women

Issue: Ensuring the safety of women and girls in Afghanistan

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Position: President

Introduction

Afghanistan is a country that is troubled by prolonged periods of warfare and has experienced a complex relationship of historical, cultural, and geopolitical factors that have had a significant impact on the safety of its female population. The difficulties that girls encounter, which include widespread discrimination on the basis of gender and limited education possibilities, serve as powerful reminders of the pressing need to confront the numerous types of problems affecting the well-being of girls. Women's rights in Afghanistan have been fluctuating back and forth depending on the time period as well as the regime in power. From the pervasive issue of gender-based violence to the challenges of accessing education and healthcare, the tumultuous history of Afghanistan includes the Soviet Invasion, the Taliban rule, and subsequent geopolitical transitions that have impacted the status of women in the nation.

The current situation for women in Afghanistan is concerning, since the Taliban took power in August 2021.

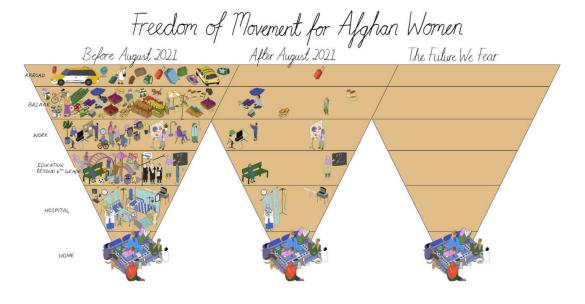


Fig 1. Freedom of movement for Afghan Women shown through a diagram made by UN Women

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Definition of Key Terms

The Taliban

The Taliban is a predominantly Pashtun, Islamist fundamentalist group that implemented jurisprudence and a strict interpretation of Qur'anic teachings. In practice, this resulted in policies that were frequently offensive towards religious minorities, women, and political opponents of any kind.

Freedom of Movement

Limitations or liberties imposed on the ability to move for women within society, which is an essential sign of their autonomy and security.

Women's Rights

The definition of women's rights refers to the legal, political, and social rights of women that are equal to those of men. These rights include but are not limited to: the right to education, freedom from violence, access to healthcare, fair wages, and the right to make decisions about their own lives.

Gender-Based Violence

Gender-based violence is an issue that stems from gender inequality and remains one of the most visible human rights violations in all nations. Gender-based violence refers to violence committed against a person because of their gender. Gender-based violence affects both men and women, although women and girls account for the vast majority of victims.

Empowerment

The progression towards developing greater self-control over one's existence. The empowerment of women, for instance, pertains to the progression by which they attain independence and control over their lives through the enhancement of their self-esteem and ability to make choices.

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Discrimination

Discrimination refers to the act of treating an individual unjustly or unequally due to factors such as their gender, background, or race. Instances include the act of denying them of equal opportunities and rights, providing unequal payment, or engaging in their exclusion.

Mujahideen groups

The Mujahideen were Islamist rebel groups who battled the Democratic Republic of Afghanistan and the Soviet Union during the Soviet-Afghan War (1979–1989). The creation of Mujahideen groups within the country had a profound impact on the social, political, and cultural movement of the Afghan people. The fighting between Mujahideen factions resulted in the formation of the Taliban in 1994, which eventually administered Afghanistan under a rigid Islamic ideology.

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Background Information

In recent history, Afghanistan has been facing unstable times. Over the past thirty years, the nation has held witness to the presence of Soviet soldiers and international forces commanded by the United States. During the intervening years, it has been governed by various militant organizations, notably the oppressive Taliban.

During the past five decades, among the shifting political dynamics of Afghanistan, women have actively advocated for their rights and achieved certain advancements. However, this subject has also been manipulated by various factions for political purposes, resulting in rare improvements but continuous abuses.

History and statistics

The first girls' school in Afghanistan was established in 1920. In 1991, the number of women pursuing higher education stood at 7,000, while 230,000 girls were attending schools. Additionally, there were 190 female teachers and 22,000 women working as teachers in educational institutions nationwide.

At the end of the Taliban's first rule in 2001, the number of Afghan children enrolled in schools was less than one million, and there were no girls among them.

A new constitution confirmed gender equality in 2004 and designated 27% of parliamentary seats for women. By 2021, 69 out of 249 seats in parliament were held by Afghan women, women were actively engaged in peace negotiations throughout the nation and legislation permitting women to have their names printed on identification cards and birth certificates of their offspring was in effect. Violence against women was criminalized by law, the Ministry of Women's Affairs, and an independent human rights commission. Moreover, women were visible in every aspect of life, including law, politics, journalism, and even the little things like sidewalks, parks, and schools (*Chalabi*).

The Taliban rule and their impact on women

The Taliban is a group that formed in 1994 following a long period of conflict. A significant portion of its members were ex-Mujahedeen combatants who received training in Pakistan during Afghanistan's civil conflict in the 1980s and 1990s. Their objective was to establish an

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Islamic state in Afghanistan, and they governed the country from 1996 until 2001. Subsequently, the Islamist group has gained a reputation for their grave disregard of human rights, particularly targeting women and girls.

Taliban's discard of human rights and women's rights

Under the Taliban Rule, girls, and women are abused and discriminated against in various forms and manners for the crime of 'identifying as a girl.' The Taliban enforced their extremist interpretation of the Islamic Sharia Law. Women and girls were banned from many activities for instance:

- Going to school or going to work
- Studying and getting an education as a whole
- Leaving the house without a male chaperone
- Showing any skin in public
- Accessing healthcare delivered by men (with women not being allowed to work, women and girls received no healthcare)
- Public speaking and being involved in the political system.

They experienced numerous instances where their rights were withheld from them. Women were practically invisible in the context of public affairs, restricted within the walls of their households. Residents in Kabul were instructed to conceal their ground and first-floor windows to prevent the visibility of women from the street. Women were only allowed to leave the house while wearing a full-body veil (burqa) and were required to be escorted by a male relative, indicating their lack of independence.

Men can engage in domestic abuse, causing harm and even death to their female relatives without facing any consequences. On the other hand, women who experienced rape and other types of assault may face allegations of 'moral sins' and adultery, putting them at risk of being stoned to death as a form of punishment.

Afghan women endured severe mistreatment both legally and in virtually every aspect of their everyday existence. An example of this occurred in 1996 when a woman in Kabul had the tip of her thumb cut off for wearing nail polish. Men who were advocating for women's rights and violating the restrictions were also harmed and abused (Amnesty International UK).

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The fall of The Taliban

In 2001, The Taliban fell out of authority and power due to international and US-led intervention. The United States led a global military operation to intervene in Afghanistan promptly following the September 11, 2001 attacks.

World leaders used the urgent need to improve the conditions for Afghan women as the basis for leading the military action. This promoted a racist ideology that portrayed Afghan women as helpless individuals who required rescue from Western forces. The potential impact of military involvement on women in the area was not acknowledged. After international involvement, numerous schools began admitting girls, and women resumed their employment. Significant strides were made towards achieving equality in Afghanistan. The new constitution of 2004 explicitly recognized and protected women's rights, while in 2009, the country implemented the Elimination of Violence Against Women (EVAW) law.

Although there has been progress, the prevalence of discrimination against women persists throughout society. Afghanistan was designated as 'the greatest threat nation' for women in 2011.

The Taliban Regains Power in 2021

The Taliban made swift territorial gains throughout the nation, seizing various provinces before capturing the capital city of Kabul on August 15th, 2021 as the military collapsed in Afghanistan. Having agreed to withdraw, foreign forces were shocked by the speed of the advance and were compelled to quicken their departure. Numerous Afghan government leaders, backed by the West, ran away while thousands of their compatriots and foreigners scrambled to find space on flights out of the country out of fear of Taliban rule.

The deal struck between the United States and The Taliban

The Agreement for Bringing Peace to Afghanistan is more commonly referred to, as the United States - The Taliban deal, also known as the Doha Accord, was a peace accord ratified on February 29, 2020, in Doha, Qatar, between the United States and the Taliban. Its purpose

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was to end the 2002–2021 conflict in Afghanistan. In exchange for the Taliban's counterterrorism pledges, the agreement stipulated fighting restrictions for both the United States and the Taliban and called for the withdrawal of all NATO forces from Afghanistan. If the Taliban fulfilled its obligations, the United States consented to an initial decrease in its military presence from 13,600 to 8,600 personnel by July 2020. Subsequently, all forces would be withdrawn by May 1, 2021. Additionally, by August 27, 2020, the United States plans to lift economic sanctions against the Taliban and has pledged to shut down five military bases within 135 days. The agreement was endorsed unanimously by the United Nations Security Council and was met with gratitude from Pakistan, China, Russia, and India.

The agreement provided that the Taliban would engage in national peace negotiations, which ultimately failed and never took place, and would prohibit al-Qaeda and other militant organizations from operating within the Taliban's controlled area. Afghanistan's economy collapsed after the group regained power, leaving a significant portion of the population struggling to afford food and other necessities (Wikipedia Contributors, "United States–Taliban Deal").

Taliban reality for women and girls as of 2021

- A woman who operated a home school for females in opposition to Taliban orders was executed in front of her family and friends.
- A woman who was captured while attempting to escape Afghanistan in the company of an unrelated male was stoned to death for adultery.
- Due to the accidental showing of her ankle from beneath her burqa, an elderly woman sustained a leg fracture following a severe beating with a metal cable.
- Women and girls died from treatable diseases due to the prohibition of male doctors from administering treatment.
- Two women accused of prostitution were publicly hung.

These are just a few instances of abuse. Women in Afghanistan face many more horrible terrors and forms of human rights violations.

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Fig 2. Burqa-clad women in Ghazni Province on November 15th, 2021 by Human Rights Watch

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Major parties Involved

The Taliban

The Taliban took control and power in Afghanistan in August 2021, two decades after being removed from authority by a US-led military coalition. Since 15th August 2021, they have committed many human rights violations against women and have engaged in numerous gender-based acts of violence. They hold a central role in the terrorizing situation in Afghanistan significantly influencing the political, social, and security landscape of the country. Considering the issue of ensuring the safety of girls and women in Afghanistan, they are the main aspect of the issue. The restrictions on women's rights, freedom of media, and freedom of expression have increased exponentially since the return of the Taliban's power and authority. Organizations and institutions supporting women's rights have been severely limited or have been shut down in its entirety. Peaceful protestors have been faced with arbitrary arrest, torture, rape, murder, and enforced disappearance. The Taliban continues to terrorize and impact the lives of every female in Afghanistan to this date.

The United Nations

The United Nations has been actively involved in establishing efforts such as peacekeeping and peacebuilding in Afghanistan. The United Nations Assistance Mission in Afghanistan (UNAMA) has played an important role in facilitating political dialogue and promoting national reuniting. Furthermore, the UNAMA has been greatly supporting the Afghan Government in its efforts to establish peace with the Taliban. UNAMA has special responsibilities in the area of national reconciliation, supporting the work of the Special Commission on the Emergency Loya Jirga, and assisting Afghans in laying the foundation for sustainable peace and development. They have also been engaged in advocating for women's rights and supporting initiatives to promote gender equality and women's empowerment in Afghanistan.

The United States of America

In 2001, the United States initiated a military intervention alongside an international coalition to remove the Taliban rule from power. The Taliban had served as a refuge for Osama bin Laden and Al-Qaeda before the September 11 terrorist attacks. Following this, the

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United States initiated substantial nation-building and reconstruction endeavors, allocating resources towards the implementation of democratic governance and the enhancement of infrastructure. Financial and military support has been extended by the United States to the Afghan security system to combat insurgent organizations like the Taliban. The United States and the Taliban have engaged in extensive diplomatic peace negotiations, which have resulted in the establishment of the U.S.-Taliban agreement for the withdrawal of U.S. personnel in 2020. In addition to its economic, healthcare, and educational efforts, the United States has made major contributions to development initiatives and humanitarian aid. The United States, in its efforts to advance women's rights, has assisted with initiatives aimed at empowering women in Afghanistan, acknowledging their vital contribution to the stability of the nation. The recent withdrawal of United States troops and the subsequent reestablishment of Taliban forces in 2021 symbolize an important point in the relationship between the United States and Afghanistan, underscoring the dynamic character of American engagement in the region and the continuous diplomatic and strategic negotiations that occur.

The Islamic Republic of Pakistan

In the 1990s, Pakistan extended assistance to the Taliban and formally acknowledged their government, an action that reflected historical relations and regarded Afghanistan as a country of strategic importance. As an indication of this support, accommodations and refuge extended to Taliban leaders are provided. Pakistan has been actively engaged in promoting peace negotiations between the Taliban and the Afghan government in recent years, as evidenced by its participation in multiple sessions of negotiations, including the Doha talks. In support of global counterterrorism initiatives, the nation has engaged in military campaigns targeting militant organizations along its borders, including those associated with the Taliban. Over the years, Pakistan has housed millions of Afghan refugees, which demonstrates its humanitarian engagement in the Afghan conflict. Despite this, cross-border militancy continues to be an obstacle, requiring Pakistan and Afghanistan to collaborate to manage the border effectively.

The Islamic Republic of Iran

Historically, relations have been extremely volatile between Iran, a predominantly Shia Islam nation, and the Taliban, a Sunni fundamentalist organization that adheres to Sunni

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Islam. Ten Iranian diplomats and an Iranian journalist associated with the consulate in Mazar-i-Sharif were executed under Taliban authority in Afghanistan from 1996 to 2001. This resulted in Iran's military mobilization, which was ultimately resolved through United Nations mediation. Iran collaborated with American forces throughout the 2001 U.S. invasion of Afghanistan, and Iranian special forces provided assistance to the Northern Alliance throughout the Herat uprising. Iran enhanced ties with the Taliban after George W. Bush's 2002 "axis of evil" speech. The Islamic Republic of Afghanistan, the United States, and the United Kingdom all accused Iran of providing refuge and material support to the Taliban during the conflict. Iran was accused by the Islamic Republic of Afghanistan in 2017 of assisting the Taliban in their offensive against Afghan government forces in western Afghanistan and of attempting to destroy a dam in Herat province, according to the Islamic Republic of Afghanistan. Iran strongly disputes any allegations of supplying assistance to the Taliban. The Taliban, purportedly backed by Iran, reinstated their governance in Afghanistan in the middle of 2021, subsequent to the withdrawal of the United States from the region. The 2021 Afghanistan-Iran Conflict commenced on December 1, 2021, between the Islamic Republic of Iran and the Islamic Emirate of Afghanistan. Both parties involved referred to it as an accident (Wikipedia Contributors "2023 Afghanistan–Iran Clash").

UN Women

UN Women is an organization inside the United Nations that promotes gender equality and female empowerment. It was founded to accelerate progress in serving the needs of women and girls worldwide. UN Women helps UN Member States create global standards for gender equality and collaborates with governments and civil society to develop laws and policies. In Afghanistan, UN Women has been actively involved in a variety of women's rights programs, such as campaigning for women's leadership and involvement in peace and security initiatives, supporting women's economic development, and putting an end to violence against women and girls. UN Women has also helped local women's organizations participate effectively in humanitarian planning processes and achieve gender-equitable results. UN Women has also advocated for the protection of women's and girls' human rights in Afghanistan, especially given the country's changing political and security environment. Please see Appendix VI for more information on what UN Women does for Afghan women and the efforts they make to support women in Afghanistan.

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Timeline of Events

Afghanistan's pre-Islamic history includes a wide range of religions and cultures, influenced by the broad ethnic mix of its people and the empires that ruled over it. Although there may not be explicit documentation of their contributions to women's rights during these time periods, notable historical figures like Rabia Balkhi, Queen Goharshad, Malika-i-Jahan, and Shah Bibi serve as early examples of women who possessed independence and influence that could have potentially influenced the societal status of women. Nevertheless, the vast majority of women were unable to achieve the same level of autonomy and prospects as their male counterparts. (Amnesty International UK)

Date	Description of event
1919-1929	Afghan women were eligible to vote in 1919 - a year after women in the United Kingdom were given voting rights and a year before women in the United States of America.
February 21, 1921	The first school for girls opened in Afghanistan - Amanullah Khan, the monarch of Afghanistan, implemented substantial improvements throughout the nation. Queen Soraya Tarzi, his wife, significantly contributed to the development of Afghanistan's first girls' school. She passionately advocated for women's education and energetically pursued the liberation of Afghan women from oppressive customs.
1950	Purdah (gender separation) is abolished - Afghanistan eliminated the purdah system in 1950, which had imposed severe gender segregation and veiling practices. This ruling represented a pivotal moment, as it gave women more individual and societal liberties, enabling them to engage more actively in their public lives.
1964	Introduction of the new constitution that focuses on Women's rights - The Afghan constitution ensured gender equality. The country's transition towards democracy was accompanied by a prevailing atmosphere of tolerance and openness. Women were actively contributing to the progress of the nation.

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1978-1992

1992-1996

1996-2001

The Communist Era - The Communist idea officially promoted gender equality and women's rights, and the communist government aimed to enforce these principles across all classes in both urban and rural Afghanistan. The People's Democratic Party of Afghanistan led advancements in women's rights, including providing education and work opportunities. The confrontation between Mujahedeen factions, government forces, and several other actors throughout the 1970s marked a pivotal moment in the 20th century, as it initiated the reversal of the advancements made in women's rights in Afghanistan.

Mujahedeen Era - After the Soviet withdrawal, different Mujahedeen

factions engaged in conflict to gain control over Afghanistan. At that

period, women's rights were not given much importance, and numerous women experienced brutality and oppression. Numerous women experienced a loss of the privileges they had previously acquired under the communist era, including the rights to education and employment. In

addition, they were compelled to wear burqas and were forbidden from

going outside of their homes without a male guardian.

The rise of the Taliban - The Taliban took over Afghanistan in 1996 and implemented a harsh interpretation of Islamic law. Women were denied basic rights, such as access to education and employment. Women were likewise prohibited from working, and girls were barred from attending school. This was a very difficult moment for women's rights in

Afghanistan.

The fall of the Taliban followed by a new constitution - Following the collapse of the Taliban in 2001, a new constitution was adopted, granting women equal rights. However, progress on women's rights has been gradual, and many women continue to experience violence and discrimination. Women were allowed to work and attend school, but they faced major impediments to education and employment. They also encountered enormous social and cultural challenges, such as the preservation of traditional attitudes about women's duties and rights.

2001-2021

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2005-2009

The Afghan parliament passed a law on the Elimination of Violence Against Women (EVAW), criminalizing certain forms of violence against women.

2013

The NAPWA - National Action Plan for the Women of Afghanistan which was The Afghan government's integrated plan to improve the status of women in Afghanistan. It aimed to end violence against women, improve women's access to justice, empower women economically, and boost women's engagement in politics and public life.

2021

Taliban Regains Power - The Taliban have regained authority in Afghanistan. Women's rights are once again degrading at a rapid pace, erasing decades of progress in the country, including inaccessibility to jobs, education, sports, and public areas. The situation has become a humanitarian tragedy, contributing to economic collapse, food shortages, the consolidation of humanitarian and women's rights NGOs, and rising poverty in Afghanistan.

Relevant UN Treaties and Events

- Resolution on the full, equal, meaningful, and safe participation of women and girls in Afghanistan, 27 April 2023 (S/RES/2681(2023))
- Resolution that extended UNAMA's mandate until 17 March 2024, 16 March 2023 (S/RES/2678)
- The situation in Afghanistan and its implications for international peace and security,
 December 2023 (A/78/628-S/2023/941)
- Resolution on the importance of women's participation in peace processes and post-conflict reconstruction, 31 October 2000 (S/RES/1325)
- CEDAW Convention and the practice of the CEDAW Committee as the basis of the international legal framework on Gender-Based violence against Women and Girls

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- Concluding observations on the third periodic report of Afghanistan, 10 March 2020
 (CEDAW/C/AFG/CO/3)
- Convention on the Elimination of All Forms of Discrimination against Women, CEDAW 1979 (A/RES/34/180)
- Plan of Action to Prevent Violent Extremism, 24 December 2015 (A/70/674)
- Draft Resolution on Situation of women and girls in Afghanistan, 29 February 2000 (https://www.un.org/womenwatch/daw/csw/14.htm0)

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Previous Attempts to solve the Issue

Here is a brief overview of the various previous attempts at solving this issue at hand:

1. International Intervention

Following the fall of the Taliban Regime in 2001, the United States of America and its allies pursued international efforts to bring the situation in Afghanistan and the great discrimination and violence against women under control. In 2001, 25 prominent Afghans met under UN auspices in Bonn, Germany, to decide on a plan for governing the country. This was due to the numerous events that took place leading to the fall of the Taliban and the cause and reasoning for the intervention of the USA. The USA intervened on 7th October 2001 with military armed forces. The United States military, with British help, launched Operation Enduring Freedom, a bombing operation against Taliban militants. Australia, Canada, France, and Germany have pledged future support. The early phase of the war consisted mostly of US air strikes on al-Qaeda and Taliban forces, which are supported by a coalition of approximately one thousand US special forces, the Northern Alliance, and ethnic Pashtun anti-Taliban forces. (For further reading and information, read the link in Appendix V in the appendices section)

The Bonn Agreement was signed on December 5, 2001, by members from several anti-Taliban factions and political organizations. It outlined a strategy and timeline for restoring peace and security, rebuilding the country, reestablishing vital institutions, and defending human rights, most specifically women's rights. The pact includes provisions for military demobilization and integration, international peacekeeping, and human rights monitoring.

2. Constitutional Guarantees

The Afghan Constitution of 2004 contains provisions supporting men's and women's equality as well as recognizing the importance of women's participation in politics, economics, society, and culture. Some major points from the 2004 Afghan Constitution are:

Article 22(2): This provision states that "the citizens of Afghanistan -- whether man or woman -- have equal rights and responsibilities before the law"

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Article 44: This article stipulates that the government must devise educational programs for women.

Article 48: This article states that "work is the right of every citizen, and every citizen has the right to work"

3. International Aid and Development Programs

Several non-governmental organizations (NGOs) and foreign organizations have launched programs to improve education, healthcare, and economic possibilities for Afghan women. The United Nations Development Programme (UNDP), UN Women, and other organizations have actively participated in these efforts. Examples of organizations trying to empower women and girls in Afghanistan are:

- The Girls Opportunity Alliance: An organisation formed by Michelle Obama, is dedicated to promoting girls' education around the world, including Afghanistan. They collaborate with local partners to give education and empowerment opportunities to girls and young women.
- Women for Afghan Women: For two decades, this organization has worked to preserve the rights of women and girls in Afghanistan by providing refuge, emergency resources, and safety and support services to vulnerable people throughout the country. They have repositioned their resources and programming to better serve and protect women and girls in the current environment.
- Women's Foreign Policy Group: This organization supports women and girls in Afghanistan by lobbying for their safety and security. They promise to mobilize their community to guarantee women's and girls' rights are respected.
- UN Women: This organization has been working to promote women's rights in Afghanistan, emphasizing the necessity of women's participation in politics, the economy, society, and culture. They have participated in efforts to promote gender equality and women's empowerment throughout the country.

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Possible Solutions

- 1. Peace Negotiations Peace Negotiations and peace talks between the Taliban and the United Nations can help make new pathways for the improvement of the situation. Furthermore, all these various parties including for example the Afghan Government, the Taliban, civil societies, and women groups can contribute to these negotiations by giving diverse perspectives that can help improve and diffuse the tensions in Afghanistan.
- 2. Following the Peace Negotiations, the opportunity to provide humanitarian assistance Following the initiation of peace negotiations, the beginning of providing proper humanitarian aid can be a purposeful and viable option. Many women in Afghanistan are urgently in need of humanitarian assistance and medical help as the Taliban restricts male doctors from aiding women and restricts women from having job titles and working as doctors. Humanitarian aid is a need and with the peace negotiations we are given the opportunity to convince external members to aid the women in Afghanistan.
- **3. International Intervention (The extreme solution)** As done by the United States in 2001, military intervention and NATO intervention as well as implementing the Responsibility to Protect Doctrine through the UN Security Council is an option. However, there are many negative implications that will follow such as many casualties that will result from the intervention and compliance from the UN Security Council due to P5 power may not be possible or a smart and practical solution.

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Appendix or Appendices

Below are documents or links that are very useful for further reading and research and for the formulation of clauses for resolutions.

Appendix I	Official website of the Commission on the Status of Women - https://www.un.org/womenwatch/daw/csw/44sess.htm#official
Appendix II	Research Paper on the Women in Afghanistan https://www.researchgate.net/publication/346446911_Women_in_Afghanistan
Appendix III	Wikipedia page on Women in Afghanistan and their extended history - https://en.wikipedia.org/wiki/Women in Afghanistan
Appendix IV	UN Women's report on Afghanistan - https://www.unwomen.org/en/news-stories/feature-story/2023/08/women-in-afghanistan-from-almost-everywhere-to-almost-now-here
Appendix V	USA intervention in Afghanistan - https://www.cfr.org/timeline/us-war-afghanistan
Appendix VI	UN Women Page on Afghnaistan - https://asiapacific.unwomen.org/en/countries/afghanistan

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