

# WOMEN'S RIGHTS IN AFGHANISTAN

## The Effects of the Afghan Government and the War on Women

**War erodes the rights of women and girls.** Supporters of the war in Afghanistan often cite the Taliban's assault on women's rights as a justification for continued military action. However, the behavior of the Afghan government and the effects of war on women in general falsify this justification.

### The Rule of the Rapists

A recent report by the UN Assistance Mission in Afghanistan, *Silence is Violence*, disclosed that **rape is not even a crime under the laws of Government of the Islamic Republic of Afghanistan.**

However, a woman who reports a rape to the authorities will find that *sex outside of marriage is a crime*, and she will probably be convicted of that crime *unless she can produce four male witnesses* that corroborate her claim that the sexual intercourse was not consensual. If imprisoned, she may find herself at the mercy of detention facility officials who "are said to have forced female detainees into prostitution..."

If she manages to avoid punishment from the legal system, cultural mores (not Taliban decrees) often dictate acceptable resolutions of the conflict between her family and that of her assailants, including:

- killing both the victim and the rapist,
- forcing the victim to marry the rapist, or
- giving girl(s) from the rapist's family to the victim's family as compensation for lost honor (UNAMA).

Readers might recall the international outcry in response to the passage of a law by the Afghan national government enshrining a husband's legal right to demand sex from his wife four times a week—essentially, legally protecting rape. Under intense pressure, the law was changed. Now, rather than legalizing outright rape, the law makes it legal for husbands to starve their wives until they submit to sexual intercourse (Vogt).

Worse, powerful government officials and their cohorts frequently sexually assault women with impunity:

"In the northern region for example, 39 percent of the cases analyzed by UNAMA Human Rights, found that perpetrators were directly linked to power brokers who are, effectively, above the law and enjoy immunity from arrest as well as immunity from social condemnation" (UNAMA).

This toxic atmosphere for women's sexual rights under the Kabul regime led local women's rights groups to coin a new phrase for the Government of the Islamic Republic of Afghanistan: "The Rule of the Rapists" (Rawi).

## Kabul's (Lack of) Response to Threats Against Women

Women in Afghan public life often face threats--in many cases from inside the Afghan government. The government frequently fails to respond when such threats are reported and often becomes complicit in shutting women out of the public discourse. By failing to act on reports of threats against women because they are women, the government reinforces the perception that regressive actors can target women with impunity.

According to the U.N. report, "Chauvinist attitudes, conservative religious viewpoints and the domination of Parliament by MPs with a history of warlordism, means that women [in government] are silenced; they actually face attacks – both verbal and physical – if they speak their minds.

"...Afghan women have repeatedly reported that they have lost faith in the law enforcement and judicial institutions that they consider ineffective, incompetent, dysfunctional and corrupt...Ultimately, authorities are not willing or are not in a position to provide women at risk with any form of protection to ensure their safety.

"For instance, the...head of a district office of a department of women's affairs told UNAMA that following threats from the Taliban over a period of several months in 2008, her request for security guards for her office was turned down, including by the provincial governor, who she reported had told her: 'if you are under threat, just go home'" (UNAMA).

## War's Effects on Women

From [UNICEF.org](http://UNICEF.org):

"...[G]ender-based inequity is usually exacerbated during situations of extreme violence such as armed conflict.' ...Examples...include:

- violence...including rape and sexual slavery;
- hunger and exploitation in camps for refugees and internally displaced persons, when men take control of food distribution;
- malnutrition, when food aid neglects [their] special nutritional requirements; and
- culturally inappropriate and/or inadequate access to health services, including...reproductive health services.

"...Health services for women, girls and the children in their charge break down in wartime...Often health services available in emergency situations are dominated by men, so many women and girls, for cultural or religious reasons, underutilize these services despite their need of them.

"The population movements and breakdown of social controls engendered by armed conflict encourage, in their turn, rape and prostitution as well as sexual slavery to serve combatants. Unwanted pregnancies and the spread of sexually transmitted diseases...are the collateral physical effects of this human degradation."

## Sources

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