



GENDER ALERT NO. 1



WOMEN'S RIGHTS IN AFGHANISTAN: WHERE ARE WE NOW?

December 2021

Photo: UN Women

Introduction

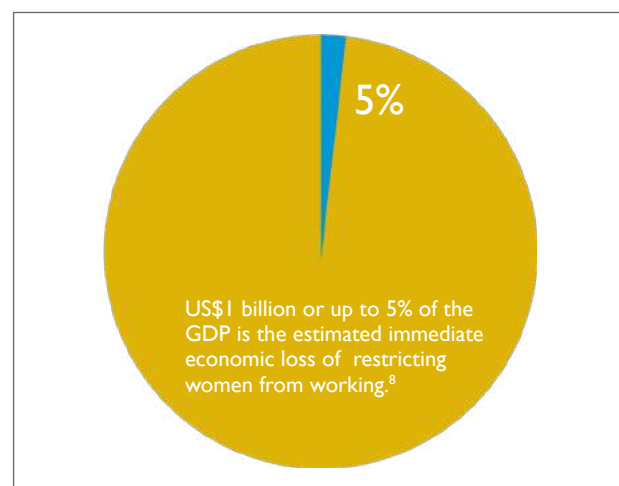
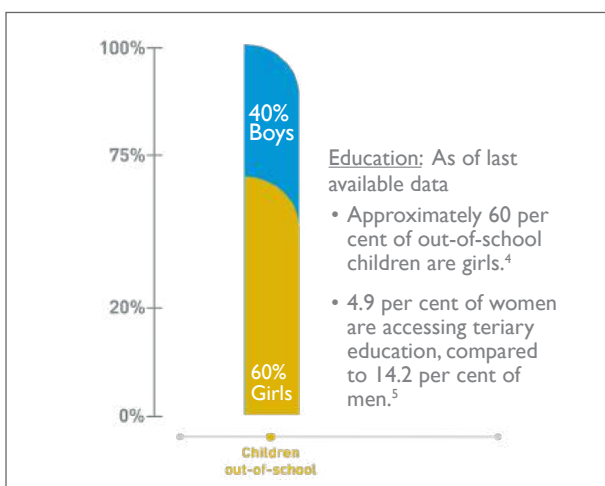
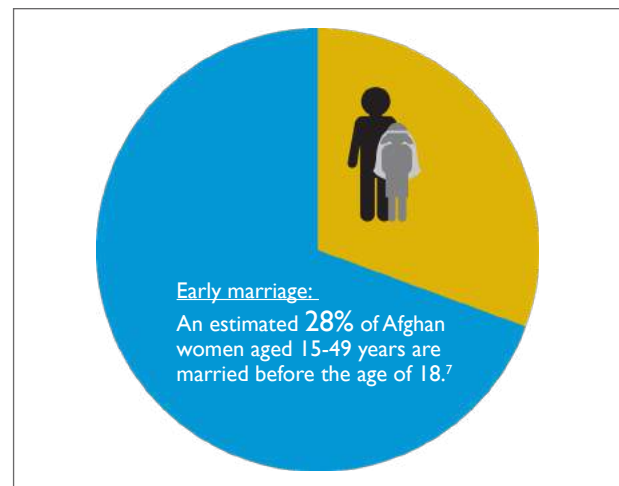
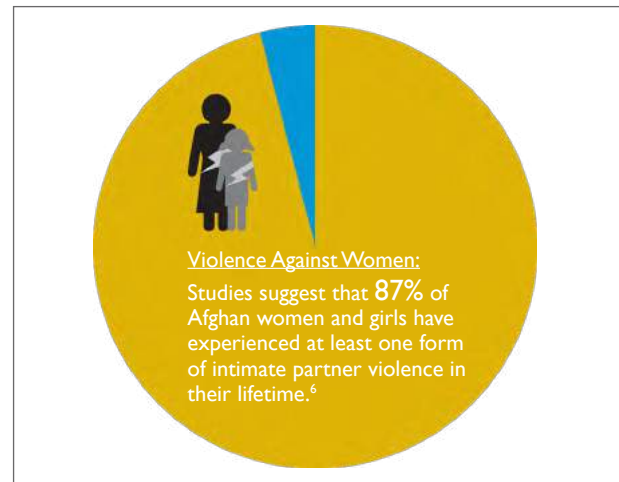
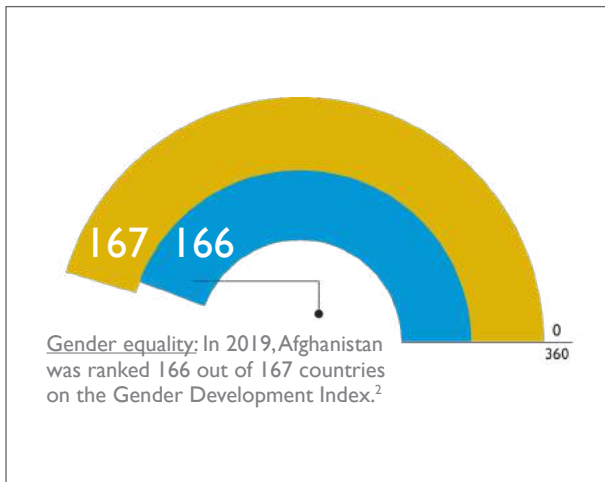
The purpose of this Gender Alert is to document and analyze the impact of the rapidly evolving Afghan context on women's rights and gender equality. Successive decades of war, annual cycles of natural disasters, the worst drought on record in 27 years, an ongoing pandemic, and deep-rooted poverty have left over half the population of Afghanistan in critical need of humanitarian assistance. While all population groups across the country have been drastically impacted by this changed context, the consequences for women and girls have been most significant and cannot be ignored. The contest around gender norms remains at the centre of the political, peace and security landscape in Afghanistan, putting women and girls at the frontlines of this crisis. This Gender Alert seeks to ensure that the specific gender dynamics of the crisis are documented and analyzed.

This Alert focuses on developments since the Taliban take-over of Kabul on 15 August 2021, shedding light on the impact of the current contextual dynamics on the rights of women and girls. The brief focuses on drawing out the gender trends across key thematic areas—work, education, health care, protection, freedom of movement, participation in public and political life—analyzing how changing political dynamics are impacting gender equality. Overall, the Gender Alert finds a concerning and rapid shift to normalizing discriminatory gender norms and a general curtailment of Afghan women and girls' fundamental rights and freedoms.¹ The evidence presented in this Gender Alert is clear: despite the Taliban's assurances that women's rights will be respected according to Islam, women and girls are seeing a rapid reversal of their rights.

Methodology: The Gender Alert was developed using primary and secondary data, analysing developments since 15 August 2021. A rapid desk review of recent literature was undertaken. Due to the prevailing security situation, all sources and some references have been fully anonymized in line with the principles of Do No Harm. The analysis contained in this Gender Alert presents indicative trends, rather than providing exhaustive information.

¹ <https://unama.unmissions.org/srsg-lyons-briefing-unscc-situation-afghanistan-3>

Snapshot: Gender equality statistics in Afghanistan



² Human Development Report. UNDP, 2020.

³ <https://giwps.georgetown.edu/wp-content/uploads/2021/10/WPS-Index-2021-Summary.pdf>

⁴ UNICEF Data, Afghanistan, 2021.

⁵ Afghanistan Country Profile. UNESCO, 2021.

⁶ <https://afghanistan.unfpa.org/en/node/15232>

⁷ Girls increasingly at risk of child marriage in Afghanistan. UNICEF, November 2021.

⁸ <https://reliefweb.int/report/afghanistan/afghanistan-socio-economic-outlook-2021-2022-averting-basic-needs-crisis>

Background

The Taliban takeover and full international troop withdrawal has had a seismic impact on all areas of life in Afghanistan. There are more than 2.6 million Afghan refugees worldwide⁹ and more than 5.5 million people currently displaced internally by conflict.¹⁰ From 1 January 2021 to 18 October 2021, over 600,00 individuals fled their homes due to conflict. Nearly one-third of the country is facing emergency levels of food insecurity, which is compounded by the worst drought on record in 27 years. Food insecurity is slated to worsen in the upcoming winter months. Recent analysis conducted by the United Nations Development Programme (UNDP) shows that the shift in power, COVID-19, poverty, food insecurity, climate disruption, and a fledgling economy could drive the country into near-universal poverty, estimating that up to 97 per cent of the population could fall below the poverty line by mid-2022.¹¹

According to a recent UNDP report, Afghanistan's GDP is likely to contract by 20 per cent within a year. Moreover, it is estimated that restricting women from working could result in immediate economic loss of up to US\$1 billion – or up to 5 per cent of the GDP.¹²

The complex humanitarian catastrophe unfolding in Afghanistan is marked by gender-specific restrictions that directly impact the ability of women and girls to realize their rights. Afghan women and girls face unique vulnerabilities and risks as gender inequality is interwoven with conflict dynamics and humanitarian needs. Recognizing how gender inequality is shaping the ongoing humanitarian crisis is essential; without a gender lens the international community risks exacerbating pre-existing forms of inequality rather than creating pathways to ensuring no one is left behind.

When the Taliban seized power in August, their initial statements included assurances that women would be allowed to exercise their rights within Islamic Law, including their right to study and work. However, despite these verbal commitments, women and girls are seeing a rapid reversal of their rights. Women across the country report instances—everyday—of increased levels of restrictive gender norms and practices, impacting on freedom of movement and expression, access to life-saving services, information, protection, education, employment and livelihood opportunities.

Freedom of movement

There have been reports of Taliban imposing a male accompaniment requirement on women, making the use of a *mahram* (male relative) obligatory—72 per cent of respondents in a rapid perception survey conducted in

October 2021 said there are newly established rules or public announcements about women's movement. In this same survey, 86 per cent of key informants said there were newly established rules or public announcements about women's clothing.¹³

Families are also self-censoring and imposing restrictions on the mobility of women and girls as a protection measure, demonstrating that the impact of the Taliban on women's rights transcends the imposition of specific rules. These restrictive practices further feed into cultural perceptions of family "honour", anchored in patriarchal norms and marginalization of women. This climate of fear, and uncertainty along with mobility restrictions on women will have a knock-on impact on women's mental health, their ability to work, pursue education, seek life-saving services, and participate in public and political life. Addressing freedom of movement is an important component of addressing broader access to service challenges and a necessary condition to women's leadership and participation in decision making.

"I feel stress and anxiety, I cannot walk safely with the presence of armed men in the streets."

—Woman activist

Employment

While the right of women to work is enshrined in the 2004 Constitution, many women have reported job loss since 15 August 2021, due to new restrictions on women's mobility and conditions on participation in the public sphere.¹⁴ In fact, 100 per cent of key informants taking part in the October 2021 rapid perception survey indicated that they know women who have lost their jobs in the previous month.

Job loss has been observed across most sectors, however, women in particular professions—such as media and civil society—are reporting additional challenges due to the de facto authorities' position on women's right to work. It is important to note that some of these barriers to women's participation in employment are created by lack of clarity and self-censoring by families and women in the absence of any clear directive from the Taliban allowing women's full participation in the workforce.

The challenges facing women are not uniform across the country. Women in different employment sectors face unique challenges, as do women in different parts of the country. This is also reflective of socio-cultural norms where it is considered more socially acceptable for women to work in some sectors than others for example, the health sector is a socially acceptable domain for women.

⁹ <https://www.unhcr.org/afghanistan.html>

¹⁰ From 1 January 2021 to 18 October 2021, 667,938 individuals fled their homes due to conflict.

¹¹ 97 per cent of Afghans could plunge into poverty by mid-2022, UNDP, 2021.

¹² <https://reliefweb.int/report/afghanistan/afghanistan-socio-economic-outlook-2021-2022-averting-basic-needs-crisis>

¹³ Noting the survey limitation which had 29 key informants participation. The respondents are Afghan humanitarian staff and women CSO representatives.

¹⁴ <https://www.reuters.com/world/asia-pacific/exclusive-afghan-women-should-not-work-alongside-men-senior-taliban-figure-says-2021-09-13/>

Overall, there has been an observable reversal in a woman's right to work as a result of the Taliban's ascension to power with no clear plan or pathway in place for women to fully return to their jobs.

Media

The media landscape—previously marked by independence and diversity—has changed rapidly following the Taliban takeover. According to research undertaken by Reporters Without Borders (RSF), after 15 August 2021, fewer than 100 out of 700 women journalists are still formally working in privately-owned radio and TV stations in Kabul.¹⁵ A significant talent pool of women journalists fled the country in the lead up to full international troop withdrawal, fearing retribution and persecution. Women journalists that remain in country have been barred from working and those covering women's protests in Kabul report being attacked, detained and threatened by the Taliban.¹⁶ Shrinking civic space in Afghanistan is creating a crippling environment for journalists to cover ongoing developments in the country. According to new media restrictions introduced by the Taliban on 22 November 2021, women actors are prohibited from appearing in television dramas.¹⁷ The absence of women from the media landscape risks having a chilling effect—erasing women from the public eye and normalizing male dominance in specific professions.

“Women need to be able to work to support their families and contribute to poverty reduction. We were contributing economically to our families, now we are stuck in our homes.”

—Woman activist

Women's civil society

Women's civil society has profoundly changed in the aftermath of the Taliban takeover. Many women leaders—from all walks of life—fled the country in the lead up to full international troop withdrawal, fearing the consequences for dedicating their lives to gender equality. While women's civil society continues to exist in Afghanistan, their operations have been significantly curtailed. In the rapid perception survey conducted in October, 65 per cent of respondents indicated that women's civil society organizations (CSOs) had stopped working in their area since 15 August 2021. The shrinking of the operational space for women CSOs is attributed to the new restrictions, lack of financial liquidity and security concerns.

Furthermore, women CSOs reported that the Taliban's views and restrictions were being applied differently across the various provinces, leading to uncertainty and

THE KEY MESSAGES AFGHAN WOMEN ARE SHARING WITH UN WOMEN

In various engagements convened by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), Afghan women activists have shared their current priorities and key messages, including the right to equal access to education; the full and equal participation of women in all areas of public decision-making; to ensure that human rights and humanitarian assistance goes hand in hand; the protection of women's human rights and security; and safe spaces for women to seek support and services. Women leaders have also called on UN Women to ensure they are fully consulted in the design and delivery of all aid to Afghanistan.¹⁸ These priorities are underpinned by the desire of Afghan women leaders to ensure that decades of investment, progress and achievements are not reversed.

confusion. Some CSOs have reported being able to operate in few provinces or in some sectors, while others report a blanket halt to their work. Women staff working on gender-based violence, protection and women's empowerment reported a higher level of risk in operating. Women working in the health or education sector appear to be more accepted by the de facto authorities.

The sector-specific experiences of women-led CSOs indicates that the Taliban considers some areas of work more acceptable than others. Areas of work that directly challenge the Taliban's position on women's rights face the most obstacles in resuming their work safely. Ultimately, ambiguity in Taliban directives and policies does not create an enabling environment for women-led CSOs to operate. The lack of clarity creates room for fear and self-censorship, largely due to the vivid memories of the 1996–2001 Taliban era.

Humanitarian response

Women humanitarian staff are facing significant barriers to their meaningful engagement across the design and delivery of response activities. The combination of restrictions—women's right to work, sex-segregation in the workplace, clothing regulations, mahram requirements, safety and security concerns regarding travelling to and from work—have resulted in the majority of women humanitarian personnel being required, or preferring, to work from home. The lack of full presence of women in

¹⁵ <https://rsf.org/en/news/fewer-100-kabul-700-women-journalists-still-working>

¹⁶ These are dark days for journalism in Afghanistan; we must support those who seek to shine a light, Equal Times, September 2021.

¹⁷ <https://edition.cnn.com/2021/11/22/asia/taliban-women-banned-tv-drama-afghanistan-intl/index.html>

¹⁸ <https://www.unwomen.org/en/news/stories/2021/10/news-afghan-women-leaders-speak-at-the-un>

humanitarian settings risks erasing and/or marginalizing the contribution of women, alongside reducing the ability of women beneficiaries to access services. In a society where gender segregation permeates many facets of life, it is critical for women to be at the frontlines of humanitarian work in order to ensure full reach and access to communities.

Following the continued engagement of the international humanitarian community with the de facto authorities to ensure unimpeded access to humanitarian staff, the Taliban have provided agreements permitting women aid workers to do their jobs. However, the agreements are predominantly verbal which leads to inconsistent application across provinces, and also conditional even where full participation has been granted. For example, women humanitarian workers are often required to have mahram to escort them while they do their jobs which creates additional challenges for those delivering services in the health and protection sectors. As noted above, lack of clarity around Taliban policies creates a disabling environment for women's rights.

Education

Available data shows that the school population had registered an eight-fold increase, from less than 1 million in the early 2000s to 9.2 million students (38 per cent girls) by 2018.¹⁹ Before August 2021, there were no directives in place barring girls from accessing secondary school—girls could access all levels of education in all 34 provinces. Equal access to education has changed dramatically for girls since the Taliban takeover; as reported on 14 November, 2021, girls only have access to secondary schools in seven of 34 provinces. In other words, in 27 of Afghanistan's 34 provinces, girls are systematically barred from grades 7 to 12.²⁰ Young women are also facing challenges accessing university-level education.

While girls are now reportedly attending secondary schools in some provinces, there is no central or country-wide policy and/or decision guaranteeing equal access to education—at all levels—for girls and boys. This means that progress made in some districts could easily be rolled-back. In the absence of a demonstrated commitment on education for girls, Afghan women have articulated to UN Women the interconnected nature of the right to education and work, suggesting that sending girls to school is seen as “a dead-end,” as there are no subsequent opportunities to pursue higher education and the right of women to work is restricted. This logic demonstrates the urgency of the need to ensure a complete return to the full spectrum of women's rights.

The de facto authorities have indicated they are working on a nation-wide policy so that girls can access all levels

of education across the country. They have stated that more time is required to formulate and implement such a plan. For example, in September 2021,²¹ the Taliban announced that women would be allowed to study, but not alongside men; that gender-segregation and a new dress code would be introduced, and a review of the subjects undertaken. This has yet to take place, underscoring the importance of assessing the Taliban's stated commitments by their actions on the ground.

“Overnight, our right to education has been taken away from us.”

—Woman activist

Violence against women and girls

Violence against women has been a consistent feature of life for many Afghan women and girls. Even before 15 August 2021, rates of violence against women and girls (VAWG) were already extremely high, with studies suggesting 87 per cent of Afghan girls and women experience abuse in their lifetime.²² With the Taliban take-over, access to coordinated, comprehensive and quality services for VAWG survivors has deteriorated, while the needs for those services have increased. Service providers, where they exist, have reported receiving threats and being targeted for their work in support of women and girls. Many providers have been forced to close their doors for safety reasons, leaving many women and girls who have experienced violence without a safe place to go to seek help and refuge.

Several factors are leading to the increase in VAWG reported across the country. As in every crisis, VAWG spikes when women are confined to their homes. With restrictions placed on women's fundamental freedoms, many women are locked in their homes, fearing for their safety and unable to seek support. Furthermore, multiple displacements, the loss of livelihoods, the increase in poverty, inflation and skyrocketing prices of daily necessities are compounding factors increasing women and girls' vulnerability to violence. This is seen, for example, in increased rates of child marriage reported due to economic insecurity.²³

On 3 December, the Taliban releases a “special decree on women's rights” which sets out the rules governing marriage and property for women and instructions for implementation. The decree states that “[A] woman is not a property, but a noble and free human being; no one can give her to anyone in exchange for peace deal and or to end animosity”. It also states that women including widows should not be forced into marriage and that widows have a share in their husband's property.²⁴

¹⁹ Education Management Information System data for 2018.

²⁰ Exams Waived for Herat Girls, Attendance Drops, Tolo News, November 2021.

²¹ Taliban Allow Girls to Return to Some High Schools, but With Big Caveats. New York Times. November 2021.

²² <https://afghanistan.unfpa.org/en/node/15232>

²³ Girls increasingly at risk of child marriage in Afghanistan. UNICEF. November 2021.

²⁴ https://twitter.com/Zabehulah_M33/status/1466663907750256642?ref_src=twsrc%5Etfw

Some Afghan women have noted that the Taliban takeover has created a fertile environment for VAWG with some interlocutors reporting an atmosphere of increased permissiveness towards abuse of women. Women and girls are now even more afraid to reach out, which is impacting on the ability of women to make decisions on their future.

At the time of publishing this Gender Alert, the de facto authorities had not made any commitment to ensuring the full operation of centres and services for survivors for VAWG. In the absence of this support, it is critical that services related to VAWG are part of humanitarian response activities, especially given the increase in need and decrease in service provision.

“Now we have no place where women can go, seek help and be heard. Many women don’t know where to go, where to seek help. Women have the fundamental right to be protected.”

—Woman activist

Healthcare

Health infrastructure and services—largely dependent on foreign aid—were limited and fragmented even before the Taliban take-over of Afghanistan with major deficits in rural and hard to reach areas in particular. The freezing of international aid has had a tremendous impact on the ability to run health services, let alone specialized services for women and girls.²⁵ Health staff have also not received wages for several months and availability of medical supplies is declining rapidly as a result of the broader economic situation. The challenge facing the health sector is compounded by a major brain drain.²⁶

Access to health services is a concerning part of the humanitarian crisis. Women with more complex health needs, such as pregnant women, have reportedly been facing major access issues. Challenges cited include fear and insecurity, mobility restrictions (use of mahram), long distances to reach health services, lack of safe transportation for women (e.g., the need to use a private car rather than public transportation), and lack of trained female staff. Furthermore, financial concerns are

Participation in public and political life

There has been a dramatic reversal of progress on women’s participation in political life. At present, women’s political participation stands at zero while before 15 August 2021, 28 per cent of parliamentarians were women.²⁷ Despite the Taliban’s initial assurance around an inclusive government and statements urging Afghan women to join the government,²⁸ the current Taliban structure is exclusively male. There is no public plan or tangible commitment in place to enable women’s political participation even though the 2004 Constitutional includes a gender quota.²⁹

The Taliban had suggested enforcing the 1967 Constitution for an interim period.³⁰ However, it is important to note that certain rights of women—including universal suffrage and the right to run for office are enshrined in the 1967 Constitution.

Furthermore, the Taliban has abolished a vital part of the country’s gender equality architecture: the Ministry of Women’s Affairs (MoWA)—established in 2001 under the auspices of the Bonn Agreement. All of MoWA’s directorates, across all provinces, have also been removed. The Taliban have reinstated the Ministry for the Propagation of Virtue and the Prevention of Vice tasked with enforcing the Taliban’s understanding of Islamic law.³¹ The abolition of MoWA implies that under the Taliban gender equality and women’s rights does not warrant a political primacy and a dedicated ministry. The impact of the removal of this institution also poses practical barriers to advancing gender equality: there is no oversight mechanism in place to advance gender equality; there is also now an absence of staff tasked with working directly on advancing gender equality on a daily basis, in part due to the exodus of women leaders in the lead up to full international troop withdrawal.

“I wish I was not a girl. What do I do now?”

—Woman activist

The number of women in entities established by the Taliban is not publicly reported. Previously, women constituted 29.6 per cent of the civil service, with a significant

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