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No Life Outside for Female Ex-Cons in Afghanistan

"I wish I'd never been born," Qudsiya wept as she stood among a crowd of women begging outside the shrine of Khwaja Ali Muwaffaq in Herat city.

"And if I had to be born," the 28-year-old continued, "then not as a woman."

Like many of the women outside the shrine, their old, filthy veils and burkas a clear sign of their poverty, Qudsiya was forced into begging because she served time in prison and was cast out by her family.

Qudsiya described how she was married to a drug addict who abused and hit her. After a particularly vicious beating, she called on her family for help. When her brother arrived at her house, he fought with her husband and stabbed him to death. The brother fled to Iran; Qudsiya was arrested and sentenced to six years in prison.

"When I was released, neither my own nor my husband's family would accept me," she continued, tears in her eyes. "I have asked the government for help several times but nobody would listen to me. Then I had to come and beg with other women who have no shelter."

Begging covers her living expenses and eight US dollars in monthly rent for space in a house she shares with ten other women, most of whom have also served time in prison.

In conservative Afghan society, many women who have done time in prison - often for "moral crimes" - face being ostracised by their relatives and the wider community.

"Moral crime" is a loosely-defined category that can cover acts such as running away from home, refusing to get married, and even being the victim of rape. While these are not offences in the written criminal code, it is common for courts to impose jail sentences on women deemed guilty of them.

The governor of Herat prison, Abdul Majid Saddeqi, told IWPR that there are currently about 115 female inmates aged between 19 and 50. Most, he said, were there for running away from home, and were serving sentences of between six months and two years.

Stigmatised by society and with few safety nets, they are commonly left homeless and destitute once they are released.

Saddeqi said most were rejected by their families and had nowhere to go after they left prison.

"Recently, a woman who had completed her sentence said she wasn't ready to leave prison," he said. "But by law, all prisoners have to go after finishing their sentences, so we sent her out of the prison."

Former prisoners complain that there is no provision made by government agencies or civil society groups to support them after they leave jail.

Another woman, also named Qudsiya, spent six months in prison after fleeing her home.

"When I was released from the prison, I was sheltered for a month by the department for women's affairs," the 35-year-old recalled. "Then they sent me away. I went to several places but no one helped me."

Women's advocacy groups in Herat were similarly ineffective, she claimed.

Women's rights groups in Herat insist they are working hard to protect and rehabilitate former prisoners.

One of these NGOs, Neda-ye Zan (Woman's Voice) provides shelter for more than 50 vulnerable women and girls aged between 11 and 35.

Its director, Soraya Pakzad, said that most of them had spent time in prison and had subsequently been rejected by their families. Neda-ye Zan was trying to mediate between the women and their relatives in hope of reconciling them.

"These women are confronted with economic and psychological problems, and some have even attempted suicide," she said. "We have hired some medical advisers to treat their psychological problems, talk to them and provide them with guidance as to how to manage their lives again."

Karima Hussaini, spokeswoman of the government department for women's affairs in Herat, said her office was trying to change public attitudes through advocacy work with the media and religious leaders.

"During trials of young girls and women, we provide those in need with lawyers free of charge," Hussaini said. "We send our watchdog team to assess the situation of imprisoned women, and we have set up a temporary shelter for unaccompanied women."

Hussaini said relatives of female ex-convicts commonly felt justified in repudiating them because they feared damaging family honour.

But the law was not applied equally, she said, arguing that men whose behaviour drove women from their homes, or who were accomplices to crimes they were convicted of, were not punished as harshly.

Fazel Wahab Fazli, head of the appeals court for Herat province, rejected this accusation, insisting laws were enforced without discrimination.

He called for greater tolerance of women who had served time in prison, citing a Koranic verse which says that God loves the penitent.

"People, especially families, shouldn't turn their backs or do anything bad to women who are released," he added. "If they do so, they are breaking the law and can be regarded as criminals."

Haji Mawlawi Abdul Wahed Masumi, head of the provincial department for religious affairs, also said it was wrong to taunt or offend anyone, male or female, after they had served their time in prison. He insisted that according to both Afghan and religious law, such people are no longer be criminals and should not be mistreated.

Masumi said he was in the process of asking the congregations of all mosques in Herat province to raise public awareness that such behaviour was contrary to Islamic law.

"People don't have a good knowledge of Islamic laws and so they make erroneous assumptions in the belief that they are allowed to treat their women however they want," he added.

Others see the problem as indicative of the wider attitudes towards women and the overwhelming importance of family reputation.

"Fearing being taunted or being spoken about unfavourably, families resort to placing very strict restrictions on women," Sayed Mohedulhaq, a sociologist in Herat province, said. "Once a woman has been jailed for any reason, then the family and even other relatives cut all ties with her. This goes back to the concept of family honour.

"In Afghan society, a man is not regarded as a truly courageous or principled man once his family honour has been compromised."

Mohedulhaq agreed that a sustained public awareness campaign involving both religious leaders and the media might help change attitudes.

He also said conditions in women's prisons should leave no room for suspicions that inmates had been exposed to sexual abuse, as this could be another source of shame for families.

Some families do take back women released from prison, but they risk being condemned by the wider community.

Haji Wakil Ahmadi, 46, was forced to leave his village of Ahmad in the Rubat Sangi district after agreeing to take back his daughter who had spent six months in prison for running away from home.

After her release, she spent some time in the shelter run by Neda-ye Zan.

"When the organisation called me in to get my daughter I was totally angry with her and didn't even want to see her, but being an affectionate father, I later decided to go and bring her back with me," said Ahmadi.

"But it wasn't all that easy, as my relatives and my tribe did not agree with me bringing taking her back to the family. "They placed conditions on me, telling me I must choose either my daughter, or them and my house. I chose my daughter, so then I had to leave everything - and everyone - behind and build a new life elsewhere."

Masuma, 24, was released six months ago after serving a sentence for running away to escape a forced marriage arranged by her uncle. Her family did take her back, but the reconciliation has not been straightforward.

"It is true that my family accepted me back but this didn't take place very easily," she said. "When I returned home, my brother shaved my head with a knife and then locked me in our bathroom where I spent two weeks. They later forgave me but they don't treat me as they used to, before I ran away. However, I am now trying very hard to regain their trust."

Sudabah Afzali is an IWPR trainee reporter in Herat.

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