

## Flygtningenævnets baggrundsmateriale

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## Freedom in the World - Afghanistan (2007)

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**Population:**  
31,100,000

**Capital:**  
Kabul

**Political Rights Score: 5**  
**Civil Liberties Score: 5**  
**Status: Partly Free**

### Overview

**In 2006, the framework for a parliamentary democracy was further consolidated as the new Afghan Parliament began operations in December 2005 and gradually established itself as a functioning arm of government. However, concerns remain that the weak role of political parties, as well as the presence of many warlords in the legislature, will hamper its effectiveness vis-à-vis the executive branch. Limited progress has been made on various issues, including attempts by the central government to address issues of corruption and transparency, as well as strengthening judicial and law enforcement services. In a prevailing atmosphere of weak rule of law and impunity, however, numerous human rights abuses, including attacks on aid workers, political and social activists, journalists, and schools, as well as systematic violations of women's rights, were reported during the year. A marked increased in violence in 2006, underscored particularly by a rise in suicide attacks by the Taliban and other antigovernment forces, contributed to heightened lack of security and further hampered the work of local and international humanitarian organizations in rebuilding Afghanistan's shattered infrastructure and institutions.**

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Located at the crossroads of the Middle East, Central Asia, and the Indian subcontinent, Afghanistan has for centuries been caught in the middle of great power and regional rivalries. After besting Russia in a contest for influence in Afghanistan, Britain recognized the country as an independent monarchy in 1921. King Zahir Shah ruled from 1933 until he was deposed in a 1973 coup. Afghanistan entered a period of continuous civil conflict in 1978, when a Communist coup set out to transform this highly traditional society. The Soviet Union invaded in 1979, but faced fierce resistance from U.S.-backed mujahideen (guerrilla fighters) until its troops finally withdrew in 1989.

The mujahideen factions overthrew the Communist government in 1992 and then battled each other for control of Kabul, killing more than 25,000 civilians in the capital by 1995. The Taliban militia, consisting largely of students from conservative Islamic religious schools, entered the fray and seized control of Kabul in 1996. Defeating or buying off mujahideen commanders, the Taliban soon controlled most of the country except for parts of northern and central Afghanistan, which remained in the hands of the Tajik-dominated Northern Alliance coalition.

In response to the terrorist attacks of September 11, 2001, the United States launched a military campaign aimed at toppling the Taliban regime and eliminating

Saudi militant Osama bin Laden's terrorist network, al-Qaeda. The Taliban crumbled quickly, losing Kabul to Northern Alliance forces in November 2001 and surrendering the southern city of Kandahar, the movement's spiritual headquarters, in December.

As a result of the December 2001 Bonn Agreement, an interim administration headed by Hamid Karzai, a Pashtun tribal leader, took office. The UN-brokered deal sought to balance demands for power by victorious Tajik, Uzbek, and Hazara military commanders with the reality that many Pashtuns, who are Afghanistan's largest ethnic group, would not trust a government headed by ethnic minorities. In June 2002, the United Nations administered an emergency *loya jirga* (gathering of representatives) that appointed a Transitional Administration (TA) to rule Afghanistan for a further two years. Karzai won the votes of more than 80 percent of the delegates to become president and head of the TA, decisively defeating two other candidates.

One of the TA's primary challenges was to assert central government authority while curbing the power of regional strongmen. Karzai signed a December 2002 decree banning political leaders from taking part in military activity, and also undertook several reshuffles of provincial governors and other key officials. Significant victories included the ouster of regional strongman Ismael Khan as governor of Herat in September 2004 and the co-option of ethnic Uzbek leader General Abdul Rashid Dostum into the cabinet in March 2005. The TA initiated a voluntary program of disarmament, demobilization, and reintegration (DDR) in 2003, and when the first phase of the program ended in 2005, an estimated 60,000 men had been disarmed. However, there are still an estimated 125,000 armed men in Afghanistan.

In December 2003, a 502-member constitutional *loya jirga* met to debate a draft constitution. Because of disagreements among the delegates, proceedings stretched on for three weeks before the amended draft was ratified in January 2004. It describes Afghanistan as an Islamic republic in which no law should contravene the beliefs and practices of Islam, and provides for a presidential system of government and a National Assembly composed of two houses. Equal rights for women and men are guaranteed, as is the right to practice minority religions, although human rights advocates expressed concern that inadequate mechanisms have been put in place to guarantee the provision of these and other rights.

Other key milestones include the holding in October 2004 of Afghanistan's first elections since 1969, a process overseen by the Joint Electoral Management Body (JEMB). More than 75 percent of registered Afghans voted in a presidential poll contested by 17 candidates, including one woman. Karzai, the incumbent, won 55 percent of the vote, while the main challengers—Yunus Qanooni, Haji Mohammed Mohaqeq, and Dostum—won 16, 11, and 10 percent, respectively. In December 2004, Karzai formed a cabinet that was a balanced mix of regional power brokers and technocrats.

After delays due to logistical complications and security concerns, in September 2005 relatively peaceful elections were held for the lower house of the newly reconstituted Parliament and the 34 provincial councils. In total, almost 5,800 candidates (over 10 percent of whom were women) stood for the elections. Slightly more than half of all registered voters took part, a lower level of turnout than that

for the presidential election, which perhaps reflected increasing disillusionment with the political process. The voting process itself was marred by what the JEMB termed "serious localized fraud," although the overall results were broadly accepted both by Afghans and by the international community. Disappointingly, a large number of warlords and others involved in organized crime as well as human rights violations were elected; according to the Afghan Independent Human Rights Commission (AIHRC), 80 percent of victorious candidates had links to militia groups. However, despite staging a heightened number of attacks in the months leading up to both elections (around 600 people were killed in Taliban-related attacks from January to August 2005), the Taliban were unable to significantly disrupt the electoral process.

The new Parliament convened in December 2005, with delegates first familiarizing themselves with working procedures and building up internal structures such as the committees that are responsible for reviewing all previous decrees enacted by the TA. Qanooni, former presidential contender and head of the New Afghanistan Party, was narrowly elected as Speaker of the lower house in January . On several occasions, the fledgling legislative body asserted its authority by questioning government ministers, and it also summoned officials from the International Security Assistance Force (ISAF) after three incidents in late August in which civilians were killed by coalition forces. In its most important tussle with the executive branch, parliament refused to approve Karzai's nominations for the new cabinet en masse, approving 20 but rejecting 5; another key step was its rejection of Fazl Hadi Shinwari as Karzai's nominee to continue as chief justice of the Supreme Court, on the grounds of his advanced age and lack of higher education requisite for the post. However, some analysts remain concerned that the legislative branch is not moving quickly enough to address political and economic reforms or to pass key legislation, and that it remains weak and largely subservient to the executive.

The UN-mandated ISAF, which has been managed by NATO since August 2003, is responsible for providing security in Kabul and other major urban centers, and in July 2006, NATO assumed command over combat troops in southern Afghanistan who are hunting the Taliban, providing a unified command over most of the approximately 33,000 foreign peacekeeping and combat troops. However, much of the country, particularly the south and east, remains unstable and lawless; in these areas, military commanders, tribal leaders, rogue warlords, drug traffickers, and petty bandits hold sway and are reluctant to submit to the leadership of the central government .

More than 3,000 civilians, law enforcement personnel, troops, officials, and foreign aid workers were killed and injured during 2006 by an increasing number of bombings, rocket attacks, and other violence by the Taliban and their supporters; air strikes by coalition forces; and recurrent fighting between various factional militias, criminal gangs, drug smugglers, and bandits. Levels of casualties among militants have also risen as coalition forces have aggressively engaged them throughout the southern provinces. In addition to targeting foreign troops and nongovernmental organizations (NGOs), Taliban supporters have increasingly staged attacks on local police forces, progovernment clerics, and ordinary Afghan citizens, with a growing reliance on the use of suicide bombers.

In 2006, suicide attacks became more frequent, widespread, and effective, with more than 100 attacks killing several thousand throughout the country in the

bloodiest year since the fall of the Taliban in 2001. In the most high-profile attack, Hakim Taniwal, the governor of southeastern province of Paktia, was assassinated by a suicide bomber in September 2006. The west and north of the country have witnessed an increase in attacks on aid workers, both Afghan and foreign, that attempt to disrupt development work. Those involved in the rapidly expanding drugs-trafficking trade are also contributing to the violence. The marked deterioration in security throughout the year posed a major challenge to the ability of central and provincial government authorities to control areas under their jurisdiction, deliver basic services, and engage in vital reconstruction efforts.

### **Political Rights and Civil Liberties**

Afghanistan is not an electoral democracy. While elections have been held and the structures of government mandated by the 2001 Bonn Agreement are now in place, significant problems remain with regard to the political framework as well as levels of effective governance and transparency. The new constitution, adopted in January 2004, and the May 2005 electoral law provide for a president, directly elected for a five-year term, who has the power to appoint ministers (subject to parliamentary approval), and a bicameral National Assembly. In the directly elected, 249-seat Wolesi Jirga (House of the People), members stand for five-year terms, and in the 102-seat Meshrano Jirga (House of Elders), two-thirds of members are indirectly elected by the provinces, and one-third are appointed by the president. At least 68 of the 249 Wolesi Jirga seats (slightly more than a quarter) are reserved for women, while 10 are reserved for the nomadic Kuchi community. Provisions for women's representation have also been made for the Meshrano Jirga and provincial councils, and Afghanistan's first female governor was appointed in March.

The October 2004 presidential election was judged to be relatively free and fair despite allegations of intimidation by militias and insurgent groups, multiple voter registrations, partisanship within the JEMB, and other irregularities such as ballot stuffing and the improper use of indelible ink on voting day. Legislative elections originally scheduled for 2004 were postponed until September 2005 to allow more time for the government to map out district boundaries and conduct a census, enact election laws, and improve the security situation. As with the 2004 elections, these polls were marred by allegations of localized fraud, intimidation, and other irregularities that were not deemed by the Electoral Complaints Commission to have altered the overall results. During the campaign period, seven candidates and six election workers were killed, but the polling day itself was largely peaceful. The safety of winners in the postelection period was threatened by a law known as the "assassination clause," which stated that if the winning candidate died or was disqualified prior to the convening of the new Parliament, his seat would be filled by the candidate with the next highest number of votes. However, this law was amended in 2006 following the assassination of several winners in late 2005.

An elected executive and a bicameral legislature are now in place, and these functioned as a central government that was treated as legitimate by various regional strongmen, although its writ over many areas outside Kabul remained limited. The new Parliament contains a broadly representative blend of ethnic groups and, as mandated, a high proportion of women. Observers remain concerned that more than half of elected members maintain ties to armed groups or are former warlords who have been involved in human rights abuses in the past. The balance of power between the executive and the newly functioning legislature, as well as between the centrally appointed provincial governors and the newly

elected local bodies, remained contentious and subject to negotiation throughout the year, as the process of defining the roles and responsibilities of various branches of government continued.

Restrictions on political activity remain a concern. Levels of political freedom are higher in Kabul and the eastern provinces, but a prevailing atmosphere of violence and insecurity in the south and west of the country contributes to widespread self-censorship and limits political choices. Some candidates for the 2005 elections faced intimidation from local power brokers as well as the security forces. The 2003 Political Parties Law prohibits the registration of political parties that are backed by armed forces or that oppose Islam or promote racial, religious, or sectarian hatred and violence. Concern has been raised that the vague provisions of the law could be used by the Ministry of Justice to deny registration to parties on flimsy grounds. In addition, the adoption of the single-nontransferable-vote system for the 2005 legislative elections, in which voters elect individual candidates and party names or symbols do not appear on the ballot, was viewed by analysts as a disadvantage for new political parties. Parties have also not been given a formal role within the new Parliament, which further weakens their ability to contribute to a stable parliamentary system, according to a May 2006 report by the International Crisis Group. During the year, there were several attacks on members of Parliament as a result of political rivalries.

Widespread corruption, nepotism, and cronyism remain issues of concern, although the government has professed a commitment to improving transparency and accountability, particularly in the disbursement of foreign aid, which makes up a significant part of the national budget. Corrupt behavior is exacerbated by extremely inadequate salary levels for public sector workers, who take bribes to make ends meet. During 2005, the government took a hard line against corruption, insisting that officials provide documentation of property and other assets, and initiating screening procedures for bureaucrats. In April, two former deputy ministers were jailed for three years on embezzlement charges. Under pressure from the donor community, further efforts were made to tackle the issue during 2006. At the London Conference on Afghanistan, held January 31–February 1, the Afghan Compact laid out targets regarding governance and administration, calling for a clear and transparent appointments system to be agreed on within six months and fully implemented within two years, as well as for anticorruption legislation to be implemented. In August, the head of the anticorruption and bribery commission announced that files had been completed on 68 people accused of bribery and corruption, and President Hamid Karzai gave the attorney general full authority to investigate and prosecute cases of official corruption. Afghanistan was not ranked in Transparency International's 2006 Corruption Perceptions Index.

Afghan media continue to grow and diversify but faced a number of threats in 2006. A revised press law passed in December 2005 guarantees the right to freedom of expression and prohibits censorship, but does retain certain restrictions such as registration requirements and overly broad guidelines on content. It also establishes five commissions intended to regulate media agencies and investigate complaints of misconduct. In June 2006, intelligence officials at the National Security Directorate issued instructions to a number of news media outlets to restrict their coverage of security issues, terrorist incidents, the conduct of foreign troops, or other subjects perceived to harm the national interest. Media diversity and freedom are markedly higher in Kabul, and some warlords display limited

tolerance for independent media in the areas under their control. However, the number of outlets has grown steadily; authorities have granted approximately 300 licenses to independent publications, and dozens of private radio stations and six private television stations are now broadcasting. Some, such as the popular Tolo TV, have been criticized by conservative clerics for airing programs that "oppose Islam and national values," and several stations have been fined or given warnings for broadcasting "un-Islamic" material or offending local culture. Ali Mohaqiq Nasab, editor of the monthly women's rights magazine *Haqooq-i-Zan*, who had been arrested in October 2005 by the high court for publishing articles deemed to be "anti-Islamic" and sentenced to two years' imprisonment, was freed in December 2005 after his sentence was reduced on appeal.

A number of journalists were threatened or harassed by government ministers, politicians, police and security services, and others in positions of power as a result of their reporting. Many practice self-censorship or avoid writing about sensitive issues such as Islam, national unity, or crimes committed by specific warlords. In December 2005, Fahim Ihsan, a television reporter, died after being beaten, possibly in connection with his critical coverage of local government officials; he had previously received death threats. In July 2006, a cameraman was killed in a suicide bombing in Kandahar; on several occasions, reporters were assaulted when attempting to cover the news; two German freelancers were killed by unidentified gunmen in October; and an Italian journalist was kidnapped in southern Afghanistan in the same month and was held for several weeks before being released. Reporters have also faced difficulties in covering proceedings at the newly established parliament, with several being assaulted and many more denied access on various occasions. The use of the internet and mobile phones continues to grow rapidly and has broadened the flow of news and other information, particularly for urban Afghans.

Religious freedom has improved since the fall of the ultraconservative Taliban government in late 2001, and the present government has attempted to pursue a policy of greater religious tolerance despite pressure from Islamist groups. The new constitution establishes Islam as the official state religion but does not prohibit the practice of other religions, according to the U.S. State Department's 2006 International Religious Freedom Report. Shias (who make up approximately 20 percent of the population), particularly those from the Hazara ethnic group, have traditionally faced discrimination from the Sunni majority, and relations between the two religious groups remain somewhat strained. Sectarian riots, possibly stoked by political rivals, erupted in Herat in February, killing 8 and injuring more than 200. The small numbers of non-Muslim residents in Afghanistan are generally able to practice their faith, although Hindus and Sikhs have had some difficulty in building new houses of worship and accessing their traditional cremation grounds. During the year, there were a number of attacks by militant groups on mosques and clerics who were openly critical of the Taliban or who expressed progovernment views, as well as occasional harassment of reformist Muslims and religious minorities. Conversion is not legally prohibited but is strongly discouraged. In March 2006, Abdul Rahman, who had converted to Christianity during his time living abroad, was detained and faced the possibility of being charged with apostasy before the charges were dropped; because of potential threats against his life, he was granted asylum in Italy.

Academic freedom is not officially restricted. Two students at Herat University were suspended in May 2005 as a result of their comments during a debate on Islam,

but they were later reinstated. In 2004, government regulations were amended so that married women could attend high school classes. Particularly in the southern provinces, schools and teachers, predominantly those in which the teachers or pupils include females, have been the target of threats and violent attacks by fundamentalist groups and local warlords. This trend worsened in 2006, according to a July Human Rights Watch report that documented numerous incidents, including a rocket attack on a school that killed 6 children and injured 14 in April. More than 150 schools were torched, and several hundred more were closed for fear of being attacked, which deprived several hundred thousand students of educational opportunities. In all, schools in 27 of Afghanistan's 30 provinces have been targets of attacks that have led to the deaths of several dozen teachers and students.

Rights to assembly and association have been formally restored, subject to some restrictions, by the new constitution, but are applied erratically in different regions. In addition, police and security forces have occasionally used excessive force when confronted with demonstrations or public protests. Violent protests in February 2006, sparked by the international controversy about cartoons depicting the prophet Muhammad that were published in a Danish newspaper, led to the deaths of over a dozen people throughout the country. Following a deadly traffic accident involving U.S. troops in Kabul, violent demonstrations broke out in May during which at least 8 people were killed and more than 100 were injured, according to the IRIN, a UN humanitarian news and information service.

Hundreds of international and Afghan NGOs and aid agencies are able to operate freely, but their effectiveness is impeded by the poor security situation in much of the country. Both foreign and Afghan NGO staff members have been targeted for attack, and several dozen were killed during 2006, according to the Afghanistan NGO Safety Office. Civil society activists, particularly those who focus on human rights or accountability issues, continue to face some threats and harassment.

Despite broad constitutional protections for workers, labor rights are not well defined, and there are currently no enforcement or resolution mechanisms. UNICEF has estimated that a quarter of Afghan children between the ages of 7 and 14 are involved in various forms of work, mainly in the domestic sector.

There is no functioning nationwide legal system, and justice in many places is administered on the basis of a mixture of legal codes by judges with minimal training. Outside influence over the judiciary remains strong, and judges and lawyers are frequently unable to act independently because of threats from local power brokers or armed groups. Salaries for judges are woefully inadequate, and corruption and bribery are widespread. In rural areas with no police or judicial institutions, unelected and often conservative tribal councils dispense justice. The Supreme Court, composed of religious scholars who have little knowledge of civil jurisprudence, is particularly in need of reform, although the replacement of Fazl Hadi Shinwari as chief justice was a positive step. The administration's plans to rebuild the judiciary have proceeded slowly, although a new criminal procedure code was promulgated in early 2004 and some progress has been made with the construction of courts and correctional facilities. However, in April 2005, the justice minister noted that more than 50 percent of Afghans still did not have access to judicial or legal services, according to the IRIN news service.

Prison conditions remain extremely poor, with many prisoners being illegally

detained and prisoners being forced to rely on their relatives to provide food and other provisions, according to the AIHRC. Prison riots in Kabul in February 2006 left 5 dead and over 50 wounded. In July, human rights groups raised concern over government plans to reestablish the Department for the Promotion of Virtue and Prevention of Vice (notorious for imposing severe restrictions on behavior and dress under the Taliban), as part of the Ministry of Islamic Affairs, expressing worry that the department could be used as a tool for repression.

Since taking power in 2002, the administration has faced the question of whether to bring to justice, co-opt, or simply ignore perpetrators of past abuses. The cabinet approved, in 2005, an Action Plan on Peace, Justice, and Reconciliation, including elements of commemoration for victims, truth-seeking and justice mechanisms, and the vetting of potential employees in the state sector, but the plan was not formally launched by the government until December 2006. Many perpetrators were elected to the National Assembly despite calls for them to be disqualified, and some, such as warlord Abdul Rasul Sayyaf, have firmly established their dominant position in the new parliament, making any attempt at prosecution difficult.

In a prevailing climate of impunity, government ministers, as well as warlords in some provinces, sanction widespread abuses by the police, military, and intelligence forces under their command, including arbitrary arrest and detention, torture, extortion, and extrajudicial killings. The AIHRC, which was formed in August 2002 and focuses on raising awareness of human rights issues in addition to monitoring and investigating abuses, received more than 2,000 complaints of rights violations during 2006, including illegal detention and torture, land-grabbing and forced migration, kidnapping and child trafficking, and forced marriage. This represented a decrease from the previous year and of these, 46 percent were resolved.

Human Rights Watch has documented numerous cases of abuse of Afghan detainees by U.S. forces over the past several years, and eight detainees are confirmed to have died while in U.S. custody. Several U.S. service personnel have been given prison sentences of up to four months as punishment for prisoner abuse, in verdicts that the Afghan government and human rights groups have criticized as being insufficiently severe. The AIHRC has not been allowed access to detention centers where some 500 Afghans are being held by coalition forces. In addition, some warlords, political leaders, and the national intelligence agency maintain private prisons and do not allow access to detainees, many of whom are being held without charge.

Hundreds of civilians have been killed as a result of bombings, rocket attacks, and other acts of terror by suspected Taliban sympathizers and other Islamist groups; during localized fighting between ethnic factions, particularly in the north; or during skirmishes between Taliban supporters on one side and government forces and the U.S. military on the other. In 2006, in a shift of tactics by insurgents, the use of suicide attacks increased dramatically. Previously, the foreign military presence was divided between U.S.-led coalition forces actively hunting the Taliban and al-Qaeda in the south and east of the country, and the NATO-run ISAF, which focused on peacekeeping and providing security in Kabul and other major urban centers. In July 2006, NATO assumed command of military operations in southern Afghanistan as well, taking charge of a total of 33,000 troops drawn from 39 different countries. Despite the establishment of over a dozen Provincial

Reconstruction Teams consisting of mixed groups of U.S. and NATO military forces and development personnel in various regional centers, the security situation in much of the country continues to be extremely poor. In addition to political and terrorist violence, criminal gangs kidnap prominent Afghans as well as foreigners for money, while narco-traffickers and local warlords employ violence and extortion to defend their operations and influence.

The Bonn Agreement recognized the need to create a national army and a professional police force, but progress on both fronts has been slow. By the end of 2006, the Afghan National Army had a strength of approximately 34,000 personnel, out of a proposed eventual force of 70,000; however, these recruits have been well trained and participated ably in a variety of counterterrorism operations, as well as being deployed to prevent factional clashes and to provide security around polling centers during the 2005 elections. In contrast, the Afghan National Police, which numbers approximately 60,000, have been plagued by inadequate training, illiteracy, corruption, involvement in drug trafficking, and high levels of desertion.

An estimated 2,000 armed groups, with as many as 125,000 members, continue to operate. In 2003, the TA initiated a voluntary DDR program targeting members of various irregular militia forces, and by the program's end in mid-2005, over 60,000 militiamen had been demobilized and a considerable amount of heavy weaponry had been collected. A follow-up initiative, the Disbandment of Illegal Armed Groups (DIAG) program, has managed to collect more than 24,000 weapons since June 2005. However, as the security situation has deteriorated, widespread progress on disarmament has stalled, and there are still an estimated 100,000 illegal weapons, mostly small arms, in Afghanistan. Many civilians, particularly in rural areas where the government is unable to provide security, are reluctant to hand over their weapons.

More than 3.7 million Afghan refugees have returned to their homes in the last five years, but the rate of returns slowed in 2006, and several million more remain in Pakistan and Iran. In addition, more than 150,000 civilians continue to be displaced within the country; thousands more were displaced during 2006 as a result of increased fighting in the southern provinces as well as smaller skirmishes between warlords in the north. Humanitarian agencies and Afghan authorities have been ill-equipped to deal with the scale of the repatriation, while the poor security situation compounded by widespread land-grabbing meant that many refugees were unable to return to their homes and instead congregated in and around major urban centers. In the absence of a functioning legal system, the state remains unable to effectively protect property rights.

The end of Taliban rule freed women from the extremely harsh restrictions and punishments that had kept them veiled, isolated, and, in many cases, impoverished. Women's formal rights to education and employment have been restored, and in some areas women are once again participating in public life. The new constitution contains the significant provisions of guaranteeing equal rights for women and reserving a quarter of the seats in the Wolesi Jirga and the provincial councils for women. Record numbers of women registered to vote—an average 41 percent of all registered voters were women—and took part in the recent elections. In addition, more than 500 women, approximately 10 percent of the total number of candidates, registered to contest the 2005 parliamentary elections. However, a 2005 Human Rights Watch report noted that women in the political sphere,

particularly those standing as candidates, faced significant threats and harassment from armed factions and conservative religious leaders. Social norms restricting women's ability to travel independently and appear in public, particularly in the south, also negatively affected their ability to run for office and to participate fully as members of the new parliament.

Despite women's political gains, societal discrimination and violence against women remain pervasive, with domestic violence occurring in an estimated 95 percent of households, according to one survey. Women's choices regarding marriage and divorce, particularly their ability to choose a marriage partner, remain circumscribed by custom and discriminatory laws, and the forced marriage of young girls to older men or of widows to a male relation of their husband is a problem. Nearly 60 percent of Afghan girls are married before the legal age of 16, according to a report by the IRIN news service. To the extent that it functions, the justice system discriminates against women; in most cases, according to a 2005 Amnesty International report, complaints of violence against women, including abduction, rape, forced marriage, and murder, are not adequately investigated by authorities. Cases of self-immolation by women seeking to escape abusive marriages, particularly in the province of Herat, were a growing concern in 2006 after several years of decline, according to the AIHRC, which recorded at least 100 such instances in 2005. Honor killings of women who are believed to have brought shame on a family's name are also reportedly on the rise. As a result of continued lawlessness, women and children are subject to abduction, trafficking, and sexual violence. In certain areas, ruling warlords impose Taliban-style dress and behavioral restrictions on women. While record numbers of children have returned to school, a number of girls' schools were subject to attacks from Islamic fundamentalists during the year, and the literacy rate for women remains at only 14 percent.