

**Flygtningenævnets baggrundsmateriale**

|                                 |                                                                                 |
|---------------------------------|---------------------------------------------------------------------------------|
| <b>Bilagsnr.:</b>               | <b>824</b>                                                                      |
| Land:                           | Afghanistan                                                                     |
| Kilde:                          | Afghanistan Independent Human Rights Commission (AIHRC)                         |
| Titel:                          | Human rights situation of women and girls living in the villages in Afghanistan |
| Udgivet:                        | 11. marts 2018                                                                  |
| Optaget på baggrundsmaterialet: | 30. april 2018                                                                  |



**AIHRC**

# **Human rights situation of women and girls living in the villages in Afghanistan**

**Hoot 1396**

## Table of Contents:

|                                                                                                                                          |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>Introduction.....</b>                                                                                                                 | <b>3</b>                            |
| <b>Legal Basis.....</b>                                                                                                                  | <b>3</b>                            |
| <b>Mission.....</b>                                                                                                                      | <b>4</b>                            |
| <b>Methodology .....</b>                                                                                                                 | <b>5</b>                            |
| <b>Regional monitoring of the human rights situation of women and girls .....</b>                                                        | <b>5</b>                            |
| Setting human rights priorities of women and girls in Afghanistan .....                                                                  | 6                                   |
| <b>Introduction of the Women and Girls Rights Unit of the AIHRC .....</b>                                                                | <b>Error! Bookmark not defined.</b> |
| <b>A: Women's Rights Unit .....</b>                                                                                                      | <b>Error! Bookmark not defined.</b> |
| <b>B: Women's Human Rights Field Monitoring Unit .....</b>                                                                               | <b>Error! Bookmark not defined.</b> |
| <b>C: Children's Rights Field-Monitoring Unit .....</b>                                                                                  | <b>Error! Bookmark not defined.</b> |
| <b>Civil and political rights .....</b>                                                                                                  | <b>11</b>                           |
| <b>A: Violation of the right to life .....</b>                                                                                           | <b>11</b>                           |
| <b>B. Violation of the right to human dignity .....</b>                                                                                  | <b>13</b>                           |
| <b>C: Violation of the right to liberty and security of person .....</b>                                                                 | <b>15</b>                           |
| <b>Violation of the rights of detainees/people deprive of their personal liberty .....</b>                                               | <b>16</b>                           |
| <b>E) violation of the right to legal proceedings .....</b>                                                                              | <b>17</b>                           |
| <b>W: Violence against women in rural areas and villages .....</b>                                                                       | <b>18</b>                           |
| <b>1-The proportion of number of violence against women in rural areas and villages to all the cases of violence against women .....</b> | <b>20</b>                           |
| <b>2-Violence that has led to a violation of the right to life .....</b>                                                                 | <b>21</b>                           |
| <b>3-Sexual violence .....</b>                                                                                                           | <b>21</b>                           |
| <b>4- Verbal and psychological violence .....</b>                                                                                        | <b>22</b>                           |
| <b>5-Physical violence .....</b>                                                                                                         | <b>22</b>                           |
| <b>6-Economic Violence .....</b>                                                                                                         | <b>23</b>                           |
| <b>Other cases of violence .....</b>                                                                                                     | <b>24</b>                           |
| <b>D- Examples of violence against women and girls in rural areas and villages .....</b>                                                 | <b>24</b>                           |
| <b>Violation of economic, social and cultural rights of women in the villages and rural areas .....</b>                                  | <b>26</b>                           |
| <b>Conclusion .....</b>                                                                                                                  | <b>28</b>                           |
| <b>Recommendations .....</b>                                                                                                             | <b>29</b>                           |
| <b>Sources and references .....</b>                                                                                                      | <b>30</b>                           |

## Introduction

More than a quarter of the world's population is made up of women living in the villages. Women constituted 43% of the agricultural labor force in the world. The role of women in agriculture and animal husbandry is fundamental, and women's handicrafts is one of the most significant examples of women's economic activity, especially in developing countries. The role of women in national power structures, that the legitimacy of which is obtained through free elections, is very important and determining.

According to the Central Statistics Department report in 1396, the proportion of women population in Afghanistan (10,268,995) to the total population of the country (28,224,323), is 36.38%, and women in the villages make up 74.48% of the total female population of the country<sup>1</sup>.

Therefore, empowerment of women and girls in a country like Afghanistan, whose economic and income is based on agriculture and livestock, is one of the key indicators of SDGs. We believe that we will achieve sustainable development goals only when women in the villages is considered and not left behind. Now it's time to see significant changes in the lives of women in the villages, along with strengthening the role of women in national structures, which are stipulated in the important documents based on government commitments to international instruments and national strategies.

This short research seeks to identify areas and capacities for the improvement and development of the equality of women and men in the villages and rural areas of the country by reviewing the human rights situation of women in the villages, and by presenting concrete recommendation to the government and national and international support institutions to develop effective planning for the empowerment of women.

## Legal Basis

Empowerment of all women and girls along with gender equality is the fifth goal of SDGs, aiming at eliminating discrimination against women, eliminating violence against women and eliminating unacceptable traditions such as early and forced marriages, Ensuring the validity and value of women's work, ensuring the full and effective participation of women at leadership and decision-making levels, and ensuring the access of women and girls to social rights and privileges.<sup>2</sup> One of the

---

<sup>1</sup> <http://cso.gov.af/fa/page/demography-and-socile-statistics/demograph-statistics/3897111>

<sup>2</sup> United Nations General Assembly, Sustainable Development Goals, Fifth Goal, adopted September 27, 2015

most important indicators for achieving the fifth goal and the objectives set for this goal is empowering women in the villages, especially in economic areas, and strengthening the income generating opportunities and their financial independence.

Based on the mission that Stats, including Afghanistan have towards the fifth goal of SDGs, also in accordance with the provisions of the second paragraph of the preamble of the United Nations Charter, which emphasizes on the equity and equality of women and men;

Also, in accordance with Articles 1, 2 and 16 of the Universal Declaration of Human Rights, the provisions of the Convention on the Elimination of All Forms of Discrimination against Women<sup>3</sup>, the Convention on Civil and Political Rights,<sup>4</sup> the Convention on Economic, Social and Cultural Rights<sup>5</sup>, UNSCR 1325<sup>6</sup>, the Declaration on the Elimination of Violence Against Women<sup>7</sup> and other International documents on the protection of women's human rights;

Based on the provisions of Article 22 of the Afghan Constitution<sup>8</sup> and the National Development Strategy and the Strategy for the Elimination of Violence against Women, the Government of Afghanistan has the duty to support the rights and privileges of women in general and the human rights situation of women in villages in a specific way.

## Mission

The AIHRC is obliged, under Article 58 of the Constitution and Article 5, and paragraph 33 of Article 21, of the Law on Structure, Duties and Mandates of the AIHRC, to monitor the human rights situation of the citizens, and to make research and investigation, reporting and statistics on the human rights situation for

---

<sup>3</sup> United Nations General Assembly, Convention on the Elimination of All Forms of Discrimination against Women, adopted December 18, 1979

<sup>4</sup> United Nations General Assembly, Convention on Civil and Political Rights, adopted December 16, 1966

<sup>5</sup> United Nations General Assembly, Convention on Economic, Social and Cultural Rights, adopted December 16, 1966

<sup>6</sup> United Nations Security Council Resolution 1325, Issued on October 31, 2000

<sup>7</sup> United Nations General Assembly, Resolution 103/38 dated December 20, 1993

<sup>8</sup> Any discrimination and distinction is prohibited between Afghan citizens. Afghan citizens, including men and women, are equally entitled to equal rights. (Article 22 of the Afghan Constitution)

scientific and practical use. This research is also made based on this mission, aiming to review the women's human rights situation in the villages and rural areas of Afghanistan relying on the data and information archived in AIHRC's database over the past three years.

## **Methodology**

The data used in this study is the data and information collected at the AIHRC's databank on the human rights situation of women and girls in the villages, which is the result of three years of serious and diligent work of AIHRC's colleagues at the national level.

AIHRC's program staff members entered their findings and information, achieved during monitoring the human rights situation and handling the cases of human rights abuses, in the AIHRC's database system. Subsequently, this information was analyzed by SPSS software and provided for the use of the writers and authors of the reports.

The statistical population of this study has been the total population of women in the villages of the country. Descriptive analysis of the human rights situation of women and girls in the villages is made by using 2,225 cases of violence against women as a sample, and 302 cases related to violations of other civil and political rights, as well as economic, social and cultural rights, and 19,207 interview made by field monitoring team of the AIHRC, which have been recorded in the databases of the AIHRC for the past three years. So, 21,734 women and girls from among female villagers who were interviewed in three groups constitute the statistics of the sample population of this study.

## **Regional monitoring of the human rights situation of women and girls**

The AIHRC based on Article 58 of the Constitution and Article 21 of the Law on the Structure, Duties and Mandate of the AIHRC develop its Annual Action Plan based on its Strategic Plan, and monitors the human rights situation at the national level accordingly. The AIHRC one-year monitoring findings of the human rights situation is being published along with numerous reports, which, in addition to necessary information on the human rights situation and human rights abuses, contain concrete recommendation to improve the general situation of human rights.

The report refers only to the activities that have focused on the human rights situation of women and girls in the villages and rural areas, and have been performed for the last three years by the three program Units of the AIHRC, including the Women's Human Rights Unit, the Women's Rights Field Monitoring Unit and the Children's Rights Field Monitoring Unit

Setting human rights priorities of women and girls in Afghanistan

Access to potable water, access to standard sewage system, access to security, rehabilitation of irrigation systems, children's access to education, access to health services, access to justice, the situation of highways, access to shelter or home, access to basic facilities like clothing, mine clearance programs, fighting corruption, having a healthy environment, access to food, access to fuel and energy, and electricity, and access to job opportunities are among the most important questions asked by interviewers during field monitoring.

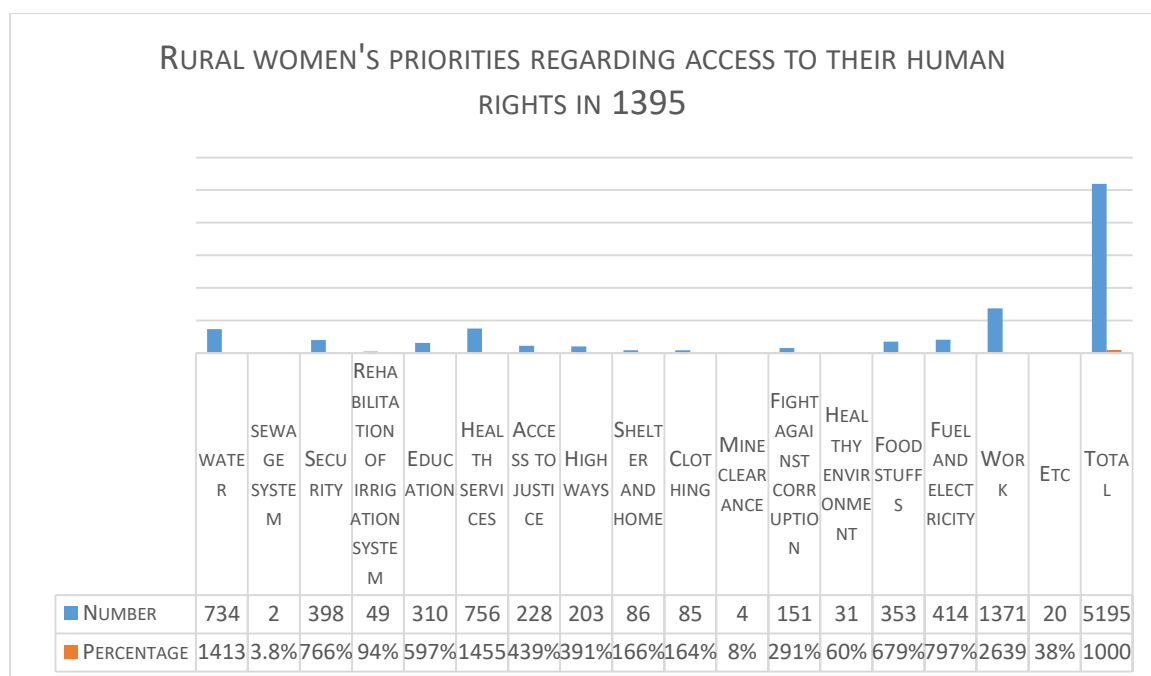


According to the AIHRC's databank in 1395, a total of 5,195 interviews were conducted with women and girls in the villages and rural areas. During these

interviews, the AIHRC's field monitoring team tried to seek the views of the interviewees on their human rights situation, and while asking for their priorities in their own language, tried to identify the problems and challenges on the way to the improvement of human rights situation in the villages. Since the priorities of the interviewees at the same time, is one of the most important challenges to their lives, therefore, the interviewees due to the lack of access to that, consider it as a priority of his life, and wishing it to be addressed as soon as possible.

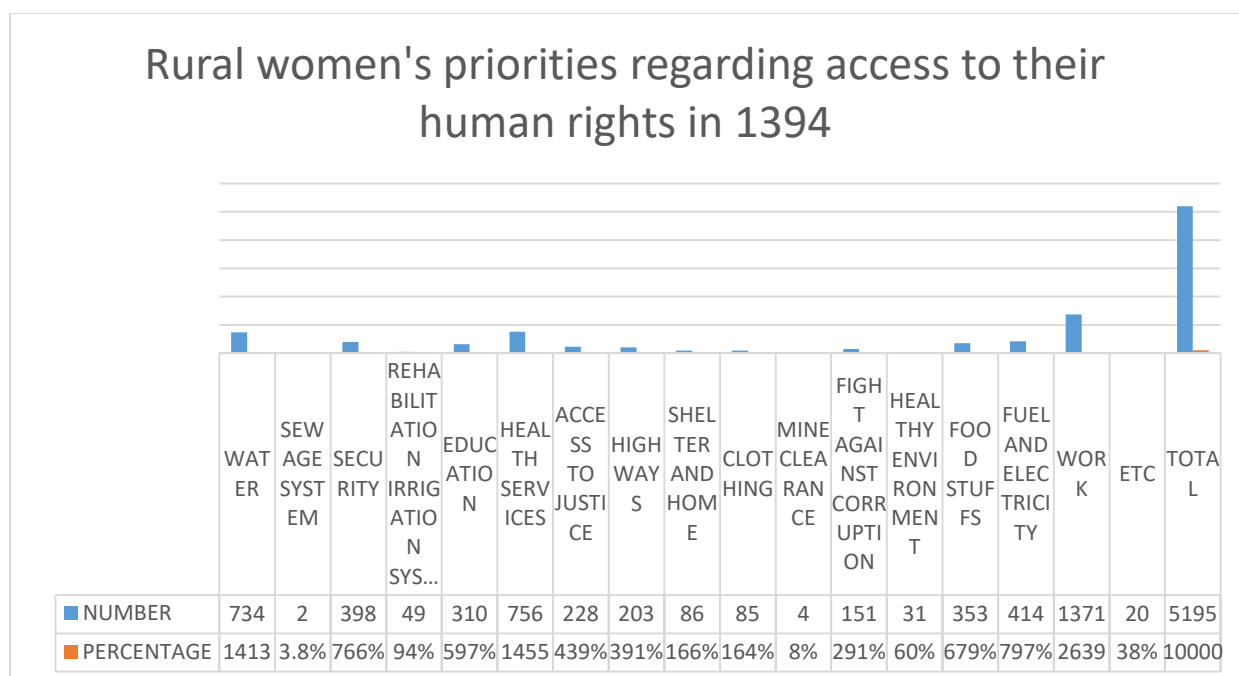
In these interviews, 736 interviewees expressed potable water and access to potable water was as their priority. This means that of a total of 5,195 interviews with women in the villages, in 736 interviews people suffered from lack of access to potable water, so access to potable water was a vital priority for them.

Access to a good sewage system was a priority for 2 interviewees, 396 interviewees expressed security or access to security as their priority, rehabilitation of irrigation systems was a priority for 49 interviewees, children's access to education was a priority for 310 people, access to health services was a priority for 756 people, access to justice was a priority for 228 people, improvement of roads was a priority for 203 people, access to shelter or home was a priority for 86 people, access to basic supplies such as clothing was a priority for 85 people, mine clearance programs was a priority for 4 people, fighting corruption was a priority for 151 people, a healthy environment was a priority for 31 people, access to food stuff was priority for 353 people, access to fuel was a priority or 414 people, access to employment opportunity was priority for 1371 people, and also, 20 interviewees had other priorities that do not include these issues.



Also, the priorities of women and girls in the villages in terms of access to their human rights have been recorded in accordance with the AIHRC's data bank in 1394. In this year, interviews were made with 6,927 women and girls in the villages throughout the country, who expressed their priorities as such:

Access to drinking water for 959 people, access to sanitary sewage system for 2 people, access to the right to security for 347 people, rehabilitation of irrigation systems for 75 people, access to education for children for 428 people, access to health services for 933 people , access to justice for 272 people, improving the situation of highways for 200 people, access to shelter or home for 152 people, access to basic life facilities such as clothing for 262 people, mine clearance programs for 11 people, fighting corruption of 145 people, having a healthy environment for 60 people, access to food for 626 people, access to fuel and energy like electricity for 54 7 people and access to employment opportunities for 1877 people were expressed as important priority in their life. For the remaining 31 people, there were other priorities that do not include the above issues.



The statistics on the human rights priorities of women and girls interviewed in 1396 have not been entered into the AIHRC's database in detail due to some problems and deficiencies that it had. But according to data provided by Databases, in 1396, there were 7,085 interviews conducted with women and girls in the villages.

Therefore, the AIHRC has conducted a total of 19,207 interviews with women and girls in the villages over the last three years, in addition to assessing the human rights situation of women and girls in villages, their human rights priorities were also obtained.

The priorities expressed by female interviewees in the villages are the priorities that should be recognized by the government and the international community, and based on that necessary programs should be made and implemented in order to improve the human rights situation of women and girls in the rural villages.

Study and comparing of the priorities of women and girls in the villages and rural areas of the country shows that access to the right to work has been the most important priority for them in both 1395 and 1394. This means that women in the villages suffer more from unemployment than anything else and they need plans to increase job opportunities and work in the villages and rural areas. 26% of interviewed women and girls (1371 people) in 1395 and 27.1% of them (1877 people) in 1394 expressed work as the main priority in their social life.



Potable water, health services, food, fuel and electricity, education and clothing are other priorities that are respectively emphasized upon by the interviewees.

### **Comparative assessment of human rights priorities for women and girls in villages and rural areas In 1395 and 1394**

| Main priorities                     | 1395 | 1394 | Total | Remarks |
|-------------------------------------|------|------|-------|---------|
| Water                               | 734  | 959  | 1693  |         |
| Water/sewage system                 | 2    | 2    | 4     |         |
| Security                            | 398  | 347  | 745   |         |
| Rehabilitation of irrigation system | 49   | 75   | 124   |         |
| Education for children              | 310  | 428  | 738   |         |
| Health services                     | 756  | 933  | 1689  |         |
| Access to justice                   | 228  | 272  | 500   |         |
| Highways                            | 203  | 200  | 403   |         |
| Shelter/home                        | 86   | 152  | 238   |         |
| Clothing/Blanket                    | 85   | 262  | 347   |         |

|                          |             |             |              |
|--------------------------|-------------|-------------|--------------|
| Mine clearance           | 4           | 11          | 15           |
| Fight against corruption | 151         | 145         | 296          |
| Healthy environment      | 31          | 60          | 91           |
| Food stuff               | 353         | 626         | 979          |
| Fuel/electricity         | 414         | 547         | 961          |
| work                     | 1371        | 1877        | 4            |
| etc                      | 20          | 31          | 51           |
| <b>Total</b>             | <b>5195</b> | <b>6927</b> | <b>12122</b> |
|                          |             |             |              |

## Civil and political rights

The right to life, the right to human dignity, the right to liberty and security of person, the right of detainees, the right to legal proceedings are among the most important examples of civil and political rights that have been discussed in this section, based on the databank of the AIHRC.

### A: Violation of the right to life

The right to life is fundamental human rights, central to the enjoyment of all other human rights and privileges. Respect for the right to life, as a natural right of human being, is also guaranteed and protected in legal instruments at the national and international levels. Respect for the right to life of individuals is a responsibility of every member of the human community and, in accordance with the provisions of the international human rights documents, all States are required to observe this right. Governments have a duty to put efforts and act seriously and effectively regarding protecting the right to life, and in addition to developing the required structural capacities in this field, provide legal foundations for the protection of this right in their national laws.

The United Nations Charter, while not having directly declared regarding the right to life, has implicitly stated the protection of the right to life as a duty of the governments beside respecting global peace and security. The Charter has called

on governments to create empathy and international peace capabilities among the nations in order to protect the lives of their citizens and human society, and explore peaceful means of resolving differences, and avoid resorting to war and the use of force for solving their internal controversies. There is no doubt that at least the consequences of war and the use of force will lead in the killing of human beings, or cause damage to their health which will amount to a violation of the right to life.

The Universal Declaration of Human Rights is another document emphasizing on the protection of the right to life, and, in its third Article it provides: "Everyone has the right to life, liberty and security of person<sup>9</sup>." The emphasis of Article 3 of the Universal Declaration of Human Rights on the right to life, liberty and security, which are in some way interconnected rights, expressly narrate the strong will of the legislators and adopters of this legal document to guarantee the right to life, the right to liberty and personal safety.

Covenant on Civil and Political Rights, a legally binding international instrument commits its parties to protect the right to life. Article 6 of the Covenant on Civil and Political Rights provides: "Every human being has an inherent right to life. This right shall be protected by law; no one shall be arbitrarily deprived of his life '<sup>10</sup>..."

Finally, in accordance with the provisions of Article 3 of the Universal Declaration of Human Rights and Article 6 of the Civil and Political Rights Convention, we conclude that the right to life is one of the most important human rights of human beings, and that every person is naturally entitled to the enjoyment of this right from the first day of his birth just because of being a human being. No one shall be deprived of this right unless he/she has committed crimes of mass destruction and, as a result, he/she shall be tried in a fair trial by a competent court. Governments are obliged to observe and support the right to life, and they have the duty to create the capacity and support mechanisms to safeguard this right and to eliminate all

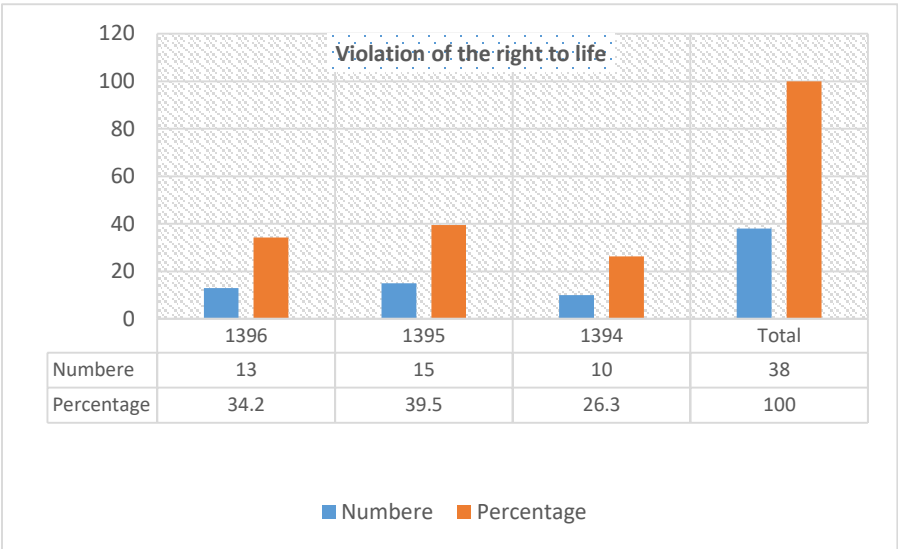
---

<sup>9</sup> Article III of the Universal Declaration of Human Rights, adopted December 10, 1948

<sup>10</sup> Article 6, paragraph 1, of the Covenant on Civil and Political Rights, adopted on December 16, 1966

the means and factors that may threaten the right to life of the citizens, such as insecurity and war.

The AIHRC’s continuing monitoring of the right to life of women and girls in the villages has shown that over the past three years, 38 cases of violations of the right to life of women in the villages have



taken place, of which 13 cases belong to the fiscal year 1394, 15 cases to fiscal year 1395, and 10 other cases are related to fiscal 1396

### B. Violation of the right to human dignity

Human dignity is known as the foundation of human rights and source of respect for human values, that the observance and respect of which not only contribute to the development of this right, but also provide the conditions for respect and observance of other human rights. Respect for human beings or observance of human dignity are implicitly protected in Articles 4 and 5 of the Universal Declaration of Human Rights<sup>11</sup> as the denial of slavery and negation of torture of

<sup>11</sup> - Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

human beings, and International Convention on the Civil and Political Rights has also protected this rights in its Articles 7 and 8 .<sup>12</sup>

The violation of the right to human dignity has also been prohibited in the national laws. In addition to Articles 22, 24 and 29 of the Constitution, which emphasize on respect for the right to human dignity, the new Criminal Code also includes Articles related to the prohibition of torture, rape, beating, kidnapping, accusations and insults, and ...

---

#### Article 5:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

#### <sup>12</sup> -Article 7:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

#### Article 8

1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

(a) No one shall be required to perform forced or compulsory labour;

(b) Paragraph 3 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court;

(c) For the purpose of this paragraph the term "forced or compulsory labour" shall not include:

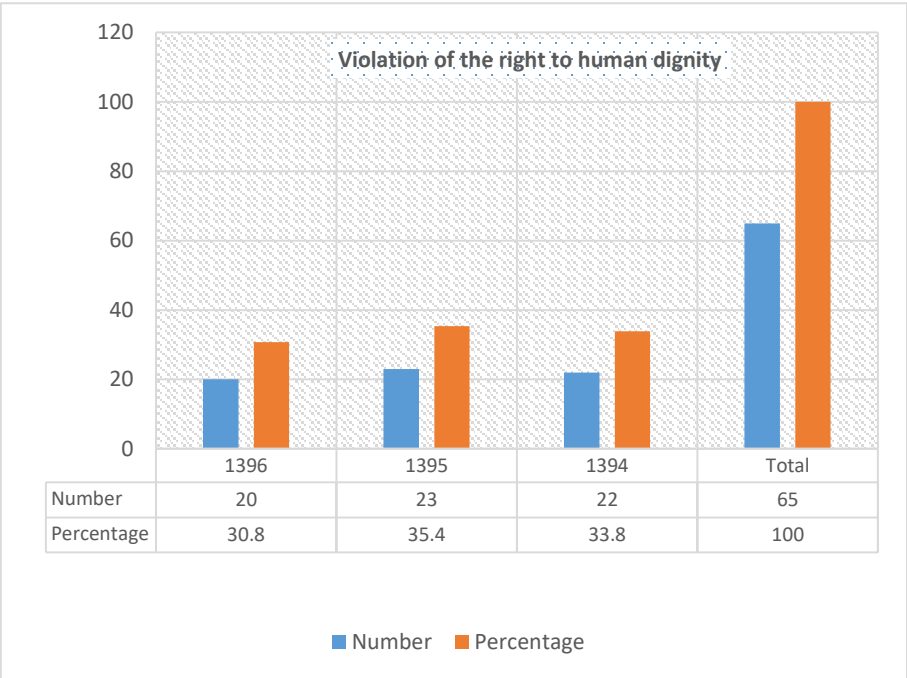
(i) Any work or service, not referred to in subparagraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention;

(ii) Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors;

(iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

(iv) Any work or service which forms part of normal civil obligations.

The AIHRC, with continued monitoring of the human rights situation, categorizes its findings on violations of human dignity, and provide the relevant reports annually to draw the attention of the government and other responsible institutions.



Torture, beating, insult, humiliation and sexual assault are the most significant examples of violations of human dignity. Over the past three years, our colleagues in regional and provincial offices of the AIHRC, during continual and effective monitoring of the human rights situation of women in the villages, registered and investigated 65 cases, of which 22 cases related to 1394, 23 cases related to 1395 and 20 other cases related to fiscal year 1396.

All the cases of violation of the right to human dignity have been reviewed by the AIHRC’s colleagues, and effective advocacy have been made in the justice and judicial institutions aiming to ensure justice in the country.

C: Violation of the right to liberty and security of person

Security from arbitrary arrest and detention, security from impunity, security from the threat of death, security from compulsory labor, security from compulsory disappearance, security of home and privacy, security from abduction and hostage-taking and Freedom to travel from common and important cases of the right to freedom and personal security.

Freedom and security of person are protected by Article 3 of the Universal Declaration of Human Rights and Article 9 of the International Convention on the Civil and Political Rights. This right, like the right to life and human dignity, is an

inherent and natural right of humans, and no one has the right to violate it and to disregard it.

The Constitution of Afghanistan, in its Article 24, also protects the right to freedom of citizens and obliges the government to observe and protect it.

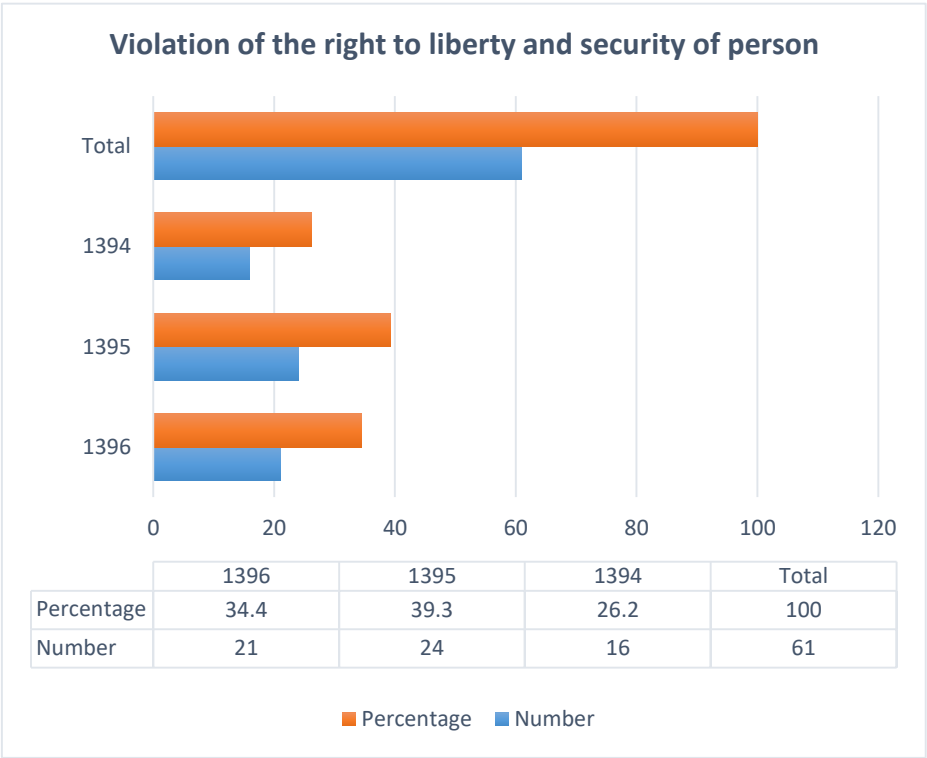
The AIHRC has been able to monitor and investigate 61 violations of the right to liberty and security of person

during the past three years while monitoring the human rights situation of women and girls in the villages.

21 cases related to 1394, 24 cases related to 1395 and 16 other cases related to fiscal year 1396.

#### D. Violation of the rights of detainees/people deprive of their personal liberty

Crime has been one of the facts that has been associated with man and women from the very first days of social life. Some people commit criminal offenses and illegal behaviors in order to achieve better economic opportunities, and others commit crimes for taking revenge or getting access to their political and religious goals. The ruling or governing apparatus, however, according to its responsibility toward maintaining of the order and security of the citizens, prosecutes the perpetrators according to their own legal system by legal structures already in place (justice and judicial institutions). Arresting, detaining, or keeping in the custody or child correction centers are the verdicts issued by the justice and judicial authorities and enforced against the defendants. Under such circumstances, some women in



the villages may also have committed crimes, and have been detained or taken to the custody houses and eventually sentenced to imprisonment.

Articles 9-11 of the Universal Declaration of Human Rights and Articles 9-11 of the Covenant of Civil and Political Rights have protected the right of detainees and have obliged the governments to respect these rights and in the meantime eliminate the factors and conditions causing a violation of the rights of detainees/people deprived of their personal liberty in the judicial organs.

Article 27 of the Constitution and the provisions of the Afghan Criminal Procedure Code, as a national legal instrument, expressly authorizes the government to protect the rights of people deprived of their personal liberty.

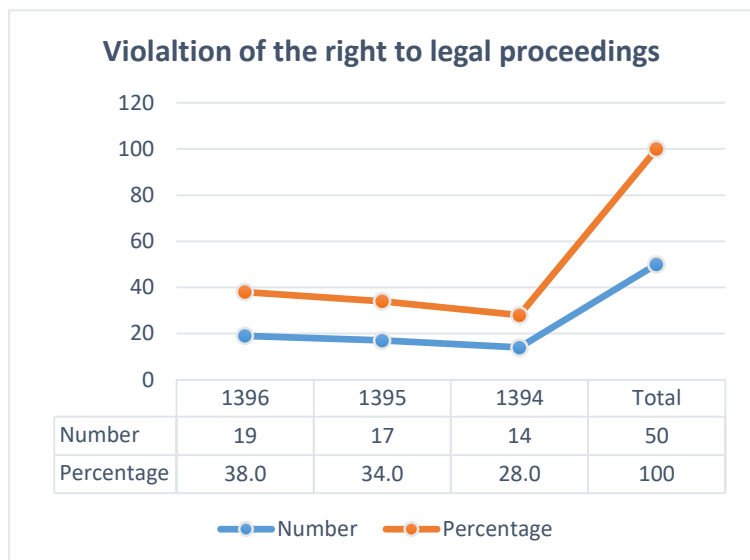
Over the past three years, the AIHRC during its continual and careful monitoring of the situation of people deprived of their personal liberty, and during its regular visit to detention centers, investigated the situation of women in the villages who were detained or subjected to imprisonment. In this regard, the AIHRC has been conducting effective investigation and follow up in order to ensure justice.

The AIHRC staff during the monitoring process confronted with only one case of violations of the rights of women deprived of her rights to personal liberty in 1396. Finally, the case was addressed as a result of effective follow-up

#### E) Violation of the right to legal proceedings

The right to legal proceedings include the rights relating to legal and criminal cases and lawsuits and are dealt with in accordance with the provisions of the law, in particular the Criminal Code, and the laws relating to the duties and jurisdiction of detective, justice and judicial organs.

Monitoring by the AIHRC of the process of legal proceedings in the justice and judicial institutions shows that 50 cases of violations of the right to legal proceedings were registered during the past three years in the AIHRC's database. The AIHRC's staff have investigated and followed up the registered cases and effectively monitored the process of legal proceedings in the judicial organs.



Of the 50 cases that were registered with the AIHRC, 14 cases were filed in 1394, 17 cases were filed in 1395 and 19 cases were filed in 1396.

#### F: Violence against women in rural areas and villages

Burning/setting on fire, sexual harassment, murder, honor killing, forced prostitution, trafficking, forced addiction, sexual assault, forced pregnancy, buying and selling women under the pretext of marriage, forced abortion, husbands' polygamy, mutilations, beating and battering, deprivation of freedom of choosing spouse, denial of the right to education, prevention from working outside the home, denial of relative visit, prevention of political and civic activities, deprivation of the right to heritage, the deprivation of the right to private properties, forced engagement, non-provision of alimony, non-payment of Mahria, forced labor, insulting, humiliating, and negating relationship are the most important challenges for women in the villages and rural areas of the country, which have been registered and addressed as a result of continuous monitoring of the AIHRC over the past three years .

Meanwhile, with the support of the international community over the past one and a half decade, the Afghan government has taken important steps to protect and promote women's human rights and, in addition to legislation on the prohibition of violence against women and the guarantee of equal rights of men and women at

the national level, most of the international human rights instruments concerning women have been signed or ratified, and

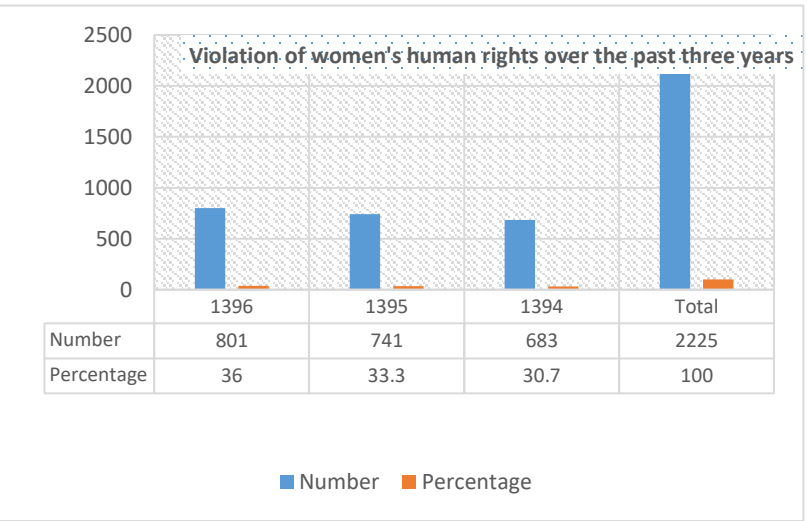
Have had good achievements in various areas such as access to civil and political rights, access to education, health services, and employment, and signs of a change are witnessed in the level of social life of women, especially women living in cities.

The AIHRC’s databank on the human rights situation of women in the villages shows that in the fiscal year 1396, a total of 801 cases of violence against women have been recorded. We acknowledge that this figure does not include all women who have been faced with violence during the fiscal year 1396 in the villages and rural areas of Afghanistan. Rather, this figure represents the cases that have been registered by the AIHRC’s staff. Because we believe that most of the cases of violence against women have not been discovered due to the dominant traditional culture in Afghan society, especially the villages and rural areas, the structure of the police and judicial organs, and the lack of capacity, and due to lack of access to human rights institutions by women.

The total number of violence against women in the villages and rural areas in the fiscal year of 1395 reached 741 cases, 7.5% less than the figure that was reported in the fiscal year 1396.

Also, this figure in the fiscal year 1394, reached 683 cases, 7.7% higher than that in the fiscal year 1395 and 14.7% lower than the figure reported in the fiscal year 1396.

Therefore, the total statistics on violence against women in the villages registered by the AIHRC’s staff during the past three years is 2225, of which 36% are related to 1396 and 33.3% related to fiscal year 1395, and finally the other 30.7% related to fiscal year 1394.



The increasing trend of violence against women in the villages and rural areas can be justified for two reasons. First, for the time being, the awareness of people in general, including women and girls of the country has been enhanced of human rights and supportive structures, as a result of the efforts and activists of the AIHRC and the cooperation of national and international institutions. And the number of visits to monitoring, justice and judicial organs have increased. Second, there is also the possibility that the trend of violence against women, as shown in the AIHRC's database is actually increasing.

1-The proportion of number of violence against women in rural areas and villages to all the cases of violence against women

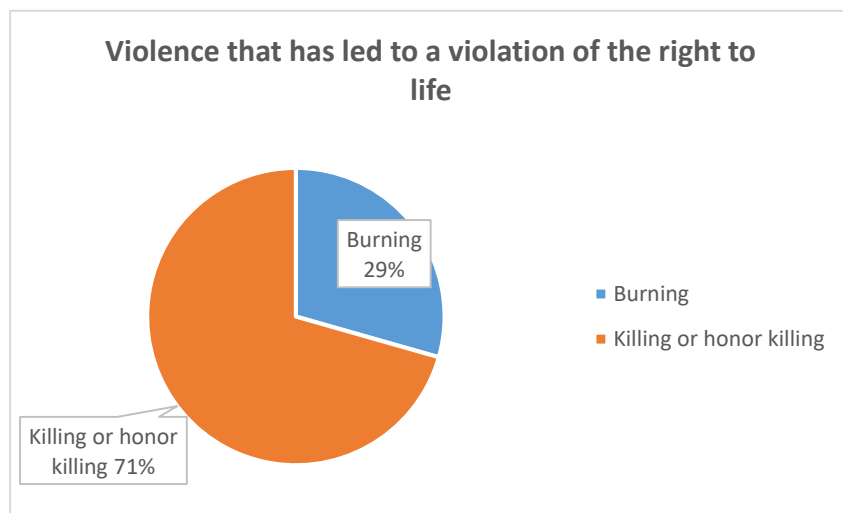
Considering the role of family members' literacy and culture, especially the knowledge and awareness of the head of households in reducing the level of violence against women, we believe that level of violence against women in villages and rural areas will not be less than in urban areas. Because in urban areas while there are better opportunities for women to make advocacy, and men of the family are mostly educated and somewhat familiar with the human rights patterns.

But, the AIHRC's databank shows that over the past three years, 1,350 cases of violence against women have been registered, of which 2,225 are related to women in villages and rural areas, which represents only 14.8% of the total cases of violence. This means that 85.2% of the violence was related to women living in the cities. As noted above, 74.48% of women live in rural areas and 25.52% of women live in the cities.

As it was noted above, there is no doubt that the statistics on violence against women in villages and rural areas has been widespread and due to the dominant culture in rural life and the lack of capacity, lack of access to criminal, justice and judicial institutions or human rights organizations, a large part of the cases have not been discovered and will never be registered.

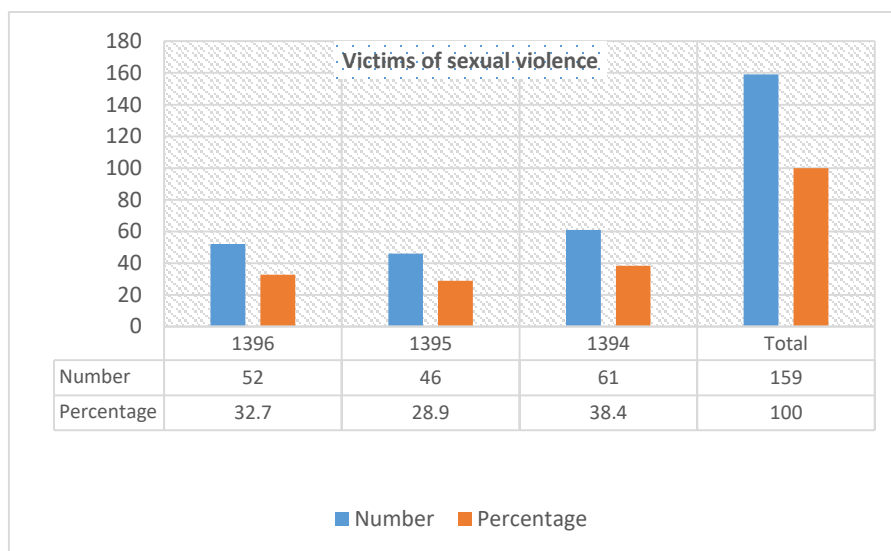
## 2-Violence that has led to a violation of the right to life

The statistics recorded in the AIHRC's database show that over the past three years, 51 incidences of violations of the right to life have occurred as a result of violence against women in the villages and rural areas. In 15 cases, women are burned or committed self-emulation. And in 36 other cases women are killed, most of these killings are reported as honor killings.



## 3-Sexual violence

Statistics of Sexual violence against women in the villages is one of the bitterest and worrying facts. According to the AIHRC's database, over the past three years, 159 cases of violence against women were registered. 61 cases in



61 cases in fiscal year 1394, 46 cases in fiscal year 1395, and 52 other cases were registered in fiscal year 1396.

#### 4- Verbal and psychological violence

The most important feature that distinguishes human beings from other beings, and gives them great dignity is their human

dignity.

Human dignity

Although is not a

right, but a principle

of the fundamental

principles of human

rights, it must be

acknowledged that

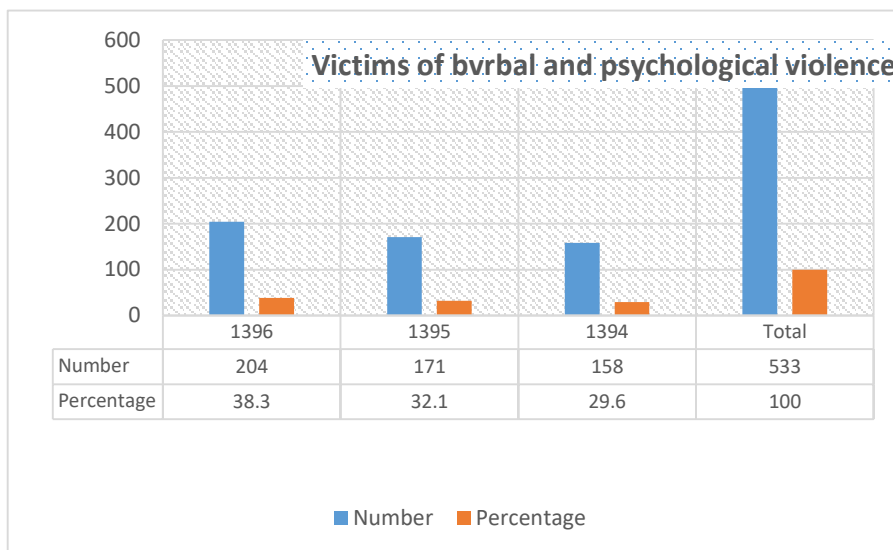
human rights do not

have meaning

without human dignity, and this principle is considered as the fundamental foundation of human rights.

Verbal and psychological violence are one of the most serious behaviors that violates human dignity.

Recorded statistics of verbal and psychological violence against women in villages show that over the past three years 533 people have been victims of this kind of violence. 158 cases occurred in 1394 and 171 cases in 1395, and finally 204 in the fiscal year 1396.



#### 5-Physical violence

Physical violence is one of the most common types of violence against women, especially among families. Victims of this type of violence are usually women who are deprived of access to justice and judicial institutions or women's human rights organizations. In such situation, and under the influence of superstitious and patriarchal traditions, victim women will hardly be daring go to justice centers and institutions or women's human rights organizations for litigation and advocacy. Most of the victims even believe that the physical violence of the men of the family

against women is a right to masculinity and manhood. Because of this, they never raise their voice but suffer the damages with humiliation.

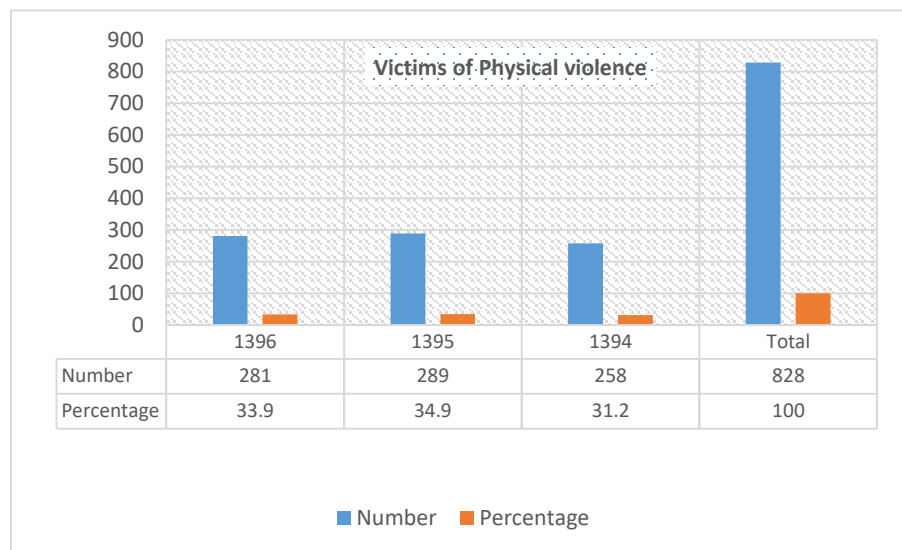
Based on statistics registered with the AIHRC's databank, a total of 828 female

villagers were the victims of this kind of violence, of which 258 belonged to 1394, and 289 people belonged to 1395, and finally 281 people belonging to 1396.

#### 6-Economic Violence

The empowerment of women, especially women in the villages, is one of the most important indicators of SDGs. Governments, based on their commitment to women's economic and social rights, have a duty to build women's economic independence capacity in the cities, villages and rural areas, and eradicate the grounds and factors of economic violence against women.

The economic independence of women and the protection of their financial rights and the maintenance of their property are the most important means for combating economic violence, and there is no doubt that it will work. Most women who have been victims of this kind of violence in the villages and rural areas are among those who do not

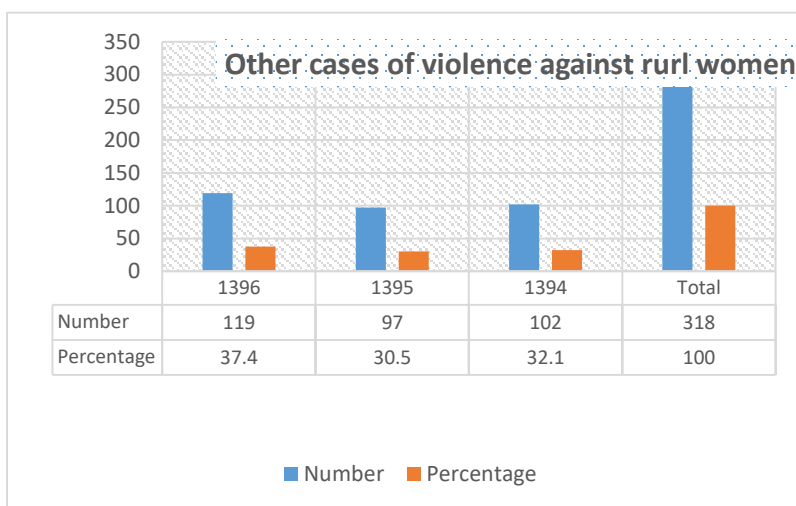


have an independent income and depend on the male member of the family to buy their supplies.

Data from the AIHRC's database show that over the past three years, 336 women from villages and rural areas have been victims of this form of violence. 88 victims in 1394 and 119 in 1395 and finally 129 others in 1396.

## 7. Other cases of violence

In addition to violations of the right to life, sexual violence, physical violence, verbal and psychological violence and economic violence, there are other cases in the AIHRC's databank, which have been registered under the category of other cases of violence against women in villages and rural areas....



The total of this violence has reached 318 cases over the past three years, 102 cases in 1394, 97 cases in 1395 and 119 cases in 1396.

## 8- Examples of violence against women and girls in rural areas and villages

What we have studied so far was a statistic that discusses the cases of violence against women and girls in general categories. But in the table below, examples of violence against women are listed in more detailed and in smaller breakdowns, describing violence against women in the villages and rural areas.

### Examples of violence against women in the villages

| Type of violence     | 1394 | 1395 | 1396 | Total |
|----------------------|------|------|------|-------|
| Burning/set on fire  | 2    | 7    | 6    | 15    |
| Sexual harassment    | 17   | 14   | 11   | 42    |
| Charge or accusation | 15   | 18   | 21   | 54    |

|                                                  |     |     |     |     |
|--------------------------------------------------|-----|-----|-----|-----|
| Forced to watch pornographic images              | 2   | 0   | 1   | 3   |
| Forced inter marital rape                        | 3   | 1   | 4   | 8   |
| Forced to prostitution                           | 7   | 9   | 6   | 22  |
| Forced sodomy                                    | 4   | 1   | 7   | 12  |
| Forced drug addiction                            | 0   | 2   | 2   | 4   |
| Husband's illegitimate relationship with others  | 1   | 4   | 3   | 8   |
| Forced isolation                                 | 9   | 10  | 12  | 31  |
| Giving for Bad                                   | 1   | 1   | 0   | 2   |
| Sexual assault                                   | 11  | 13  | 17  | 41  |
| Forced pregnancy                                 | 1   | 1   | 1   | 3   |
| Threats to divorce / expulsion from home         | 13  | 11  | 16  | 40  |
| Threat to murder                                 | 30  | 27  | 33  | 90  |
| Insulting for Disability                         | 0   | 3   | 0   | 3   |
| Insulting for not bringing a child               | 4   | 6   | 5   | 15  |
| Insult for not bringing male child (boy)         | 1   | 0   | 1   | 2   |
| Buying and selling under the pretext of marriage | 2   | 3   | 5   | 10  |
| Lack of access to health services                | 4   | 2   | 1   | 7   |
| Insulting / humiliating / intimidating           | 76  | 98  | 112 | 286 |
| Forced abortion                                  | 2   | 0   | 0   | 2   |
| Complaint for husband's polygamy                 | 7   | 5   | 8   | 20  |
| Non-provision of alimony                         | 81  | 89  | 109 | 279 |
| Trafficking of victim                            | 2   | 2   | 1   | 5   |
| Honor killing / killing                          | 14  | 12  | 10  | 36  |
| Mutilation of the organs                         | 1   | 1   | 0   | 2   |
| Beating                                          | 242 | 267 | 240 | 749 |
| Cause injury                                     | 8   | 13  | 28  | 49  |
| Preventing from selecting spouse                 | 21  | 16  | 16  | 53  |
| Denial of the right to education                 | 6   | 3   | 5   | 14  |

|                                                                           |            |            |            |             |
|---------------------------------------------------------------------------|------------|------------|------------|-------------|
| Denial of the right to work                                               | 1          | 1          | 3          | 5           |
| Prevent relatives visit                                                   | 10         | 12         | 11         | 33          |
| Denial of political rights/preventing from political and civil activities | 1          | 0          | 1          | 2           |
| Denial of the right to heritage                                           | 9          | 8          | 16         | 33          |
| Prohibition of taking possession of personal property                     | 12         | 10         | 9          | 31          |
| Forced engagement                                                         | 24         | 31         | 33         | 88          |
| Non-payment of dowry (Mehria)                                             | 3          | 3          | 6          | 12          |
| Forced labor                                                              | 5          | 4          | 5          | 14          |
| Negation of relationship                                                  | 2          | 4          | 2          | 8           |
| Etc                                                                       | 29         | 29         | 34         | 92          |
| <b>Total</b>                                                              | <b>683</b> | <b>741</b> | <b>801</b> | <b>2225</b> |

#### Violation of economic, social and cultural rights of women in the villages and rural areas

In addition to the provisions of Articles 12, 13, 16, 17 and 23, Articles 24 to 27 of the Universal Declaration of Human Rights has emphasized on the protection of, economic, social and cultural rights. These rights are also protected by the provisions of the Convention on Economic, Social and Cultural Rights, and the Governments that have ratified them shall be obliged to comply with and protect them. The Government of Afghanistan has also joined this important international document and, therefore, is required to provide, observe and protect the economic, social and cultural rights of its citizens.

Therefore, the observance of the economic, social and cultural rights of women in the villages is also a part of the government's duties and it is the duty of the government to implement effective and useful programs aimed at the development of these rights in the villages of the country. The main examples of this type of human rights are the right to property, the right to adequate housing, the right to education, the right to access to health services, the right to adequate living standards, the right to marriage and establishing of family and the right to

work, that as a results of continuous monitoring of the AIHRC a total of 87 cases of violations of these rights regarding the economic, social and cultural rights of women and girls in the villages of the country have been registered, investigated and monitored.

In the meantime, 20 cases of violation of the right to property were registered by the AIHRC's staff, of which seven cases were related to 1394, 6 cases to 1395, and 7 other cases to 1396.

4 cases of violations of the right to adequate housing include 1 case in 1394, 2 cases in 1395 and 1 case in 1396 was registered by the AIHC's staff.

In the past three years, only 1 case of the violation of the right to education was reported, which belonged to 1395.

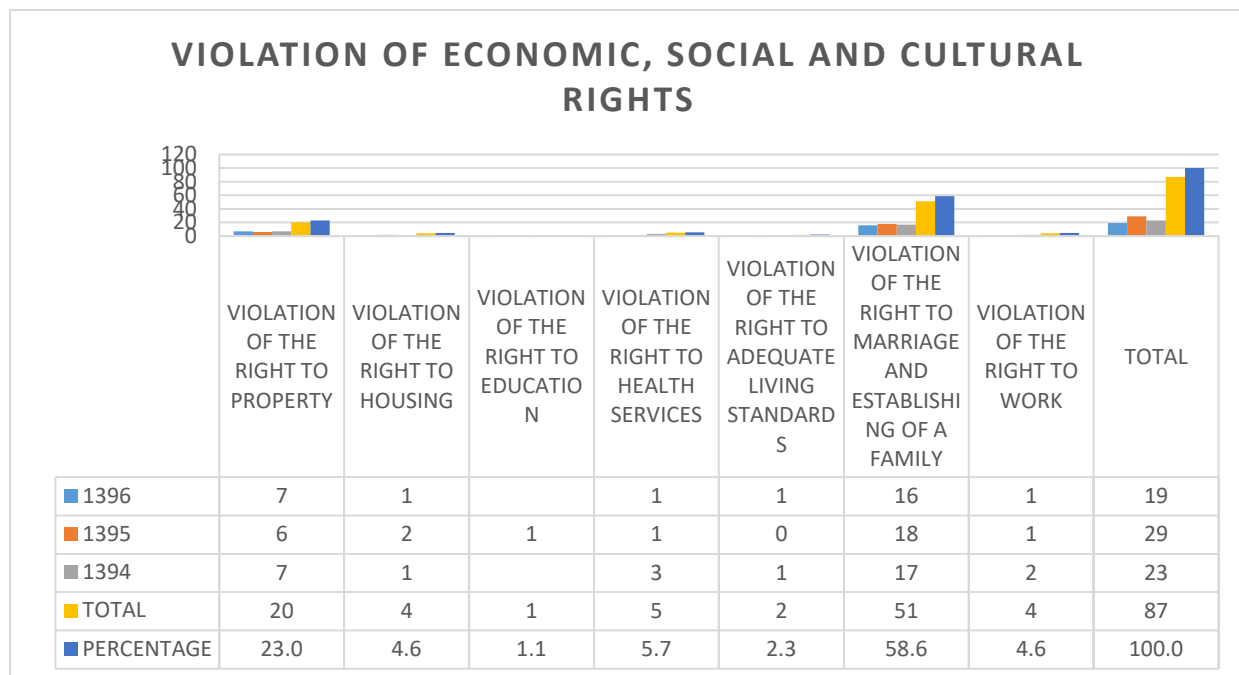
Also, 5 cases related to violation of the right to health services were registered, of which 3 cases related to 1394, and 1 case related to 1395, 1 case to 1396, that was investigated by the AIHRC's staff.

2 cases of violations of the right to access to an adequate standard of living including 1 case in 1394 and 1 case in 1396 were investigated and reported by the AIHRC's staff.

51 cases of violation of the right to marriage and establishing of family were registered, investigated and follow-up in the regional and provincial offices of the AIHRC, in spite of the serious challenges that exist in villages and rural areas of the country.

Out of 51 cases of violation of the right to marriage and establishing of family 17 cases occurred in 1394, 18 cases were registered in 1395 and 16 others in 1396.

Finally, four cases of violations of women's right to work in the villages have been registered as a result of the continuous monitoring of the AIHRC's staff at the national level, of which 2 cases occurred in 1394, 1 cases in 1395 and another case in 1396.



## Conclusion

Studies of this research showed that despite the work done so far on women's human rights protection, women in villages and rural areas still face serious challenges. There is still a violation of the right to life and honor killings that is reported as the highest figure, actually there is no significant capacity to prosecute and punish the perpetrators.

A notable number of women in the villages and rural areas of the country is still the victim of violations of human dignity and insult, humiliation and harassment.

Access to justice and the observance of the right of detainees has not been clearly defined, and there have been reports of violations of the right to legal proceedings in criminal cases of women living in the villages a rural areas of the country.

Access to economic, social and cultural rights is also faced with problems and requires more attention from the government and the international community.

As a result of this review, it became clear that in spite of all the efforts that has been made to protect women's human rights, there are still serious challenges that hinder a better life of women and girls in the villages of the country, and that we need to have more serious and accurate planning to solve these challenges.

More than 74 % of the women live in the villages and rural areas of the country, but, the opportunities and capacities required for the improvement of their life is very less compared to those available for women in the cities.

Still, women in the villages and rural areas do not have the opportunity to register their complaints in the justice and judicial institutions and be assured that their cases are fairly addressed.

We still witness killing of women, especially honor killings and even burning of women in the villages. Still, a large number of women are beaten for no reason and are victims the lustful desire of their male members of the family.

Violence against women in villages and rural areas of the country is still alarming and requires urgent action.

## Recommendations

- 1- The investigation and analysis of the priorities of women and girls in the villages aiming to make plans and develop effective programs for solving the problems;
- 2- Planning and implementing a comprehensive strategy for protecting the rights and privileges of women and girls in the villages and rural areas;
- 3- Planning and implementation of employment programs and projects for women and girls in the villages in order to strengthen their income and financial independence;
- 4- Formulating effective strategies for the development of the role of women and girls in the villages in agricultural and animal husbandry activities;
- 5- Review the section of the National Development Strategy, designed to protect the rights and privileges of women and girls in the villages, aiming at increasing its effectiveness in changing the situation of women and girls in the villages and rural areas of the country.

## Sources and references

1. The Constitution of the Islamic Republic of Afghanistan, adopted in 1382, published in Official Gazette No. 818
2. The Law on the Elimination of Violence Against Women of the Islamic Republic of Afghanistan, adopted in 1388, published in official Gazette No. 989
3. The Law on Prohibition of Torture of the Islamic Republic of Afghanistan, adopted in 1396, published in Official Gazette No. 1256
4. United Nations General Assembly, Sustainable Development Goals, Fifth Goal, adopted September 27, 2015
5. United Nations Charter, preamble, June 26, 1945
6. United Nations General Assembly, Convention on the Elimination of All Forms of Discrimination against Women, adopted December 18, 1979
7. United Nations General Assembly, Convention on Civil and Political Rights, adopted December 16, 1966
8. United Nations General Assembly, Convention on Economic, Social and Cultural Rights, adopted December 16, 1966
9. United Nations Security Council Resolution 1325, adopted on October 31, 2000
10. United Nations General Assembly, resolution 103/38 dated December 20, 1993
11. Universal Declaration of Human Rights, adopted December 10, 1948
12. The Convention on Civil and Political Rights, adopted December 16, 1966
13. <http://www.unwomen.org/en/news/stories/2017/12/op-ed-ed-phumzile-16days-day13>
14. <http://cso.gov.af/fa/page/demography-and-socile-statistics/demograph-statistics/3897111>