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## Transcript

# Protecting Women's Rights in Afghanistan

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**Michael Keating:**

Good evening, ladies and gentlemen. Thank you so much for coming. It's great to see so many of you. Today, as you know, we are going to have a discussion around protecting women's rights in Afghanistan. I'm going to introduce our speakers in a minute. My name is Michael Keating, I'm a senior consulting fellow here at Chatham House. Until about a year ago I was working in Afghanistan with the United Nations and have been lucky enough to be involved in Afghanistan for almost three decades.

As you probably know, we're going to kick off the session with a short ten-minute film. Delighted that the filmmakers are here with us and they will come up and join me. We also have Jawed Nader from the British Agencies Afghan Group. What I'm hoping for is a very lively discussion after that in which you will both pose questions and provide solutions for this topic.

Let me just begin by making a few opening remarks. I think most of you in the room are probably here because you have some kind of affiliation with or knowledge of or concerns about Afghanistan. Afghanistan is facing an extraordinary year coming up. It has presidential elections in 2014. The international troops are leaving – it's not entirely clear whether they will leave altogether or whether there will be a rump force left behind. That depends on the bilateral security agreement between the US and Afghanistan, as you've probably seen in the papers. The conflict is continuing. This is a country that has had 35 years of conflict. The number of civilians being killed is going up. The number of police and army being killed per week is staggering, it's something like 180 a week at the moment. I won't go into all the very impressive and distressing details in terms of the situation facing many ordinary Afghans, including refugees and displaced people.

And of course, there are many concerns about what all this will mean for women and girls. There are a number of big questions. Will the departure of the international troops make things better or worse for them? Has it helped their circumstances or not? Will a peace process, if it really gets going, be at the price of women's rights? Have the demands of women changed? Have women organized themselves sufficiently in the last ten to twelve years to improve their chances of protecting their rights? Indeed, some people even ask, have the Taliban changed – which in some ways is asking whether rural Afghan society has changed, because in many ways the Taliban are an expression – maybe not the only one and maybe not an uncontested one – of a deep seam in conservative Afghan society.

So there's a lot of questions. That's why I'm truly delighted this evening that we've got this event. I'm going to ask one of the two filmmakers to come up and join me. I'm going to introduce everyone just before they speak. So Clem, please come up. Clem is, with Leslie, the maker of the film. She is a very distinguished documentary filmmaker who has made films in Africa, in the Middle East. When I rang her to discuss this I said, why are we doing this over the phone? Why can't you come round and do it over a chat? She said, well, I'm actually in Haifa with Leslie and about to go across lines into goodness knows where. So she's a very active filmmaker with long experience of Afghanistan, and has made films for Channel 4, NBC, PBS, Current TV, the United Nations and the Aga Khan Foundation. So Clem, tell us a little bit about the film before we see it.

### **Clementine Malpas:**

Thank you, Michael. It's an honour to be here today. Thank you all for coming. As Michael said, we're going to show you a short ten-minute film about a woman named Gulnaz, who was raped, imprisoned and then married her attacker. It's good to see some people from Afghanistan here today. As anybody who knows me will know, there are fewer things I dread than standing up on a stage and talking, but it was important, and Gulnaz was brave enough to tell me her story so I thought I'd come here today to introduce her story to you.

The making of the film was a long and difficult process. We were hired by the European Union to make a film about women's rights in Afghanistan. It was an exciting job, it was a good opportunity to go to Afghanistan and we had extraordinary access into prisons all over Afghanistan. But it also gave me an insight into their commitment to women's rights in Afghanistan. We made the film for them over six months and by the time we'd finished the film, they banned it from being seen.

Since then, the film has changed a lot. We have followed Gulnaz from when she first arrived in prison – she was heavily pregnant with her daughter – through the birth of her daughter, through her sentencing which kept changing, through to her pardon by President Karzai and her life in the shelter, and eventually her marriage to the man who attacked her. As most of you will know a lot about Afghanistan, you'll know it's highly unusual for a woman in Afghanistan to talk openly about her private life, especially something as traumatic and as intimate as rape. But Gulnaz is exceptional

because she was bold enough to come out and tell us her story, but she is one of many women in such a situation.

**Michael Keating:**

Thank you. I know there's going to be lots of questions but I think the first thing we should do is see the film. Then we'll ask Leslie to say a few words and ask you to come back up here so that you can both answer questions about it.

[film showing]

**Michael Keating:**

Let me introduce Leslie, who is a photographer and filmmaker, a partner with Clem in Tiger Nest. Leslie, you spent nine years in Afghanistan, two years in Meymaneh, you run a radio station.

**Leslie Knott:**

Yes, we set up a women-managed radio station.

**Michael Keating:**

And you two have produced films and documentaries for many international channels and had your photographs published all over the place.

**Leslie Knott:**

Much uplifting subjects, such as Afghan cricket.

**Michael Keating:**

Cricket, absolutely, cricket. Tell me, is Gulnaz's experience typical or is it exceptional?

**Leslie Knott:**

I think the experience of Gulnaz being abused and having been attacked violently is very typical. Most of the women that we met in the prisons had had that experience. We spent two years shooting in the prisons and almost every case that we met, the women had the most horrendous stories that you just couldn't even imagine surviving through. It was really unimaginable to think that women could be treated like that. But what we realized, or from my experience working in Afghanistan, is – not every single Afghan woman, but I would say by and large most Afghan women, especially in the more rural areas, they don't have control over their lives. The people who control them are their husbands or their fathers or their brothers. So it's the men in their lives who are the ones who are calling the shots.

When we were making this film, the media started to get a hold of it. It created a huge media storm. It was so interesting to see how all of a sudden a very uneducated, illiterate young woman was all of a sudden cast into the spotlight. She was offered amnesty in many different countries but she didn't want to go, because she was illiterate and she would have been forced to leave the only country she knew and have to move somewhere completely foreign with her daughter. For her, I think it was easier for her just to get married and take that decision, rather than taking the decision to leave.

I feel that her choice to marry the rapist was born out of her lack of choice actually. Women don't live alone in Afghanistan. The shelter she was living in is basically an extension of the prison. It's not the fault of the shelter, it's just the way that the situation is. If a woman flees – as most of you know, if a woman leaves her husband or her family she has to go somewhere where she's protected. She wasn't able to leave, come and go, from the shelter and she was truly trapped within the conservative society.

While we were filming in April, there was a sense that hope among women being a priority to the West had somehow disappeared in the women that I spoke to. Many women I spoke to felt that the international community had already left, that it was a situation that was already – the door had shut. Mary Akrami, who you met in the film, the woman who runs the shelter that Gulnaz was in, when we were doing the interview she said to me many times: 'Who is behind us? Who is behind us, the Afghan women? Everyone was so interested in us, in helping us from 2001, but at this crucial point who is there? It's not necessarily financial, it's political. Who has the political will to want to really assist us when we need it the most?'

I feel that this is the most important time that Afghan women need this kind of support actually. For so long, the fight in Afghanistan has enabled funding to flow into different projects. Some have been very successful, maybe others not so successful. But I think now with the basic human rights on the negotiating table and the Afghan government not able to protect its women – women are being shot, police officers are being shot in the street – now is not the time for the international community to turn away.

It does seem like a dire, depressing situation. Seeing that film is pretty depressing. It is a very hard thing and it was very hard for us to go there and see, especially because we had seen her in moments where she had great hope. For a while she thought that she was going to leave. She had thought about the idea maybe she would take asylum, she would go to another country. But when we went to see her in April, she had such a deep resignation, and the realization that everything she was doing now was for her daughter. She really didn't think she had any opportunity for herself to live any kind of life. She had made the ultimate sacrifice for her daughter.

But in Afghanistan, I think it's not all grim. I think there are some very positive things that are happening. Aside from the violence that happens – and it's horrific – maternal mortality has gone down, there are people that are getting more education, business is flourishing in some areas. The female Afghan cricket team went on tour, and I think they were very upset when they returned – there was not a big kind of welcoming committee. But small steps, there are things that are being done.

But I see the fear. Lynne O'Donnell wrote an article last week talking about the general fear that the freedoms the Afghans have won over the past decade, particularly in women's rights but also in media, are being reversed right in front of our eyes. The Elimination of Violence Against Women – the EAW law which was introduced in 2009 – it should have been a major step forward in ending violence in cases like Gulnaz, but unfortunately in many cases, many courts, they are not aware of the law or they are unwilling or unable to uphold it, meaning that the violence continues.

I feel that change has to come from within Afghanistan, within the context of Afghan society, and change obviously doesn't happen overnight. Perhaps maybe we found ourselves impatient with Afghanistan, and we felt that we were ready upon our schedule – when we were ready to leave we felt that all the T's should be crossed and the I's should be dotted. But I think maybe that's unrealistic.

For me, the question now is: how do we help ensure that what we do leave behind does have a fighting chance of survival? As Heather Barr, who also was in the film, from Human Rights Watch said: 'Front-line fighters for women's rights in Afghanistan don't have the luxury of ending their struggle next year.' The battle for women's rights has been a long, painful and continuing process worldwide.

**Michael Keating:**

Thank you. That was very sobering, but I think your point about change must come from within – is that because you think dependence upon the international community – I mean, it may not last, so unless there's change from within Afghan society, it won't be sustainable?

**Leslie Knott:**

Yes, I think the change has to come from within because it needs to be them making the decisions. So instead of capacity-building so many women, they should be capacity-building a lot of men. I always thought that, from 2004 when I lived in Meymaneh. I felt like there should be more interaction with trying to bring everyone together as a whole movement of trying to figure out what's best for them.

**Michael Keating:**

That's a perfect segue to our last speaker, whose capacity has been seriously built when it comes to an awareness of women's rights and empowerment. I'm really delighted, Jawed, that you've been able to join us. You are the director of the British & Irish Agencies Afghanistan Group and you've got extensive experience both in government in Afghanistan and in civil society here as well as there. You were with the Land Authority, I think, and the Ministry of Agriculture, and worked as advocacy manager with the Afghan Civil Society Forum for four years. So thank you so much for joining us.

I think it's truly appropriate that we should ask you, as an Afghan man, to speak to this subject. I guess the obvious question raised by what we have seen and what's been said so far is: where do the responsibilities for protecting women's rights and for encouraging women's empowerment and for protecting the gains – where do those responsibilities lie?

**Jawed Nader:**

Thank you, Michael. Thank you, Clementine and Leslie, for the great work. I should be honest and say that Michael originally wanted an Afghan woman, gender specialist.

**Michael Keating:**

I've got one. Not a woman, but –

**Jawed Nader:**

I was the closest he got. Maybe I should borrow a verse from Saadi Shirazi, a 13th-century Persian poet. He was one of the most influential poets and writers in Persian literature. His works are sources of moral and spiritual teachings for centuries. His famous 'Human beings are members of a whole, and creation of one essence and soul' is inscribed in the Hall of Nations in the UN building in New York. But in his book *Bostan* he gives another, rather different piece of advice. He says [in Persian], which means: If your wife attempts to go to bazaar, beat her; otherwise, sit in house like a wife.

Afghanistan has changed much in the last twelve years, let alone from the time of Saadi. But the more nuanced versions of the same question still linger on many Afghans' minds. *The Parable of Gulnaz* is one of the examples. Thousands of Afghan women see violations of their rights on a daily basis, and so do millions of women around the world. I should give you some statistics. Around 1.5 million women suffered from domestic abuse. Every day around 1,100 women are sexually assaulted. Every 7.5 minutes, one woman is raped. These figures are not about Afghanistan; they are announced by the Home Office in this country, about violence against girls and women in the UK. Calculating on the basis of these statistics, since the beginning of this meeting three women may have been raped in the UK only.

The figures can be misleading though. Just because more rapes are reported in the UK, and just because five per cent of the MPs in the Wolesi Jirga, the lower house of the Afghan parliament – five per cent more women there than in the House of Commons, it does not mean that Afghanistan is a better place for women. Now that we are embarking on the security, political and economic transitions in Afghanistan, it is important for us to see the relationship between quality and quantity with regards to women's rights in Afghanistan.



Let's address the questions that Michael asked. Where does the responsibility lie? Before that, I'd like to say: what are the risks now for women's rights in Afghanistan? To do that, I think most of the risks beyond 2014 threaten the society as a whole, but women and vulnerable groups will be hit the hardest. Increased joblessness. Civil war, god forbid. Decreased international attention, reduced civil liberties – they will hit women, men, especially rights activists, minority groups in Afghanistan, the hardest. We experienced this during the civil war and during the Taliban rule, and unfortunately large parts of the country still experience this on a daily basis.

To answer, we may need to look at what was the attitude and policies of the governments of Afghanistan before 9/11. In other words, what was the state of nature with regards to Afghan women? Amanullah Khan in the early 20th century, the young reformist king, he made women's primary education compulsory and he also banned early marriage. By mid- to late 1970s, middle- and upper-class women found themselves in higher executive positions in the country and they also entered the legal system. During the rule of Soviet-backed regimes in Afghanistan, until the arrival of the holy warriors, 70 per cent of teachers, 50 per cent of the civil servants and 40 per cent of the doctors in Afghanistan were women. Afghans witnessed horrific violations of women's and human rights during the civil war and during the Taliban time.

Despite these mixed results, there are some common features. One is that policies in Afghanistan have been influenced by external factors and they have been pushed down from a top-down approach by the elite. The policies have been derided by the conservatives, much to their success. The policies were successful in communities and families with relatively better economic means and prospects. Finally, women's conditions improved with relative political and economic stability.

The biggest risk in Afghanistan, after civil war, is that the conservatives win over the reformists. It is when the rights activists and change agents are weakened, when the progressive policies are rolled back. Last but not least risk is when policies are made without due consideration of the social and economic context of Afghanistan and made policies are not implemented.

This leads me to the real question, and that is: who is responsible for protecting women's rights in Afghanistan? I personally think that the first and foremost responsible entity is the Afghan government, and then the Afghan people themselves. International actors such as international governments and international civil society have an important support role, but given the

fact that 90 per cent of the current Afghanistan development budget comes out of the international pocket, we cannot imagine that reduced international attention will be of any help to women in the country.

Specifically, I would recommend the following to ensure that women's rights are protected in Afghanistan beyond the presidential elections, beyond the international troops' withdrawal and beyond the decreased international assistance in 2014. One is that threats such as the collapse of the Afghan army, Afghan police, the government, and the continuation of violence – they should be given priority. Second, in the peace talks, the quality and quantity of women's voices should be ensured. There should be no compromise over the constitution of Afghanistan, especially women's rights at any rate. In the justice sector too, the quality and quantity of female judges are important. The culture of impunity for sexual violence should be tackled. Unfortunately we have not seen the perpetrators come to justice and be made an example of.

At the local level, robust mechanisms should be put in place to monitor the informal justice sector – the *shuras* and the *jirgas* – so that their decisions are not in violation of the current Afghan laws. Also the number of female police personnel should be increased. Efforts should be made to make the recruitment process more women-friendly, and province-specific interventions should be made. The Elimination of Violence Against Women (EVAW) law should be implemented at full rate –

**Michael Keating:**

Because it's a decree at the moment, isn't it?

**Jawed Nader:**

It is a law.

**Michael Keating:**

It's a law but it's been slightly hollowed out, I think, isn't it?

**Jawed Nader:**

Recently, there was a discussion in the parliament and it is still in the parliamentary agenda to discuss it. But it is a law. The courts had been using it. But with this controversy over the law now, the courts have been reluctant

and they are waiting for the parliament to discuss it. So this law has to be implemented. At the prevention level, the ERAW commissions should be supported. The international donors should put aside the political correctness in key moments and go public in their support. They should also talk to unfriendly MPs, members of the Ulema Council and judges.

I think lack of information and malpractices and opaque decision-making process is detrimental to society as a whole and women in particular. International donors should continue to support the Afghan government's efforts to ensure that women have access to basic services, health services and education. Also they should support gender-sensitive or gender-responsive budgeting that are need-based and transparent. If conditionality is ever to be introduced, efforts should be made that women are not losers of that aid conditionality.

Women's rights activists are much stronger today than they were 12 years ago but partnerships among them, and between them and the Afghan government and international actors, are very weak. In the Kabul level, the relationship is mostly individual-based, and in the provincial level they are largely absent. So those interactions could be made more effective.

In terms of tackling violence, while long-term investment can be made in preventive measures, support to shelters is immediately needed. That is not just financial support but also technical support, especially in information management and public reporting.

Before I take much of your time, I'd like to mention my last point. I'm optimistic that Afghanistan will one day get closer to the international human development indices – closer to the UK. I hope I live to see that day. I'm also confident, albeit with a lesser degree, that by then the UK will have solved some of the gender inequality issues that the Home Office is tackling now. We might be in the right direction to do that, if not in the right place. Thank you.

**Michael Keating:**

Thank you very much. It makes you realize that – one of the things that I draw from what you said is how women's rights have been heavily politicized in Afghanistan, throughout the history of women's rights, including by the communists and then by the Taliban. That is really worrisome for those who are trying to move things forward.

Also a question that's provoked by your presentation is whether the foreigners have an inflated sense of their own importance, in terms of their ability to protect and promote rights, which is a similar point to the one you were making. On the one hand we're saying that the international community must stay engaged, must speak out, must continue to put its money where its mouth is; but on the other hand, really profound and sustainable change has to come from within Afghan society.