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### Afghanistan: The challenges of defending women's rights in Kandahar

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The killing of Safiye Amajan by the Taleban on 25 September 2006 again highlights the dangers facing women human rights defenders (HRDs) in Afghanistan. Safiye Amajan, the head of the Department for Women's Affairs (DoWA) in the southern province of Kandahar, ran a school from her home during the period of Taleban rule. She subsequently led DoWA projects in Kandahar province that included the establishment of schools and the provision of education to hundreds of girls and women. She opened vocational training centres that enabled women to develop skills previously beyond their reach.

Women HRDs in Kandahar -- and elsewhere in Afghanistan -- are caught between a near-total lack of personal security, resurgent Taleban attacks and the killing of civilian men and women resulting from military action undertaken by the International Security Assistance Force (ISAF).

On 3 October, a prominent woman HRD in Kandahar wrote to Amnesty International (AI) describing "the challenges of defending women's rights in the southern Afghan province of Kandahar". She said:

*"...in advocating women's human rights, one of my goals is to let the civilised world know about realities in this part of the world. But please make sure that my name is not mentioned... you better say 'a woman HRD in Kandahar'. This is necessary for my own security in this volatile situation."*

In her letter, she wrote:

*"Despite the severely deteriorating security situation in Kandahar City, I continue to work for women's rights in a circumspect manner and amidst real threats all around me. Struggling for women's social, economic and political rights, we hold our meetings in private houses to at least be able express and discuss some of the core issues in regard to our civic rights and search for the few ways possible to secure them."*

*"What really threatens women in Kandahar province these days is their overall security and safety while outdoors; safety amid terrorist threats from the extremist and regrouped Taleban and the ongoing fighting between government forces and militants in the region. For this reason, women do not dare come out of their homes and send their girls to schools. On the other hand, job and food insecurity for women has further weakened their state in this conservative society."*

*"Almost every day there are suicide attacks, bomb blasts and fighting that always results in the killing of civilians in large numbers, including women and girls. In my recent meetings with displaced families of Panjwaie district – an area that has been the scene of intense fighting between Taleban and the government and foreign forces - I have come to know that a number of families from Pashmol village have lost their girls in chaos while escaping heavy aerial bombardment. Though the heavy fighting is now over, their girls are still missing and they don't know who may have taken them."*

*"In another brutal incident in Zangawat village of Panjwaie district, a whole family of 22 members was killed in a mistaken air strike by NATO planes. Among the dead were seven women including pregnant females and a mother who was giving birth at the time of bombardment. In the past three months, scores of women and children have died as a direct result of fighting. Girls' schools in rural areas are either being burnt down or closed due to continuing threats from Taleban. People in the war-torn areas now say "we now both (sic) hate Taleban and Government/ Coalition"."*

*"I have also confirmed reports from the city districts that in the past nine months, seven women have been found dead in different parts of the city with no-one claiming responsibility for their killings. In most cases, the suspicion goes to domestic violence and the recent terrorist killings by the Taleban in order to stop women from coming out of their houses to work for their livelihood.*

*"In my struggle to raise awareness amongst Kandahari women about their rights and make government hear their voices, I have taken the above issues on several occasions to local authorities and the governor. They say, 'we are working hard both militarily and politically to overcome the security situation and once the security problems are solved then every thing will be better'. This often repeated government statement is now viewed as not being credible amongst locals because of its proven failure.*

*"So far as my personal security is concerned, I'm still on my own. I have no armed protection from government nor can I keep private guards to accompany me all the time. In the past few months, I have been receiving phone threats from unknown numbers and people threatening me if I don't give up working for women's rights they will kill me. As a precautionary measure, I am trying to keep my profile as low as possible these days and until it's a bit safer to move around."*

Tragically, this human rights defender's experience is not unique. Safiye Amajan's counterpart in the neighbouring province of Helmand, also in southern Afghanistan, had received death threats, some of which were renewed following the killing of Safiye Amajan. It has been reported that the provincial heads of DoWA in the provinces of Nimrouz, Farah, Zabul, Khost, Uruzgan, Paktia, Logar and Paktika provinces have all faced death threats from unidentified armed men. Taken together, these provinces account for the whole south, as well as parts of the centre and east of the country.

Safiye Amajan's colleague in the eastern province of Nuristan told AI that she had faced threats to her security. These have been made by mobile phone, "night letters" -- messages posted on the walls of public places at night -- and by messages delivered by hand to her place of work.

Providing practical protection to women HRDs -- including government employees like Safiye Amajan -- throughout Afghanistan is complex. In an environment where the government is unable to guarantee the rule of law or provide effective protection to human rights defenders, it has been left to defenders themselves to determine how best to protect themselves.

Women HRDs, including those in government posts working to advance women's rights, live amongst those they work with and are amongst them on a daily basis. They are exposed and no security measure can ensure protection 24 hours a day. They are confronted with the prospect of needing armed guards to ensure their protection and this is a great cause for concern amongst the HRD community in the country.

Some measures may serve to increase their public profile and thereby increase the risk. In the context of Kandahar, providing for the security of one woman HRD in an environment where armed opponents to the government are active is hardly a viable option. The provincial authorities in Kandahar have reportedly tried to ensure that the concerns of women's groups are heard and have suggested that their meetings could be held at government facilities. Women's groups in the city, however, fear being seen at government buildings. As the woman HRD in Kandahar observes, if they are seen at these places, "they will soon face the fate of Safiye Amajan."

Afghan women seeking to peacefully defend their own rights or the rights of others have been the targets of harassment, intimidation and attacks over decades in Afghanistan. Afghan armed groups have been particularly intent in targeting women human rights defenders. The recent wave of attacks against women HRDs show the vulnerability of these women in Afghanistan. In Amnesty International's view, armed groups who have been the main perpetrators of this cycle of violence against women HRDs have an undeniable responsibility to end it.

AI is therefore, in the first instance, urging all armed groups in Afghanistan to stop using violence against women HRDs at all times regardless of their own political programme or ideology.

Amnesty International is also calling on representatives of the international community in Kabul, in consultation and collaboration with the Afghan Government and Afghan HRDs, to facilitate a new approach in developing and implementing practical measures that can be used by the Afghan Government to extend its protection of HRDs and by HRDs to find better ways of protecting themselves in the absence of other forms of protection.

### **The way forward: Women take a lead**

Human rights defenders -- women and men -- play a vital role before, during and after conflict.

All human rights defenders face increased pressures and risks during armed conflict. However, despite facing enormous personal risks, women are at the core of the human rights movement seeking justice in response to the human rights violations confronting them. Human rights defenders may also be targeted by armed groups who may threaten them on account of their activities, may seek to control their behaviour, restrict their freedom of movement and specifically target them for promoting women's human rights.

Throughout the world, women's groups have joined across national, ethnic, political and religious divides to demand the right of women to be involved in peace processes and to help end conflicts.

### **Amnesty International and the conflict in Afghanistan**

AI calls for the parties to the conflict in Afghanistan to comply with their obligations under international human rights and humanitarian law.

AI condemns any deliberate attacks on civilians, whether through planting bombs in public places or railway stations or bringing down buildings and killing people. The deliberate targeting of civilians constitutes a serious abuse of fundamental human rights and runs counter to basic principles of humanity. AI calls for those who commit such atrocities to be brought to justice in fair trials. Deliberately attacking civilians can never be justified.

AI urges all states, armed groups and individuals to stop using violence against civilians in pursuit of their aims. Violence and terror only breed more violence and terror.

AI calls on leaders of armed groups to denounce human rights abuses – including torture, hostage-taking and deliberate or indiscriminate attacks on civilians – and to take action to prevent perpetrators from repeating such abuses. Where possible, AI addresses its concerns directly to the leadership of such groups.

Crucially, AI urges all governments not to respond to terror with terror. It has repeatedly exposed and condemned human rights violations committed in the name of security as well as measures that undermine fundamental human rights, such as torture and cruel, inhuman or degrading treatment.

In respect to offensives taken by all foreign forces in Afghanistan, AI has repeatedly reminded the authorities that they are legally bound to observe at all times the rules of all applicable human rights and humanitarian law treaties to which they are states parties, as well as rules of customary international law applicable to all states. The Afghan government and the leaders of the foreign forces must issue clear instructions to their forces

- prohibiting any attacks targeting civilians or civilian objects, (including in reprisal);
- prohibiting attacks that do not attempt to distinguish between military targets and civilians or civilian objects (indiscriminate attacks);

- prohibiting attacks that, although aimed at a military target, have a disproportionate impact on civilians or civilian objects;
- prohibiting attacks on objects indispensable to the survival of the civilian population
- prohibiting attacks using inherently indiscriminate weapons;
- to treat humanely all prisoners, the wounded and those seeking to surrender -- prisoners must never be killed or held as hostages, tortured or be subjected to inhuman treatment and outrages upon their personal dignity, in particular, humiliating and degrading treatment;
- to take all other necessary measures to protect the civilian population from the dangers arising from military operations, including not locating military objectives among civilian concentrations;
- to punish all breaches of the laws of war and to ensure that those responsible are brought to justice.

Amnesty International emphasises that all persons detained during and following operations, without exception, must at all times be treated humanely with full respect for their rights, in accordance with relevant provisions of Geneva Conventions and international human rights law.