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Gender Equality and Political Rights for Women: A Case Study in Afghanistan

Bensdorp, Josephine

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Bachelor of Political Science: International Relations and Organisations

Gender Equality and Political Rights for Women:

A Case Study on Afghanistan

Bachelor Thesis

Joséphine Bendsorp

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Supervisor:

Prof. Janina Heaphy

List of abbreviations

AWN	Afghan Women's Network
AWRO	Afghan Women's Rights Organization
ANDS	Afghanistan National Development Strategy
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DEVAW	Declaration of the Elimination of Violence Against Women
IO(s)	International Organisation(s)
NAPs	National Action Plans
NGO(s)	Non-governmental organisation(s)
OHCHR	Office of the High Commissioner Human Rights
UN	United Nations
UNSC	United Nations Security Council
UNSCR	United Nations Security Council-Resolution
UPR	Universal Periodic Review
VAW	Violence Against Women
WILPF	Women's International League for Peace & Freedom
WPS	Women, Peace, and Security

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Introduction

“Young and educated Afghan women tell me they are burning their degree certificates and diplomas, so that they won't be targeted by the Taliban fighters going door to door. This is beyond heart-breaking.” (Byatnal, 2021). This is a tweet sent out to the world on the 16th of August 2021 by journalist Amruta Byatnal, a few days after the Taliban took over the Afghan government. Stories on how educated women in Afghanistan started burning their diplomas and educational certificates were told and spread by for example Amruta Byatnal. Burning these documents was meant to keep them safe, as the Taliban started killing educated citizens. This new threat to women who are not even in positions of power, but merely educated shows the problems still surrounding the implementation of women's rights. On October 31st, 2000, the United Nations voted unanimously on a new resolution, Resolution 1325, a new list of agreements on women's rights within armed conflict. This resolution focuses on the presence of women in armed conflict all around the world and how to incorporate women in finding a solution to armed conflict or even to avoid armed conflict altogether (United Nations, 2000). 21 years after the vote on this resolution, it can be concluded that women's rights are still being violated in conflict zones. As written in the tweet above, even the right to education now has been taken from women in Afghanistan.

An article written by NRC journalist Hanneke Chi-A-Fo on August 20th, 2021, shows the need for the right implementation of women's rights in Afghanistan. In the article, 20 interviews with women from Afghanistan can be read. All of them say that they are afraid of the Taliban and uncertain about what the future will hold for them. New laws implemented by the Taliban make the lives of women almost impossible, for example the *mahram*, an Islamic law that makes it forbidden for women to go outside without the company of a man (Chi-A-Fo, 2021). The treaties and resolutions written by the United Nations don't do the work they need to do, one woman says. In this thesis I will answer to the following question: “How does the United Nations contribute to women's rights in Afghanistan post-Cold War era?” The relevance of this question can be found in the urgent problems that arise in Afghanistan concerning women's rights and the Taliban.

Research done on women's rights in Afghanistan tells us the United Nations has written multiple treaties and resolutions on this issue. However, it does not tell if these have an effect on the life of a woman in Afghanistan. This thesis will cover this question by researching

treaties written by the United Nations on women's rights (in Afghanistan) and by researching reports written on the actual living situation in Afghanistan, checking if the treaties have an effect. The theory which will be used is feminist institutionalism, which focuses on gender roles within institutions and how the discourse surrounding gender can be improved. Furthermore, the documents will be researched using a qualitative content analysis, while having a diverse case study as the outline of the research.

This research will consist of a short overview of the literature that has been written on women's rights, in particular in Afghanistan. Next, it discusses which methods and theory will be used while answering the research question. For the methods, as mentioned previously, a qualitative content analysis will be done, where documents written by the United Nations, the Afghan Women's Network (AWN), Afghan Women's Rights Organization (AWRO) and the Women's International League for Peace & Freedom (WILPF) will be read. These documents will be coded, which can be found in Appendix A, based on the indicators and the influence which will be discussed in the chapters Theory and Methods. When the documents are coded, chapter Results will discuss how the information can answer the research question.

Literature review

Effects on women in armed conflict

The article of Snoubar & Duman (2016) focusses on women and children in conflict and war zones on multiple layers; psychological, health, educational and social. As mentioned previously, women and children are often neglected in war and conflict zones, and the international laws written to make sure this does not happen, are not working the way they are supposed to in these situations. However, non-governmental organisations (NGOs) have played an important role in providing facilities for women and children in conflict zones. The article concludes with the statements that women and children are always the first victims in situations of war and conflict, and that there should be international law and international organisations (IOs) that focus on this problem. Susan McKay (1998) wrote an article called *The Effects of Armed Conflict on Girls and Women*, which speaks of different effects on this community. During the time of writing this article, in 1998, it became more and more clear that women and children are in fact used in tactics of war (p. 382). The United Nations started doing more research on this subject and from that moment on more attention went to the discovered problem. McKay looks, among other things, into the United Nations *Platform for Action*, a platform that is focused on the relationship between women and men, and how working together

would bring so much more profit into the lives of both communities. Likewise, as the article above, the article of McKay (1998) continues on the effects on women and children, looking into psychological and health effects. The article concludes on how women play an important role in the safekeeping of their children and their community, but must therefore also be protected in this safekeeping and rebuilding (p. 391). Resolution 1325 thus *urges* the Member States to increase the presence of women in decision-making on all levels, and also *reaffirms* the importance of women in the prevention of conflicts, which led to the idea that equal participation is needed when working towards peace (United Nations, 2000, pp. 1-2).

Gender roles in Afghanistan

Before Resolution 1325 was officially written and voted on, the United Nations sent a Gender Coordination Unit towards Afghanistan, to discuss the gender policy within Afghanistan. This is evidence that even before resolutions on women in armed conflict were written, the United Nations was willing to put gender roles on the agenda in Afghanistan (Morris, 1999, p. 744). Research done on the perception of gender roles within the Afghan community by Manganaro and Alozie (2011), shows that gender roles in Afghanistan have been highly politicized for the last century. They have ascribed roles and as Manganaro and Alozie say the women's subservient role is designed to complement the men's superior role (Manganaro & Alozie, p. 517). Gender roles are embedded in the way men and women think of ethos and values, which leads to both genders sharing these gender roles, since women and men share the same values and ethos (Manganaro & Alozie, p. 519). Furthermore, Manganaro and Alozie write about the development of these gender roles compared to parts of the liberal world. This research shows that within Muslim societies gender roles have not developed as much as in other parts of the world, and even in some instances has become even more stricter in connection with their beliefs (Manganaro & Alozie, p. 520). However, women and their rights have seen change in the Afghan Constitution, with the expansion of economic and political rights, such as having access to electoral institutions, which increases their presence within political bodies. The one downside to this development however is the fact that this was led by external factors and *trade-offs* for foreign development assistance (Manganaro & Alozie, p. 520). The article concludes that women in Afghanistan do find their rights important, but are more concerned with having basic human rights, instead of focusing for example on political participation (Manganaro & Alozie, p. 527).

However, in Afghanistan, there is an important division between constitutional law and their own Islamic law, which is different from the Sharia (Hozyainova, 2014, p.3). As written in the article of Manganaro and Alozie, women in Afghanistan have plenty of rights under the constitution, continuing with examples such as the right of equality between women and men in Afghanistan since 2004 (Hozyainova, p. 2). Women can vote and run for elections, something that happened quite often during the last two decades. The problem with these rights that have been added to the Constitution the last few decades, is that they are not implemented correctly into society (Hozyainova, p. 2). Another important note to this is the fact that the Islamic law is seen as more important than the Constitution of Afghanistan. Before constitutional laws, both old and new, are accepted in society, Afghan people first want to know how these laws align with the *Quran* and the *Sunnah* (Hozyainova, p. 4). Further research done on this discovery led to women's rights organisations keeping the Islamic law and Sharia close while trying to advocate for more rights for women in Afghanistan, in a way to check if it would be accepted in society accordingly (Hozyainova, p. 4). Eventually, it became clear that using the Islamic law perspective would work best while trying to implement women's rights into Afghan society (Hozyainova, p. 5). With this in mind, the Afghanistan government signing treaties on women's rights such as the Convention on the Elimination of All Discrimination against Women (1979) will not be of much use if the Islamic Law is not kept in mind while writing and adopting treaties and official documents (Shah, 2005, p. 239).

Expanding on basic rights for women, the Afghan Constitution added equal pay and universal suffrage to the rights in 1964, as Stabile and Kumar (2005) write in their article. Before the end of the Cold War, women and girls attended schools in Afghanistan and participated in a large part of society (p. 768). As the Cold War came to an end in 1989, the attacks on women began. Later in 1992, the new government, a *Mujahideen* government (meaning a group of Jihadi warriors) in Afghanistan suspended the constitution, which therefore removed the laws written for women. When the Taliban took the power in 1996, the last remaining rights for women would be denied from that point on (p. 768).

The United Nations has written several treaties on women's rights in Afghanistan specifically. One of the most important being Resolution 1325, apart from many other treaties written. Within literature, the question if these treaties have been implemented correctly or in a way that is sufficient for women has not been answered yet. Since the United States led the 'war on terror' lots of articles have been written on their influence in Afghanistan and on women's

rights, but the United Nations does not play the same part in literature. Therefore, in this thesis, the focus will be on the contribution of the United Nations on women's rights in Afghanistan, post-Cold War era. The articles discussed above show broad research done on women and women's rights in Afghanistan and how the UN and other organisations have been involved in this discourse. The literature shows that women do have rights in Afghanistan, written in their constitutional law and implemented in society when accepted by their own Islamic Laws and traditions. However, even though the literature speaks of treaties and documents written (in this case) by the UN, there is little to no literature to be found on the effects of the international organisations and their treaties on Afghan society, equal with literature on the United Nations.

Theory

In this chapter the chosen theory will be discussed, which in the case of this research is the feminist institutionalist approach or feminist institutionalism.

Feminist institutionalism

The theory implemented in this thesis will be the feminist institutionalist approach. This theory focuses on how political institutions can have an impact on the daily lives of women and men, and to what extent gender roles and norms play a part in society (Krook & MacKay, 2011, p. 1). During the last decades, the demand for gender equality has been growing within the discourse of democratization and modernization, being part of the new norms, which have been implemented in networks and society (Krook & MacKay, p. 2). Krook and MacKay (2011) discuss where gender inequality and patriarchy derive from, saying the institutions and organisations were built on a male-led society, making them not the starting point of this inequality. The starting point can be found at macro-level, coming from a rooted stratifying system, called the patriarchy. States, however, are seen as bureaucratic and patriarchal, therefore making their institutions of states based on patriarchal norms and values. An important statement in their book is the fact that institutions which have a masculine bias, are theoretically able to change their views and values (pp. 3-4). Furthermore, feminist institutionalism takes a look at gender in the existing discourse and field, criticising it, but therefore also simultaneously seeking ways to overcome this blindness (MacKay, Kenny & Chapel, 2011). The main goal is to include women in the political process and to put gender equality into the already existing discourse on institutionalism. They state gender could have a great impact on political institutions, which should not be overseen (2011, p. 574). The approach is rapidly growing and gaining more influence in the field of political science.

Additionally, it is interested in creating new institutions, based on more gendered norms, but it is also taking a close look at both formal and informal existing institutions and how they have rendered gender norms into their policy (Thomson, 2019, p. 599). Feminist institutionalism has not been brought into the world of politics and science to overshadow institutionalism on its own, but has been put into the field to see how both theories can go hand in hand to help each other answer key questions within the research field (2011, p. 574).

In combination with the research question and the feminist institutionalist approach I will dive into treaties and documents which play an important role within the discourse on women's rights in Afghanistan. The approach focuses on which gender roles and norms have a value within institutions, in this case the United Nations. These gender roles should play an important role in organisations, making it an interesting view on how the United Nations might affect this in Afghanistan. The institution can play its part when implementing the feminist agenda into their discourse (Thomson, 2019, p. 598). An important part of the feminist institutionalist agenda is the Women, Peace and Security (WPS) agenda created by the United Nations. This agenda begins with Resolution 1325, in 2000. Later on, the Convention on the Elimination of Violence Against Women (CEDAW) was added to the WPS, and National Action Plans (NAPs) were created by member states, for example Afghanistan's National Action Plan on UNSCR 1325-Women, Peace, and Security (2015-2022). The WPS was created after decades of lobbying by the Women's International League Peace and Freedom (WILPF). The WPS now consists of 8 resolutions, all of them except Resolution 1325, being a follow-up on the first one (Thomson, 2019, pp. 600-601). The feminist institutionalist approach lobbied for a broader conversation on women's rights in IOs, which eventually led to the United Nations creating a platform for this discourse. Looking at the research question, this would mean the United Nations could influence the discourse on women's rights in Afghanistan, which is a member state of the UN. The more precise indicators on which the UN could have an influence are tested in the following hypotheses:

H(1) = The United Nations has a positive effect on gender equality in Afghanistan.

H(2) = The United Nations has a positive effect on political rights for women in Afghanistan.

In the next chapter, the hypotheses and methods which will be used while testing these will be discussed further.

Methods

In this chapter I will discuss how the case selection for this specific research came to be. Within the research question, there are multiple variables which will be discussed in this part. Furthermore, this paragraph will explain and speak of the indicators which will be used during the empirical analysis of the treaties and documents written by the United Nations.

Case Selection

The United Nations has been chosen as the independent variable, since it is the biggest international organisation, giving them the power to have a certain influence on member states. Founded in 1945, The UN is an organisation with 193 member states, working towards “peace, dignity, and equality on a healthy planet” (United Nations). One of their areas of interest is ending Violence Against Women (VAW), issued in the Declaration of the Elimination of Violence Against Women, written by the UN General Assembly in 1993. The United Nations undertook this new focus, even though one of their Charters main principles is the equal right for men and women (Reanda, 1981, p. 12). Before the DEVAW was written in 1993, the United Nations adopted another treaty on women, the Convention on the Elimination of All Forms of Discrimination against Women (1979). Only after this treaty had been adopted by the UN did the problem of gender inequality become widely acknowledged across the globe, as well as the separation between the rights men had and the rights women didn't have (Reanda, p. 13). The reason the United Nations has been chosen as the international organisation within this research is therefore quite simple. The United Nations can be expected to have the largest impact on society worldwide, since it is the biggest international organisation. Hence looking closely at the effects and contributions they made to Afghan society in this case.

The reasoning behind choosing Afghanistan as the leading country in this research is derived from the current situation in Afghanistan under the new rule of the Taliban and the United States (and therefore other countries' armies) leaving the country. Afghanistan is an example of a country which shows how much can change in only 20 years, in this case since the Taliban left in early 2000s and since they returned in summer 2021. For twenty years, the Afghan people lived in a country where having rights was increasingly normalised, which led to a more

democratic and modern society. After the war with the Taliban, in December 2001 the United Nations and official government members of Afghanistan talked about an agreement on re-establishing permanent government institutions, wanting to create a new era focussed more on democracy and freedom (Sevastik, 2019, p. 94). The agreement was officially called the Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions. The Bonn Agreement, named after the city in Germany where the talks were held, recognized the different parts of Afghan law and constitution, based on Islamic principles and Afghan legal traditions, but also the international law and rule of law (Sevastik, 2019). Even though the Bonn Agreement discussed multiple levels of creating a democratic Afghanistan, ending the war, and establishing peace, the Afghan institutions still largely failed in creating this democratic state (UN Talks, 2001; Sevastik, 2019).

The women's rights which this research will focus on are the right to vote and gender equality, in comparison to the rights men have in Afghanistan. An important notion to women's rights and in a way also men's rights in Afghanistan is that they follow their own law, the Sharia. Thus, this is something an organisation as the United Nations cannot have an influence on. The focus in this thesis moreover is on the international law and influence the United Nations can have in Afghanistan and their own constitution, something that can be changed under influence from third parties such as the United Nations.

Diverse Case Study

In this paragraph I will expand upon the methods which will be used in this thesis to find an answer to the research question. The format used in this research will be a diverse case study, with the United Nations as the independent variable, given that the research question focuses on how the UN contributes to women's rights in Afghanistan, making those two variables dependent on the United Nations. A diverse case study entails a research where the hypotheses together find a solution to the established research question (Gerring & Seawright, 2008, p. 300). Within this format of research, there will be multiple indicators, which together will give an answer to the research question.

The indicators which have been stated in the hypotheses are gender equality, voting rights and what a positive effect means in this case. For both hypotheses the positive effect will mean a

difference in voting rights and gender equality from the moment the treaties were written and adopted till the last report on the implementation of the treaties and documents.

Democracy being a part of the United Nations Charter also means the essential element of holding periodic free and fair elections by universal suffrage and by secret ballot as the expression of the will of the people, and furthermore the freedom of expression and opinion (United Nations, 1945). Taking this part of human rights even further, the United Nations put out programmes to ensure the participation of women in elections worldwide (United Nations Development Programme). Political rights in this research will be seen as the right to vote in elections and public referenda, and the right to work and participate at (non-)governmental organisations (United Nations, 1979, p. 3).

The official meaning of effect is a change that somebody/something causes in somebody/something else; a result (Oxford Learner's Dictionary), with the prospect of positive added, it will mean a positive change that somebody/something causes in somebody/something else; a positive result. Within the research that will be done, the treaties written by the United Nations use words as *urge*, *calls upon* and *requests things* to be done or to happen within the organisations of Member States. This does not mean it has already happened, or it will happen. However, it calls for a positive change within the organisations of the Member States.

Qualitative content analysis

For this research a qualitative content analysis will be used, whereby treaties written on women's rights in general and on Afghanistan specifically will be read and analysed. These treaties have been written during the 20th century to discuss how to improve the life of women in general in Afghanistan. More specific, the Convention on the Elimination of All Forms of Discrimination against Women (United Nations, 1979), Resolution 1325 (United Nations, 2000), Afghanistan Third CEDAW (Afghan Women's Network, 2018), Women, Peace and Security in Afghanistan (Women's International League for Peace and Freedom, 2019), Women, Peace and Security in Afghanistan (Women's International League for Peace and Freedom, 2020), CEDAW Shadow Report (Afghan Women's Rights Organization, 2020) and the Statement by United Nations Human Rights Experts in September 2021, will be read and analysed. The articles will be analysed in chronological order and will be coded with the indicators of the hypotheses. I will hereby look at the writing of the United Nations on women's rights in Afghanistan and what for example the Afghan Women's Network (AWN) has noted

since the approval of the documents. As shown in the list of documents, not all of them are written by the United Nations, but a few have been researched and written by other organisations, such as the AWN, which shows an independent perspective on the implementation of the treaties.

The research will be done by coding the documents mentioned above. Table 1, which can be found in Appendix A, shows different parts of the coding. First, it mentions the year and the document used for the research. Next, it shows which indicator is found in the document, which can be gender equality or political rights. The influence of the indicator on women's rights will be indicated with either positive or negative.

Empirical analysis

In this chapter I will take a detailed look at the treaties and documents discussed in the previous chapter. While reading and researching the documents, they will be coded into the multiple indicators also discussed in the previous chapter. The indicators will consist of political rights, gender equality and whether the researchers of the documents have seen a positive or negative effect on how they affect women's rights in Afghanistan.

Convention on the Elimination of All Forms of Discrimination against Women

The Convention, adopted and opened for signature on 18 December 1979, starts off with the notation towards the Charter of the United Nations, stating that every human person has the equal rights, no differentiation between men and women made. The equal rights therefore mean the equal rights to political rights. Discrimination against women violates these principles and would therefore have negative effect on women's rights in total. However, the Convention states multiple indicators which would likely have a positive effect on women's rights, such as the establishment of a new international order and full and complete development of a country. Later on in the convention, Article 7 has specifically been written to ensure the right to vote for women in all elections and public referenda, and thus the eligibility of women in public elections. Throughout the whole convention, there is a focus on gender equality and ways to reassure women are indeed equal to men, even in countries where this might not be the case. Examples of this are the right to change, acquire or retain a nationality (Article 9, p. 3) or the right to have the same employment opportunities (Article 11, p. 4). Afghanistan signed the Convention in 1980 and the ratification of the Convention was in 2003 (OHCHR).

Resolution 1325

Earlier in this research paper, Resolution 1325 has been discussed. Within this paragraph a more detailed look will be taken into the Resolution. The resolution focuses on the role of women and girls in conflict, connecting this problem with the fact that gender has not been implemented in handling conflict. For example, the Security Council urges that there should be more representation of women at all levels of decision-making and expresses the importance of having a gendered perspective within peacekeeping operations (UN, 2000, p. 2). In this context, the Resolution has a great focus on gender equality within conflict zones.

Afghanistan Third CEDAW 2018

This report has been written by the Afghan Women's Network, an NGO which was founded in 1995 (Afghan Women's Network, 2018). The AWN plays an important role in creating a network for Afghan women to talk and discuss actions which can be undertaken to create an environment in Afghanistan where women, men and children are all equal (*Afghan Women's Network Official Website*). The report they have written is the third on the implementation of CEDAW in Afghanistan. They look at the difference since the first and second shadow report and give recommendations of what can be improved in the future. In addition, they discuss how the Elimination of Violence against Women has been implemented into society so far, by looking at the specifics of the treaty and giving recommendations on how it can be implemented even better (Afghan Women's Network, 2018, pp. 5-14). Important articles for this research are Article Six and Article Nine. Article Six focuses on the trafficking in women and girls in Afghanistan, and how this can be ended. One way the report thinks this could be stopped is if there would be more enforcement of political participation and cooperation among women, which would create a strong voice of women in political institutions (2018, p. 10). Article Nine writes about nationality and how this can contribute to women's rights in Afghanistan. The Census Law, which has been implemented in 2017 shows the equal right to have identity cards for all men and women. This would create the right to participate in the political process and would create more equality among men and women, since all would be equal before the law (2018, p. 11). The last article of the report, Article Fifteen, speaks of equality before the law, which has not been implemented efficiently since the previous reports. There are a few legal mechanisms which work against gender equality for women in this case. The first is the male domination in Afghan culture and second the fact that

quite a lot of Afghan women are not aware of the rights they have. Third, the Civil Dispute Resolution Act (2015), created a gap between men and women's rights since women cannot participate in local *Jirgas/Shuras*, a gathering of elderly, where local or national conflict resolutions are discussed (*Jirga / Shura (Afghanistan) - Global Informality Project*) (2018, pp. 13-14). Other important notions made in the report consist of the legal framework on equality, which has been laid down in the Afghan constitution, and approved by the principles of the Islamic Law (2018, p. 3). Another remark made is on the importance of education in creating gender equality, by teaching children from a young age that men and women are equal, but also the importance of Islamic law and religious scholars who have a great effect on children and education in Afghanistan (2018, p. 2).

Women, Peace and Security in Afghanistan 2019

The document is a submission of the Women's International League for Peace & Freedom (WILPF), an organisation which is focused on including women in peace processes, engaging men to support women to participate in society and creating gender equality. Another principle is preventing gender-based violence. The submission tackles questions that arose after the third cycle of the Universal Periodic Review (UPR) of Afghanistan and checks the implementation of resolution 1325 and the CEDAW. In addition, it focuses on the inclusion of women in the electoral process and the Law on Elimination of Violence Against Women (WILPF, 2019, p. 1). The documents suggest questions which should be focussed on during the next evaluation of Afghanistan, since they believe these were missing in the previous evaluations. In comparison with the previous document, the submission writes about the Afghan Constitution, looking specifically at three important articles; 22, 83 and 84. Article 22 states the fact that discrimination and distention between citizens of Afghanistan shall be forbidden. Articles 83 and 84 speak of the right of women to participate in the upper and lower houses (WILPF, 2019, p. 7). The submission also discussed the implementation of the Elimination of Violence Against Women Law, which had been adopted in 2009. Even though Afghan society adopted the law, organisations which provide help for women and women who seek help still come across a big stigma, as it has not been accepted to seek help when in danger (WILPF, 2019, p. 8).

Women, Peace and Security in Afghanistan 2020

The next submission is written by the same organisation as the article above, the WILPF, and is based on the same UPR of Afghanistan. However, the first submission gave recommendations to the Afghan government, where in this submission the government already accepted a part of the recommendations. The submission covers the same arguments as the previous submission, however it gives a more detailed perspective on certain points, such as the commitments made by the Afghan government to improve women's rights and gender equality, which are written down in the Afghanistan Compact (2006) and the Afghanistan National Development Strategy (2008-2013) (WILPF, 2020, p. 11).

CEDAW Shadow Report Afghanistan Women's Rights Organization

The second shadow report in this research has been written by the Afghan Women's Rights Organization (AWRO) in January 2020. The AWRO is an organisation which has been registered in 2007 under the Afghan Ministry of Economy and later on also in the Ministry of Women Affairs. The main goal of the organisation is to empower women in all stages of society, such as education, health, democracy, human rights and so on (AWRO, 2020, p. 6). Comparable to the previous shadow report, it grants recommendations for the United Nations which should be implemented into treaties and laws to come. One recommendation which returns multiple times is about the state of the CEDAW in Afghanistan and the unfamiliarity with it in society. Another recommendation which has been spoken of earlier in the other Shadow Report is on the importance of religion in Afghanistan and the fact that it should be implemented in treaties which might be written in the future (AWRO, 2020, p. 5). Political participation is quite hard for women in Afghanistan; however, the report states the increase of women in politics post-2011 Afghanistan. Data shows that the number of women in the Afghan parliament and thus female representation in political organisations in Afghanistan has increased. Furthermore, the government pledged to ensure an increase of female civil servants by 2016 (AWRO, 2020, pp. 6-7). Another comment this CEDAW shadow report makes is the importance of gender equality in education, since women having access to education lowers the number of child marriages and therefore health issues which might arise from becoming a young mother. The report urges to government of Afghanistan to guarantee equality in education, therefore education being free from discrimination (AWRO, 2020, p. 10).

Statement by United Nations Human Rights Experts in September 2021

The statement was published in September 2021, after the regime overtake of the Taliban in Afghanistan in the summer of 2021. The statement obligates the State of Afghanistan to still accommodate the rights women have in the country and the adopted CEDAW in 2003. The Human Rights Experts observe several setbacks in Afghanistan since the return of the Taliban, for example the targeting of women in politics because of their gender, but also the backsliding of women's and girls' rights in institutions of decision-making (United Nations, 2021). The Special Rapporteur on Violence Against Women also made a comment on the interlinkage of gender equality and the political rights women have in Afghanistan, since the gender inequality leads to less political rights (United Nations, 2021). However, just like the reports written by other organisations, the statement writes on the connection between international treaties and laws, and the importance of religion in Afghanistan, their Constitution, and their Islamic law. They state that clashes between the human right to equality and traditions and/or religions should be set aside when supporting and obtaining women's rights. This shows us another perspective on the connection between implementing treaties and laws from IOs and NGOs and traditions and religion in Afghanistan (United Nations, 2021). Lastly, the statement urges on a few recommendations for the State of Afghanistan to implement, to encourage the correct implementation of women's rights.

Results

The research question shall be answered in this chapter, by reviewing the documents read and by the coding scheme in Appendix A. The research question has been divided into two hypotheses, which are:

H(1) = The United Nations has a positive effect on gender equality in Afghanistan.

H(2) = The United Nations has a positive effect on political rights for women in Afghanistan.

In Table 1 (Appendix A) the indicators *gender equality* and *political rights* have been coded into having a positive or negative influence on women's rights in Afghanistan. First, we will look at gender equality, then political rights, and eventually the connection between the two indicators.

Gender equality

The first hypothesis tests if the United Nations has a positive effect on gender equality in Afghanistan. The first two researched documents are written and assembled by the United Nations and speak on the Elimination of VAW and women in conflict zones and how they should be incorporated in decision-making. The CEDAW treaty by the United Nations makes remarks about the United Nations Charter which makes the important statement on the dignity and worth of every human being, and therefore the equality between men and women. The Resolution moreover notes the importance of including multiple gender perspectives in peace talks. It also makes a remark on the rights and protection of women and girls in conflict zones, something which should always be kept in mind when making decisions in conflict zones. The two CEDAW Shadow Reports, assembled by AWRO and AWN, continue this positive note concerning gender equality. The report by AWN mentioned the process that has been made on gender discriminatory laws in Afghanistan and the new legislation on the rights to own an identity card, which all Afghan citizens now have. The CEDAW report by AWRO mentioned the Afghanistan National Development Strategy, which also focuses on gender equality in a separate part of the strategy.

However, on the other side of the spectrum, both CEDAW Shadow Reports see the change that the Afghanistan government tries to make by implementing gender equality into their plans and strategy. AWN writes about the problems with women who do not even know their own rights, which makes it hard to support them carrying out these rights. They do notice the effort made by the government of Afghanistan; however, the implementation has not been effective recently (AWN, 2018; AWRO, 2020).

The two submissions by WILPF also contribute both a positive and a negative side on gender equality in Afghanistan. They see the commitment made by the government to maintain gender equality and women's rights, but on the other hand see the problems with implementing this into society and making it possible for women to carry out these rights. Sexual harassment and inequality still result in women not being able to participate in social, economic, and political life as they should (WILPF, 2019 & 2020).

The last document makes some concerning remarks on the setbacks of gender equality since

last summer. Since the return of the Taliban, the United Nations remarks the backsliding of women's rights and their voice in the justice system. Women are being targeted in politics, because of the fact that they are women. There is no justice left regarding women and their rights, something which dismantles the progress made since 2009 (United Nations, 2021).

Political rights

Where Resolution 1325 doesn't mention political rights for women in their document, the CEDAW does speak of it. It obligates countries to ensure equality of political rights for men and women. The CEDAW Shadow Reports on political rights are overall quite positive and see a difference in the political rights since the beginning of 2000s. Women have been very active in Afghanistan with regard to politics, and a growth in their participation can be noted every new election held in Afghanistan (AWRO, 2020). The Afghan government has been advocating for women participating and creating a strong voice which carries out the needs and rights for women in politics (AWN, 2018). The WILPF submission in 2019 also states the growth in women voters and candidates in the 2018 elections, in comparison to previous elections (WILPF, 2019). However, the submission further speaks quite negatively on political participation in Afghanistan. Even though there is a growth in participating women in elections, the outcome is still very low when looking at the exact percentage of women who get a job in politics.

Both gender equality and the political rights for women at large have been set back since the return of the Taliban since last summer. Not only participation has been made even harder, by targeting women because of their gender, even voting has been nearly impossible due to violence against women by the Taliban. The voice of women and girls has been removed from the negotiation table, setting back political rights in Afghanistan (United Nations, 2021).

Hypotheses

The United Nations made some great progress over the years since the end of the Cold War and the withdrawal of the Taliban since the beginning of 2000s. The women of Afghanistan were gaining more rights and their political participation was gaining more traction over the years and during the elections. However, as stated in the United Nations Statement, this growth has now been removed from the lives of Afghan women since the summer of 2021. Looking at the hypotheses which have been drawn up in previous chapters, despite the change in

Afghanistan as of right now, it can be said that the United Nations has had a positive effect on gender equality and political rights for women. Even though big parts of this growth and progress made over the years have been turned back the previous months, a difference can be noted since the beginning of the century and the past years. Women did have more political rights and were participating in the politics of Afghanistan. They were carrying out their voice, advocating for women's rights.

Looking at the research question as a whole: How does the United Nations contribute to women's rights in Afghanistan post-Cold war-era? The United Nations contributes to women's rights in Afghanistan by creating treaties and documents on how countries, in this case Afghanistan, can go about implementing women's rights into their society. During the Taliban-free years, we see the implementation of gender equality in plans made by the Afghan government, thereby also looking at how the international laws fit their own Islamic laws and traditions. There is also a growth noticeable in political rights, and therefore participation of women in politics. Even though the implementation into society could have been more effective, the United Nations did contribute to women's rights in Afghanistan, by supporting women and helping with recommendations that could be taken into consideration by the Afghan government.

Process tracing

As noted in earlier chapters, the method used for this research is a qualitative content analysis, with a diverse case study. I analysed documents written by the United Nations, reports by AWRO and AWN, and submissions of WILPF. While analysing these documents notes were made when political rights and gender equality were stated, and if a possible negative or positive influence was mentioned. These results have been written down in Table 1. While conducting this process, it was important to look at the independent and dependent variables, to ensure the right links were made when forming an answer to the research question. Table 1 shows the year, the document, the indicator, and the influence which have been contracted from the read document. Next, the exact part has been quoted, with an explanation on why this part shows a certain indicator and influence on women's rights in Afghanistan. When all the needed information had been collected, the previous chapter showed how these results can be read and how it can answer the research question.

The research could have been stronger if more documents had been read and coded into Table 1. For example, looking at the National Action Plans Afghanistan had written on their own society, and how they could have implemented recommendations made by the United Nations. Future research done on this subject could therefore look into the implementation of NAPs.

Conclusion

This chapter will conclude the answer found regarding the research question asked in this thesis. This thesis has shed light on how the UN has had an influence on women's rights in Afghanistan, post-Cold War era. Literature written on the women's rights in Afghanistan showed a gap on the actual influence the UN has, leading to the research conducted in this thesis. The research question can be answered as follows: The United Nations has had a great impact on women's rights in Afghanistan after the Taliban lost power in the early 2000s. Women gained more rights, closing the gap to rights men already had. The political participation increased due to more political rights for women during elections, gaining the right to vote and participate in elections at national and regional level (AWN, 2018; AWRO, 2020). However, there is another side to the answer of this question which is the current situation in Afghanistan since summer 2021. The Taliban gained power again in Afghanistan, seeing to it that women's rights are violated once again (United Nations, 2021). Since the research question asked in this thesis focuses on the post-Cold War era, it is important to mention both sides to the contribution the United Nations made. The UN made international laws and treaties for more equality on women's rights, and even though Afghanistan signed and adopted these, does not mean the Taliban takes those treaties seriously. Something which can be noted in the way they treat women in Afghanistan at the moment (United Nations, 2021). It can also be seen in Table 1, where the first few documents are divided on positive and negative influences of the United Nations in Afghanistan, but going towards the end and the Statement made by the UN, the contribution they made on women's rights takes a negative direction. The contribution they made still remains positive, but the implementation of the treaties and laws has been affected negatively by the Taliban.

Feminist institutionalism

Referring to the theory, the approach used in this thesis is feminist institutionalism. The main goals consist of including women in the political process, thereby adding gender equality to the discourse within international organisations. They view gender as a factor that could have a great impact on political institutions, and that is why it should be added to the discourse. It

can be stated that the UN had a big impact on the importance of gender within organisations, seeing in this case the difference it has made in Afghanistan and their institutions, such as AWRO and AWN. As the hypotheses prove, the United Nations have a positive effect on political rights and gender equality in Afghanistan.

Afghan traditions and laws

A very important finding, and something which should not be disregarded is the importance of the Afghan traditions and their Islamic law. If the United Nations writes new treaties or laws on women's rights, it is important to always look at the laws and traditions Afghanistan, or other Islamic countries, already have. Creating treaties and implementing them will not work if their own traditions and laws are not aligned. Even though the United Nations urges in this case Afghanistan to leave these laws and traditions in place in situations like the one in Afghanistan now, this is something which international organisations cannot have an influence on (Hozyainova, 2014; Shah, 2005).

Summary

The violation of women's rights has happened during the years the Taliban was in power in Afghanistan. Since early 2000s, when the Afghan government gained back power, the United Nations has been trying to implement treaties and laws for women in Afghanistan. In literature a gap can be found on the concrete contribution the UN made to women's rights in Afghanistan after writing these treaties and laws. This research focuses on the contribution the United Nations has made to women's rights in Afghanistan since post-Cold War era. To answer the research question, two hypotheses have been drafted, with the indicators gender equality and political rights. Next, multiple documents have been read and analysed, such as Resolution 1325 and CEDAW. Next to documents written by the UN, other documents have been read, written by AWN, AWRO and WILPF. With the information gained from the documents the two hypotheses have been answered, resulting in the answer for the research question: How does the United Nations contribute to women's rights in Afghanistan, post-Cold War era. Concluding, the United Nations has had a great influence on gender equality and political rights in Afghanistan in the twenty year time period where the Taliban had no power. However, after the return of the Taliban in the summer of 2021, the gained rights have been lost once again. The contribution made by the United Nations therefore has been lost. An important discovery made during the research is the importance of the Islamic law and traditions known in Afghanistan, which should be looked after when writing international treaties and law. To

ensure correct implementation, it is important to acknowledge these. The research could have been stronger if more documents had been read and coded, specifically the National Action Plans made by multiple member states of the UN, and therefore also Afghanistan.

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Appendix A

Table 1

Year	Document	Indicator	Influence	Quotation	Explanation
1979	CEDAW	Political rights	Positive	"(...), the obligation to ensure equal rights of men and women and women to enjoy (...) and political rights." (p. 1)	The CEDAW obligates equality on political rights.
2000	Resolution 1325	Gender equality	Positive	"Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict." (p. 2)	The resolution urges the importance of women in decision-making areas, to insure gender equality, but also the importance of a woman's perspective in areas of conflict.
2000	Resolution 1325	Gender equality	Positive	"Expresses its willingness to incorporate a gender perspective into peacekeeping operations, and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component." (p. 2)	Gender equality has been noted down, showing the importance of having a gender component according to the United Nations.
2000	Resolution 1325	Gender equality	Positive	"Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (...) (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the	Again, the United Nations speaks of the importance of both gender perspective in conflict areas since it makes peace agreements stronger and more universal.

electoral system, the police and the judiciary; (...).” (p. 3)

2000	Resolution 1325	Gender equality	Positive	“Calls upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls, (...).” (p. 3)	Women and girls have right to receive protection, same as men do, and in this part of the resolution the UN recognizes this.
2000	Resolution 1325	Gender equality	Positive	“Expresses its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, (...).” (p. 3)	The UNSC will take gender equality into mind, when carrying out missions for peace.
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Positive	“There has been significant progress in relation to reform of gender discriminatory laws (...). A start has been made in spreading awareness of gender and women’s rights issues.” (p. 1)	The Shadow Report speaks of a growth in gender equality related laws, making girls’ and women’s right more important in Afghan society AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Political rights	Negative	“There is still a disproportionately low number of women elected to seats of the Parliament and the situation at the principal and district levels is even worse.” (p. 1)	The level of women in politics is still low, because of the still upcoming political rights of women AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Positive	“There is a need to emphasize again the necessary institutionalization of (...) and law enforcement officials on gender-related matters.” (p. 2)	The notion that gender-related matters are important, shows the growth on gender equality AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Negative	“Although AWN recognizes the effort GoIRA in implementing measures to address discrimination, the extent and effectiveness of the implementation appear to have been minimal.” (p. 5)	The implementation of gender equality in society still is not effective, having a negative effect on gender equality AWN, 2018).
2018	Afghanistan Third CEDAW	Political rights	Positive	“Strengthening women’s participation will promote a strong voice and unified stand among women, thus	The notion that the voice of a women in politics will promote and strengthen their

	Shadow Report			allowing them to support and/or resist gender-related provisions that will affect women.” (pp. 9-10)	position is a positive perspective on political rights AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Political rights	Positive	“Fully enforce the current platform for political participation as well as political cooperation among women that strongly advocate and encourage women’s participation.” (p. 10)	Same as the quote above, the notion on the importance of women in politics, shows a positive effect on political rights in Afghanistan AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Political rights	Positive	“(…) participation in political processes and other liberties under the law.” (p. 11)	The participation of women in politics has been growing in recent years (AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Positive	“By law, all adult Afghans, regardless of sex and age, are entitled to receive a <i>Tazkira</i> .” (p. 11)	New laws reassure the equality between women and men, for instance in receiving an identity card (AWN, 2018).
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Negative	“By law, all adult Afghans, regardless of sex and age, are entitled to receive a <i>Tazkira</i> .” (p. 11)	However, the actual receiving of the card is something a lot of women still can’t do, because of Afghan traditions and family traditions (AWN, 2018)
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Positive	“However, recent changes have been noted and families are now open in allowing their girls to go school.” (p. 12)	The right to education for both men and women is an important part of gender equality. Receiving the right to go to school, is an important growth in gender equality in Afghanistan (AWN, 2018)
2018	Afghanistan Third CEDAW Shadow Report	Gender equality	Negative	“(…), the culture of male domination and women’s lack of knowledge of their rights have further contributed to the failed implementation of the formal justice system.” (p. 13)	The fact that lots of Afghan women do not know the rights they have, makes it harder to implement a correct justice system, which acknowledges gender equality AWN, 2018).
2018	Afghanistan Third	Gender equality	Negative	“The implementation of this law will dig a well for	The existence of the law described, creates

CEDAW
Shadow
Report

Afghan women at large, since women do not have the right to participate in the local Jirgas/Shuras and decisions are issued in their absence.” (p. 13)

a gap between men and women, since women are excluded from important decision-making conversation on national and regional level (AWN, 2018).

2019	Women, Peace and Security in Afghanistan	Political rights	Negative	“Women only represent 26% of the Afghan Peace Council and 20% of provincial peace councils.” (p. 3).	The exact number of women in the political process remains small, even after they earned the right to cast their votes and participate in the political process (WILPF, 2019).
2019	Women, Peace and Security in Afghanistan	Political rights	Negative	“(…) and to the Taliban’s organised campaign of threats and intimidations, which is likely to have disproportionately impacted women’s participation.” (p. 5)	The Taliban makes it difficult to join in political participation, and more specific in casting their own vote (WILPF, 2019).
2019	Women, Peace and Security in Afghanistan	Political rights	Negative	“The paucity of data shows little change over 5 years, and indeed represents a fall from the 2004 presidential elections statistics, in which 44% of the voters were women.” (p. 5)	The total amount of women participating in the political process has been decreasing, instead of increasing (WILPF, 2019).
2019	Women, Peace and Security in Afghanistan	Political rights	Positive	“However, provisional data estimate that the women turnout in the 2018 elections was higher than in previous recent elections, (…), which prevents women from participating as both voters and candidates.” (p. 5)	Despite there being obstacles for women to cast their vote, in 2018 a higher number of women did carry out their vote, which shows an increase (WILPF, 2019).
2019	Women, Peace and Security in Afghanistan	Gender equality	Negative	“Sexual harassment and gender inequality at work, including in the public sector is another great obstacle on the way of women’s social and economic participation, (…).” (p. 9)	Inequality in everyday society has a negative influence on the gender equality (WILPF, 2019).
2020	Women, Peace and Security in Afghanistan	Gender equality	Positive	“The Afghan government also made various commitment to women’s	The highest political institutions made a promise to increase gender equality,

				rights and gender equality, (...)” (p. 11)	which shows a positive influence on women’s rights (WILPF, 2020).
2020	Women, Peace and Security in Afghanistan	Political rights	Positive	“One of the ANDS’ main focus areas was gender mainstreaming and women’s empowerment in various governmental bodies and society at large. (...), was designed with the sole aim of improving women’s lives in Afghanistan with a focus on (...) and political participation.” (p.11)	The Afghan National Development Strategy shows the importance of gender equality and political rights when they put it down in their plans. This shows a positive influence (WILPF, 2020).
2020	CEDAW Shadow Report	Gender equality	Positive	The Government of Afghanistan is obliged, under customary international law and its international human rights treaty obligations, (...), including reparations to equality before the law and equal protection of the law.” (p. 4)	International law and human rights treaties created by IOs including the UN, create a sense of obligations, which leads to the Afghan government creating more equal opportunities for women (WILPF, 2020).
2020	CEDAW Shadow Report	Gender equality	Positive	The Afghanistan National Development Strategy (ANDS) contains a “Gender Equality Cross Cutting Strategy” (AGE-CCS). (...), and (iii) facilitating women’s participation in social and political affairs.” (p. 7)	The Afghan National Development Strategy shows the importance of gender equality when they mentioned it in their plans. This shows a positive influence (WILPF, 2020).
2020	CEDAW Shadow Report	Political rights	Positive	“Women have been very active in post-2011 Afghanistan. (...) Approximately 40% of voters were women.” (p. 7)	Since 2011 women participation in elections has increased, showing a positive influence in political rights (AWRO, 2020).
2020	CEDAW Shadow Report	Political rights	Positive	“Afghanistan has committed itself to improving women’s representation in the legislature to 30% by 2020. The government has also pledged to ensure that 35% of all civil servants are female by 2016.” (p. 7)	The commitment made by the Afghan government, shows a possible increase in political rights and participation of women in Afghanistan (AWRO, 2020).

2021	United Nations Human Rights Experts	Gender equality	Negative	“Women in politics in Afghanistan are being targeted for a number of factors, including their gender.”	Gender has become a target for the Taliban, whereby being a woman equals to being a target (United Nations, 2021).
2021	United Nations Human Rights Experts	Political rights	Negative	“They are being subjected to violence to discourage and restrict their political participation.”	The right to cast your vote or join an election has been made more difficult when creating obstacles around this. This creates a negative effect on political rights of women (United Nations, 2021).
2021	United Nations Human Rights Experts	Gender equality	Negative	“The backsliding and regression on women’s and girls’ rights in times of transition that we have observed in other places, especially when women are excluded from decision-making, is being replicated in Afghanistan.”	Women have been removed from conversations where important decisions will be made, leading to their voice being lost. A negative influence on gender equality in Afghanistan therefore can be noted (United Nations, 2021).
2021	United Nations Human Rights Experts	Gender equality	Negative	“While the 2009 promulgation of the Law on the Elimination of Violence against Women by presidential decree was an important step forward, it has now been rolled back and women have been left with no access to justice.”	Before the return of the Taliban an increase in gender equality had been seen, however this increase now has disappeared once again, leading to gender inequality (United Nations, 2021).
2021	United Nations Human Rights Experts	Political rights	Negative	“Furthermore, the Special Rapporteur on violence against women noted in her report on violence against women in politics that in some countries are targeted because of their gender. (...) Afghanistan is such a country today.”	VAW in politics had been noted in other countries, however, since the return of the Taliban, women in Afghanistan suffer from the same violence (United Nations, 2021).
2021	United Nations Human Rights Experts	Political rights	Negative	“We reiterate our observation that when women’s voices and the issue of women’s and girls’ human rights are absent from the political	Since the return of the Taliban, political rights of women have been violated, and their voice has been removed from the

negotiations and from
public discourse, (...).”

negotiation table
(United Nations,
2021).