



## **Campaigning against Fear Women's Participation in Afghanistan's 2005 Elections**

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## I. Summary

*Security is different for men and women. Men candidates have put their pictures everywhere in the bazaar. Women candidates can't do that, because they are afraid. Somebody might come during the night and kill them. Anything can happen. Warlords are ruling. They can do anything they want. Commanders have lots of guns.*

—Woman Wolesi Jirga candidate, Kandahar, July 27, 2005

The Wolesi Jirga and Provincial Council elections on September 18, 2005 will be a critical test of women's freedom to participate in Afghanistan's political life four years after the ouster of the Taliban—not only as voters, but also as candidates and elected representatives in every province.

A credible election with meaningful participation by women candidates will be a success for Afghanistan and the international community, strengthening the foundation for more women to become active in public life, not only as elected representatives, but in civil society, government, the media, and business. A campaign period and election day riddled with threats, intimidation, and social restrictions will highlight a gap between rhetoric and reality on women's rights and feed into the disappointment many Afghan women have felt at the slow rate of progress since the fall of the Taliban. While many women have courageously entered the public sphere despite social taboos and security threats, the intimidation and violence are increasing as elections near.

The official campaign period begins on August 17, 2005, and Afghan women interested in political involvement will share the challenges of a poor security environment with their male colleagues. These include two formidable security problems: threats posed by warlords who want to expand their power at the local level, often through armed force and the abuse of power; and continuing violence in the south and east perpetrated by the Taliban and other insurgent groups that reject the elections altogether, including any participation by women.

But Afghan women confront risks above and beyond those faced by men. Women standing as candidates for the Wolesi Jirga (lower house of parliament) and Provincial Councils are also defying conservative gender roles deeply entrenched in many parts of the country. Even basic elements of campaign strategies—distributing photographs of themselves on flyers and campaign posters, delivering speeches in public places, and

traveling through their provinces, are courageous moves in a country still haunted by the Taliban's misogynistic legacy. While many women have begun working and rebuilding roles for themselves in public life, traditional gender roles still confine many Afghan women to the home and tightly restrict their interactions with unrelated men. In many parts of the country, most women wear head-to-toe burqas and must be accompanied by male relatives when traveling in public.

Women candidates exposing themselves to public review risk retaliation for disrupting social norms. Violence and intimidation against these women is highly symbolic and sends a chilling message to other Afghan women considering expanded roles in public life. High illiteracy rates and practical restrictions on travel have also presented barriers to providing election awareness programs to women voters and candidates in rural parts of the country and to recruiting adequate numbers of female election workers.

Disproportionately low numbers of women have chosen to stand as candidates for Provincial Council seats, where security is much more tenuous than in the country's capital, Kabul, and where women expect to encounter greater resistance from conservative local elders and commanders. Human Rights Watch interviewed women of high public standing and professional credentials who cited travel-related security concerns, conservative family norms, limited financial resources, and intimidation by warlords and their subordinates as reasons they chose not to be candidates in September's elections.

Human Rights Watch also interviewed dozens of women who have chosen to be candidates, but confront numerous challenges to equal participation, including access to information, free movement around the country, few guarantees for physical safety, and lack of financial resources compared to men. This briefing paper also describes incidents of intimidation and attacks against women candidates.

Women and men candidates in the east and southeast of the country have already confronted violent attacks by forces of a resurgent Taliban and other groups violently opposing the central government. These groups are opposed to women's political participation and education. These events take place in the context of a deteriorating security situation in the last few months, marked by the assassination of six prominent pro-government clerics, the kidnapping of a female international aid worker who assisted war widows, and on August 10, 2005, the Taliban's execution of a peasant woman accused of being an "American spy." More than seven hundred people have been killed since March 2005 in fighting between U.S. and government forces and insurgents, many aligned with the Taliban.

Women's problems are not limited to the south and east of the country. Even in areas with little or no Taliban presence, women face significant barriers in the face of armed factions who want to translate their military control into increased political authority. Many of these armed factions have been involved in violence against women, kidnappings, extortion, and armed robbery—abuses often ordered, committed, or condoned by commanders now holding government positions. These human rights violations have led to continuing barriers to women's freedom of movement and access to education, health care, and employment.

Efforts by the Afghan government to organize free and fair elections have been hampered by its failure to screen out candidates with linkages to illegal armed groups and commanders implicated in gross human rights violations from the final candidate list. In the last few years, the Afghan government has lacked the power and political will to sideline and disarm warlords, many of whom now hold important government positions. While warlords seek to dominate the political process through legal and illegal means, the Taliban wish to disrupt it through violence. The capacity of the Afghan national army and police to ensure security and address lawlessness remains low. These problems, coupled with the failure to expand the NATO-led International Security Assistance Force (ISAF) peacekeeping troops throughout the country in a timely way has left many parts of the country under the effective control of gunmen with little respect for the rule of law and women's rights.

This briefing paper is based on more than forty interviews conducted with women candidates, nongovernmental organization (NGO) workers, U.N. officials, and election staff from mid-July to mid-August 2005 as well as extensive prior research. Most interviews were conducted by telephone from Kabul and New York, and included women candidates from Kabul, Herat, Kandahar, Nangarhar, Takhar, Kunduz, and Balkh provinces. Although some women courageously offered permission for us to publish their names, many expressed great fear about retaliation for sharing their experiences with us. Because of the relatively few numbers of women candidates in each province and the very real threat of retaliation if their identities become known, we have kept their names, and at times their locations, confidential.

### ***Key recommendations***

With only a month remaining before polling day, the Afghan government and international community can still take concrete and immediate steps to address the security challenges confronted by candidates for the Wolesi Jirga and Provincial Councils as well as women who simply want to exercise their right to vote. Recommendations to

support Afghan women who seek to participate in shaping the country's political future, often at great risk to themselves, are outlined below.

- The Electoral Complaints Commission (ECC), Joint Electoral Management Body (JEMB), the United Nations Assistance Mission to Afghanistan (UNAMA), and election observers should promptly acknowledge receipt of complaints, investigate complaints, and address candidates' security concerns. Individuals, including candidates, election staff, and political activists, should be allowed to submit official complaints over the phone.
- JEMB, ISAF, UNAMA, the Afghan Independent Human Rights Commission (AIHRC), and local security forces should coordinate closely on security issues at the local level and hold weekly meetings to discuss security concerns directly with candidates. Candidates should be provided with mobile numbers for security and election personnel.
- The ECC should disqualify candidates who intimidate or target for violence women candidates and election workers, or who commit comparable electoral offenses.
- The Afghan government and international donors should dedicate financial resources to facilitate women's political participation, including transportation to polling sites on election day. They should commit resources to developing women's access to educational and economic opportunities that will strengthen their participation as election workers, voters, and candidates in the future. They should also contribute funds to match the shortfall in Afghanistan's election budget for the September 2005 elections to ensure adequate security and logistical infrastructure during the campaign period and on election day, as well as resources to respond to complaints promptly and effectively.

## **II. Background**

### ***Status of Afghan women***

Afghan women continue to suffer some of the worst levels of poor health, illiteracy, and poverty in the world. Their low social status and poor access to the most basic services are strikingly illustrated by astoundingly high maternal mortality figures and illiteracy rates. Though accurate figures are difficult to obtain, according to UNICEF, one in six women in Afghanistan is expected to die in childbirth.<sup>1</sup> Hundreds of thousands of Afghan women and girls die each year from lack of access to medical care—nationwide

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<sup>1</sup> Human Rights Watch telephone interview with Dr. Tessa Wardlaw, senior program officer, Statistics and Monitoring, UNICEF, June 3, 2003.

an estimated 87 percent of maternal deaths are preventable.<sup>2</sup> According to 2003 UNICEF data, 86 percent of girls and women over the age of fifteen are illiterate.<sup>3</sup> Education for boys and girls has expanded since the overthrow of the Taliban, but in some provinces remains abysmal. Compared to Kabul province where 60 percent of girls attend primary school, less than one out of every ten girls ages 7-13 attends primary school in seven southern provinces, where extremely conservative social values combine with increasingly high Taliban activity.<sup>4</sup>

Violence against women, forced marriage, and early marriage remain endemic problems in Afghanistan.<sup>5</sup> Competing formal and informal justice mechanisms mean that victims of violence rarely have avenues for redress. There have been improvements in major cities, for example, Kabul and Herat, but the challenges of reconstruction and continuing insecurity mean that an environment where women and girls are able to realize their full range of rights remains far from reality.

### ***Women's political rights***

The Afghan Constitution of 2004 and the 2005 Electoral Law contain provisions guaranteeing certain political rights and representation for women. The constitution guarantees women's equal rights and duties before the law and reserves seats for women in Afghanistan's bicameral National Assembly. Women are guaranteed a minimum of 68 of the 249 seats in the Wolesi Jirga (House of the People), or approximately 25 percent. In addition, half of the seats appointed by the president to the Meshrano Jirga (House of the Elders) are reserved for women (the president appoints one-third of the

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<sup>2</sup> UNICEF, U.S. Centers for Disease Control and Prevention (CDC), and Afghan Ministry Mortality in Afghanistan: Magnitude, Causes, Risk Factors and Preventability: Summary 5; and UNICEF and U.S. Centers for Disease Control and Prevention (CDC), "Afghanistan for women's health, say UNICEF and CDC," November <http://www.unicef.org/newsline/02pr59afghanmm.htm> (retrieved November 15, 2002).

<sup>3</sup> UNICEF and Central Statistics Office, Afghanistan Transitional Authority, *Moving Beyond 2 Decades of War: Progress of Provinces, Multiple Indicator Cluster Survey 2003* [online], <http://www.childinfo.org/MICS2/newreports/afghanistan/afghanistan.htm> (retrieved August 8, 2005).

<sup>4</sup> *Ibid.* The seven provinces are Helmand, Uruzgan, Khost, Paktia, Paktika, Badghis, and Zabul (where only one out of every one hundred girls attends primary school). See also, The Human Rights Research and Advocacy Consortium, "Report Card: Progress on Compulsory Education, Grades 1-9," (Afghanistan: Oxfam, 2004).

<sup>5</sup> See IRIN, "Afghanistan: Child marriage rate still high – minister," *Irinnews.org*, July 13, 2004 [online] [http://www.irinnews.org/report.asp?ReportID=42160&SelectRegion=Central\\_Asia&SelectCountry=AFGHANISTAN](http://www.irinnews.org/report.asp?ReportID=42160&SelectRegion=Central_Asia&SelectCountry=AFGHANISTAN) (retrieved August 5, 2004); Amnesty International, *Afghanistan: Women still under attack - a systematic failure to protect*, (Amnesty International: London, 2005) [online] <http://www.amnestyusa.org/countries/afghanistan/document.do?id=8BFA5524328779D88025700B00425BF9> (retrieved June 1, 2005), and Human Rights Watch, *"Killing You is a Very Easy Thing For Us": Human Rights Abuses in Southeast Afghanistan*, (New York: Human Rights Watch, 2003), available at [www.hrw.org/reports/2003/afghanistan0703](http://www.hrw.org/reports/2003/afghanistan0703).

delegates). The 2005 Electoral Law expands guarantees for women's representation in the Provincial Councils, reserving one quarter of the seats.

The Afghan Constitution also obliges the government "to protect human rights" and expressly requires the state to "abide by the U.N. charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights." Afghanistan acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) without any reservations on March 5, 2003.<sup>6</sup> CEDAW requires governments to "take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies."<sup>7</sup>

### ***Obstacles to women's political participation after the Taliban (2001-2005)***

*Many delegates were commanders who had killed a lot of people, who had weapons and money. The things that we wanted to say in the [Constitutional] Loya Jirga—we were afraid to say them, because these [commanders] were sitting behind us.*

—Woman delegate to the Constitutional Loya Jirga, Mazar-e Sharif, August 18, 2004

Positive reforms and grave obstacles mark Afghanistan's efforts to integrate women into its political process. Given the context of continuing insecurity, restrictive social norms about women's role in public life, and slow progress to prosecute warlords suspected of abuses, women have taken great risks to participate in Afghanistan's emerging political institutions. Afghanistan's current political process is based on the December 2001 Bonn Agreement.<sup>8</sup> As set out by the agreement, an emergency loya jirga (grand council) met in June 2002 to pick a two-year transitional government. At that meeting, Hamid Karzai

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<sup>6</sup> Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), G.A. Res. 34/180, U.N. Doc. A/34/46, 1979 entered into force September 3, 1981 and acceded to by Afghanistan on March 5, 2003.

<sup>7</sup> CEDAW, art. 7(a). Article 7(b) additionally provides women the equal right to, "participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government."

<sup>8</sup> The Bonn Agreement is an accord signed by representatives of the militia forces who fought with the U.S.-led coalition against the Taliban, representatives of the former King of Afghanistan, Zahir Shah, and representatives of various other exiled Afghan groups.

was chosen as the transitional President of Afghanistan. The Constitutional Loya Jirga was then convened in December 2003 to approve a new constitution and governmental structure, and presidential elections were held in October 2004. The terms of the Bonn Agreement pledged to foster the political participation of women in the loya jirgas and the interim administration.

Women comprised approximately 12 percent of the Emergency Loya Jirga delegates.<sup>9</sup> Intimidation, threats, and the participation of powerful commanders accused of war crimes marred the process. Many women participants felt they were prevented from giving any substantive input. Only a few women were able to speak, and some reported their microphones were cut off after five minutes. In contrast, powerful mujahidin leaders, some of whom are alleged war criminals, were given half-hour-long speaking slots. Despite pressure to withdraw and vote for Hamid Karzai, Massouda Jalal, a female physician and U.N. staff member from Kabul, stood for the presidency at the Emergency Loya Jirga and went on to win 171 votes, second to Karzai's 1,295.

Women participated with greater freedom in the Constitutional Loya Jirga. Intimidation still figured strongly, however, and many observers accused military factions of preventing some individuals from standing as candidates, buying votes, and unfairly influencing the election of delegates. Despite improvement compared to the Emergency Loya Jirga, many female delegates still faced threats and harassment during the proceedings, or censored themselves due to fear of retaliation upon return to their home communities.<sup>10</sup> Human Rights Watch interviewed several delegates who left the country temporarily or delayed their return home because of such fears.<sup>11</sup> Several women delegates subsequently faced retaliation for their participation in the form of harassment, dismissals from their jobs, and transfers to less desirable positions.<sup>12</sup>

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<sup>9</sup> Approximately 1,600 delegates participated in the Emergency Loya Jirga. One hundred and sixty seats were reserved for women, and overall, some two hundred women delegates were either elected or appointed. See also, International Crisis Group, "The Afghan Transitional Administration: Prospects and Perils," Kabul/Brussels: ICG, July 30, 2002 and Womankind Worldwide, "Taking Stock: Afghan Women and Girls Six Months On," London: Womankind Worldwide, July 2002 [online], <http://www.womankind.org.uk/documents/balance.htm#2> (retrieved September 27, 2004).

<sup>10</sup> Human Rights Watch, *Between Hope and Fear: Intimidation and Threats Against Women in Public Life in Afghanistan*, (New York: Human Rights Watch, 2004) available at: <http://hrw.org/backgrounder/asia/afghanistan1004/>. In one of the most dramatic moments of the meetings, a young female delegate from Farah province, Malalai Joya, publicly demanded that former warlords be tried in national and international courts. Other participants tried to expel her from the assembly. Despite becoming a heroine to many Afghans, she has received numerous death threats. "Afghan rights advocate expects death," BBC, August 9, 2004.

<sup>11</sup> Human Rights Watch, *Between Hope and Fear*, 2004.

<sup>12</sup> One woman from northern Afghanistan was told by a senior government official that, as a female delegate, she was acting against the principles of Islam. She said, "after I participated in the Loya Jirga, I did not receive my salary for six months," Human Rights Watch interview with a woman Constitutional Loya Jirga delegate,



The Afghan government, international donors, and non-governmental organizations (NGOs) took many positive steps to encourage female voter registration in advance of the 2004 presidential election. They started civic education programs to raise awareness about the election process, hired female election workers, permitted women to get voter registration cards without photographs, and provided regularly updated registration figures disaggregated by gender. According to official tallies, 41 percent of registered voters in Afghanistan were women (official estimates put the number of registered voters at 10.5 million, but closer examination revealed that multiple registrations had inflated this figure). On election day, despite threats by the Taliban and various logistical difficulties, in fact 40 percent of the voters were women.<sup>13</sup>

During the run-up to the presidential election, security problems, particularly in the south, remained a significant barrier to civic education and voter registration drives targeting women. In some areas, fear of attacks prevented mobile registration teams from going door-to-door prior to the election, a critical method for reaching out to women in rural or conservative areas. These factors contributed to appallingly low female registration and voting rates in the south, for example, out of total registrants, only 9 percent in Uruzgan province, 10 percent in Zabul province, and 16 percent in Helmand province were women.<sup>14</sup> A few weeks before the presidential election, a woman election worker told Human Rights Watch, “There are a lot of security problems. When we sent civic educators to the districts, there was no one to protect us and we were afraid. Because we don’t have enough women teams, a lot of women can’t register even if they want to.”<sup>15</sup> In one of the most deadly examples of the security challenges, on June 25, 2004, a bomb targeting a bus full of female election workers near the eastern city of Jalalabad killed three and injured twelve.

Nevertheless, in many parts of the country, election day was fairly peaceful and more than 45 percent of voters in provinces such as Herat, Daikundi, Faryab, and Paktika were women. In some provinces, security threats, inadequate monitoring, and staffing problems on election day may have limited Afghan women’s ability to vote. The

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August 16, 2004. Other women delegates said that local authorities and commanders directly harassed them through phone calls or in face-to-face meetings upon their return from the loya jirgas. One woman told Human Rights Watch that local “elders told me that they were ashamed I was their representative, and that I am a woman. They humiliated me. They told me not to go to these type of meetings anymore.... I didn’t try to talk a lot with them...because if I made them nervous, they would kill me and no one would even know,” Human Rights Watch interview with a woman Constitutional Loya Jirga delegate, August 28, 2004.

<sup>13</sup> JEMB, “Afghan Presidential Election Results: Voter Turnout,” [online], <http://www.elections-afghanistan.org.af/Election%20Results%20Website/english/english.htm> (retrieved August 12, 2005).

<sup>14</sup> JEMB, “Daily voter registration update, August 26, 2004,” [online], <http://www.electionsafghanistan.org.af/main.html> (retrieved September 24, 2004).

<sup>15</sup> Human Rights Watch phone interview with a woman civic educator, Kandahar, August 27, 2004.

percentage of women voters out of total voters in southern provinces was extremely low: Uruzgan (2 percent), Helmand (7 percent), Zabul (11 percent), and Kandahar (22 percent).<sup>16</sup> In some areas, election officials did not recruit enough women poll workers to staff separate voting sites for women, likely preventing some women from casting their votes. A woman working as an election observer in Kandahar province during the presidential elections said, “One old man voted for all the family. He voted with twelve cards. A woman voted for her daughter-in-laws. The same thing might happen this year.”<sup>17</sup>

Obstacles to women’s equal participation in the presidential election also extended to the sole female presidential candidate, Massouda Jalal. A cabinet member barred her from speaking at an Afghan New Year celebration in Mazar-e Sharif because she was a woman and the event was at the central religious shrine. Male government officials and other potential political candidates spoke, including Defense Minister Mohammed Fahim and General Abdul Rashid Dostum. She also reported receiving death threats.<sup>18</sup>

President Hamid Karzai’s cabinet choices were widely interpreted as an important signal of what balance he would strike between powerful and competing political forces in the country. Afghans were relieved when many prominent commanders, including former Defense Minister Marshall Fahim were excluded from the cabinet. Similar progress was not made with women’s representation. Karzai appointed three women to positions that carefully conformed to traditional gender roles: Massouda Jalal became Minister of Women’s Affairs, Amina Afzali, Minister of Youth, and Sediqa Balkhi, Minister of Martyrs and the Disabled. Karzai failed to appoint women to any internally powerful cabinet positions, even ones where women had previously held positions, such as the Ministry of Health. Human Rights Watch interviewed a woman in Herat province who said, “Women’s presence in parliament will only be symbolic as it is in the cabinet, if opportunities and security are not provided for independent women candidates.”<sup>19</sup>

### **III. Barriers to women’s participation in the September 2005 elections**

In addition to contending with increasing insecurity from Taliban forces and local militias, September’s elections for the Wolesi Jirga and Provincial Councils present a complicated logistical exercise, given the number of candidates, districts, and provinces.

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<sup>16</sup> JEMB, “Afghan Presidential Election Results: Voter Turnout,” [online], <http://www.elections-afghanistan.org.af/Election%20Results%20Website/english/english.htm> (retrieved August 12, 2005).

<sup>17</sup> Human Rights Watch phone interview with a woman election worker, Kandahar, July 27, 2005.

<sup>18</sup> Human Rights Watch interview with Massouda Jalal, presidential candidate, Kabul, August 13, 2004; Human Rights Watch interview with AIHRC official, Kabul, August 28, 2004.

<sup>19</sup> Human Rights Watch phone interview with a women’s rights activist, Herat province, August 10, 2005.

In response to these problems—all of them more difficult than during last year’s presidential elections—some changes have been adopted based on lessons learned from the 2004 elections. These include the establishment of an official complaints body, the Election Complaints Commission (ECC). Many voters and election workers now have the experience of one election behind them, and civic educators are able to build on the growing levels of voter awareness, including the idea of a secret ballot and addressing interference by polling officials on election day. This year, more domestic and international observers will be present to monitor the elections, although security problems limit the reach of international observers in particular.<sup>20</sup>

### ***Few women as candidates or political party members***

In the final candidate list, although 25 percent of seats are reserved for women, female candidates represent about 12 percent of the candidates for the Wolesi Jirga (328 out of 2707) and 8 percent of the candidates for Provincial Councils (247 out of 3025).<sup>21</sup> In the period after the deadline for submitting candidate nominations and the finalization of the candidate lists in July, 281 potential candidates withdrew and 17 were excluded.<sup>22</sup> Fifty-one of the withdrawals were women, a disproportionately high number given the relatively low number of candidates. Some women cited procedural issues for their withdrawals, such as relatives who worked in the election commission or their unwillingness to step down from current jobs. But as will be discussed in more detail later, many women also voiced concern about security threats, barriers to campaigning in rural areas, and financial constraints.

The numbers of women candidates for Provincial Councils is especially low, suggesting that security in provincial centers falls far short of the relative safety slowly being established for women in the national arena. Women delegates in provincial capitals will have to work more closely with local-level elders and commanders who may reject women’s political participation. One women’s rights activist explained:

For the Wolesi Jirga, the center of activities is in Kabul. For the Provincial Councils, the center of activities is in the provinces. Women

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<sup>20</sup> One women’s rights activist said, “Most of the international observers don’t like to travel to remote areas and watch the process.” Human Rights Watch phone interview with a women’s rights worker, Herat province, August 10, 2005.

<sup>21</sup> The number of initial nominations was slightly higher. At the close of the nomination period for the 2005 Wolesi Jirga and Provincial Council elections, 2,838 candidates had been nominated for the 239 available Wolesi Jirga seats, 342 of whom were women. 3,198 individuals had nominated themselves for the 420 Provincial Council seats, of whom 286 were women. There were an additional 67 candidates for the ten seats reserved for the pastoralist Kuchis.

<sup>22</sup> JEMB press release, “JEMB certifies final list of candidates,” July 12, 2005.

don't feel secure in the provinces. Also, the role of delegates in the Provincial Councils is not clear yet. What are their main duties? Is it part-time, full-time, paid, a decision-making role, advisory capacity, it's not clear to a lot of people.<sup>23</sup>

Regulations on the responsibilities of delegates in Provincial Councils have yet to be finalized by the government.

There are so few women candidates for the Provincial Councils in Zabul, Uruzgan, and Nangarhar provinces, that five seats reserved for women will remain empty. A woman who chose to be a candidate for a Provincial Council said, "We need security even after we win. Because we are not parliament candidates, we don't go to Kabul. We have to stay here with all commanders in the Provincial Council, so we need security."<sup>24</sup>

High numbers of candidates in this election are running as independents, and this is especially true of women. Many of the women interviewed by Human Rights Watch associated political parties with military factions with "blood on their hands" and notorious warlords as their leaders.<sup>25</sup> A significant issue is the lack of financial resources that many independent women candidates suffer in comparison to men.<sup>26</sup> Afghan women still struggle to participate in the labor force, and are often concentrated in low-paying jobs. Many women candidates are teachers with modest salaries. Civic educators and election trainers noted that some women have registered as independents although they are in fact backed by political parties and organizations.<sup>27</sup> They have focused their efforts on empowering these women to make their own decisions rather than being pawns of political parties where they are excluded from decision-making roles.

The exclusion of women from prominent positions in powerful political parties will undermine Afghan women's equal participation in Afghanistan's developing political

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<sup>23</sup> Human Rights Watch phone interview with a woman NGO worker focusing on elections, Kabul, August 10, 2005. She additionally noted that, "Many of the NGOs and civic education has focused on the Wolesi Jirga."

<sup>24</sup> Human Rights Watch interview with an independent Takhar Provincial Council candidate, Kabul, August 2, 2005.

<sup>25</sup> International consultants and political analysts have tried to encourage the formation of political parties, including in the electoral laws and the election system, but with limited success. Afghans have reiterated their commitment to the Single Non-Transferable Vote (SNTV) system, which provides greater leeway for independents and does not facilitate political party formation.

<sup>26</sup> Human Rights Watch phone interviews with a woman election NGO worker, Kabul, August 10, 2005; Momina Yari, JEMB election commissioner, Kabul, August 8, 2005; and a women's rights activist, Herat, August 9, 2005.

<sup>27</sup> Human Rights Watch phone interview with a women's rights activist, Herat, August 9, 2005.

system. Few political parties made systematic efforts to recruit women as candidates. An international trainer working on Afghan women's political participation said:

One of the main ways that the number of women in parliament in other countries has increased has been through the increase of women in parties. Almost all the Afghan women interested in nominating themselves want to be independent. ... Women in political parties are like window dressing, the [party leaders] put them in charge of women's sections which are almost just like NGOs with literacy and tailoring programs.<sup>28</sup>

Afghan women and international donors observed that several political parties are only using women to fulfill the quotas and are not committed to creating conditions for women to participate equally in party structures or to occupy positions of responsibility. One woman described to us how she was selected by her political party in 2004 to stand for political office: unexpectedly, they approached her and said, "We chose you." She recounted, "The elders said, 'you don't talk, say yes.' I can't [reject] what the elders say, they are mujahid. I said yes."<sup>29</sup> A woman providing candidate training and awareness programs said that, "We are telling women to be decision-makers, 'don't be used.' The political parties are including them as members, but not in decision-making. They are using women only as a symbol. This is very painful for us."<sup>30</sup>

Another woman said that several different political parties had invited her to work with them, mostly ethnic parties. She went to some of the meetings and said, "They wrote something and gave it to me and told me to read it out loud [at a program]. The executive board was all men. I can't work like that. I see they don't treat women as equals. Some women were there but they were not thinking independently."<sup>31</sup>

### ***Barriers to election employment and civic education for women***

In testament to Afghan women's commitment and interest in playing a greater role in shaping the country's future, an increasing number of women have braved social barriers and physical threats to take part in the political process. Nevertheless, these barriers have inhibited Afghan women from achieving the level of political education and freedom of movement necessary for participating fully in this year's elections.

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<sup>28</sup> Human Rights Watch interview with an international NGO official, Kabul, August 26, 2004.

<sup>29</sup> Human Rights Watch interview with a woman member of a political party, Kabul, August 30, 2004.

<sup>30</sup> Human Rights Watch phone interview with a women's rights activist, western Afghanistan, August 9, 2005.

<sup>31</sup> Human Rights Watch interview with a women's rights activist, Wardak, August 28, 2004.

This year, many previously unregistered women registered to vote, including in areas that showed dismal female participation in 2004. Women comprised many of the new registered voters in Paktia (56%), Paktika (59.4%), Uruzgan (51%), and Ghazni (48.8%). Among the successes cited by the Joint Election Management Body (JEMB) is Ajrestan district of Ghazni province, where no women registered last year and where 15,442 women registered this year.<sup>32</sup>

Election officials are struggling, as they did last year, to recruit adequate numbers of female workers to staff women's polling sites on election day. Security threats, limited education opportunities for women and girls, and social restrictions on women's travel have hampered recruitment. A JEMB official said, "In Nuristan and Kunar, it is difficult for women to work, they are not allowed. In Zabul, there are [almost] no women staff. Paktia, Khost, it is difficult to work. If they cannot find women, they will have to recruit men."<sup>33</sup> One election official noted that in some provinces, there were, "no girls' schools until two years ago.... It is hard to get educated women as district field coordinators, which requires women to be able to read. In most cases we have put in enormous effort. In some cases, we just couldn't find women who can read. [For the issue of women's polling sites,] we had to go to local *shuras* (councils) and say, please allow women to go to polling stations staffed by men."<sup>34</sup>

The south and east of the country remain the most insecure areas for both women and men. In these areas, women will face particular difficulties to campaign freely and even to vote. This difficulty reflects the strongly chauvinistic, conservative culture of these areas, as well as the growing activity of religious extremist forces, many of them aligned with the Taliban, which oppose any role for women in public life. One election worker said that, "In Zabul and Nuristan... a lot of women can't be hired [as poll workers] or vote. There are very few women candidates in those provinces. That is a concern. In such provinces, in such an environment, it is very clear, women will not be allowed to vote."<sup>35</sup>

Interviewees repeatedly brought up women's lack of awareness about parliament, the Provincial Councils, and how to participate as voters and candidates. Conducting civic

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<sup>32</sup> JEMB, *Voter Registration Update Period: End-of-Period Report, 25 June-21 July 2005*, [online], [http://www.jemb.org/pdf/jemb\\_final\\_registration\\_report\\_21-07-05.pdf](http://www.jemb.org/pdf/jemb_final_registration_report_21-07-05.pdf) (retrieved July 26, 2005).

<sup>33</sup> Human Rights Watch phone interview with a JEMB official, Kabul, August 8, 2005.

<sup>34</sup> Human Rights Watch phone interview with a JEMB official, Bamiyan, August 9, 2005.

<sup>35</sup> Human Rights Watch phone interview with a woman NGO worker focusing on elections, Kabul, August 10, 2005.

education campaigns among rural women is particularly difficult given restrictions on their freedom of movement, long travel distances to awareness programs, and opposition by some women's families. Even women candidates may have less regular contact with the media and election officials, and therefore less information about election rules and procedures. An election official said that women candidates had "woefully little information. Women candidates didn't know about the ECC [Election Complaints Commission] or the complaints procedure."<sup>36</sup> Some of the candidates interviewed by Human Rights Watch suggested the establishment of an official complaints office, unaware that such a mechanism has already been created. A woman working for a women's rights nongovernmental organization (NGO) said, "We need more time for awareness campaigns. There is very little information to candidates.... It started two to three months back, but should have started one year back. In the districts, women have not been beneficiaries [of civic education]."<sup>37</sup>

### ***Insecurity and violent attacks***

*Unfortunately, a woman being threatened is something normal in Afghanistan, nobody takes it really seriously.*

—Woman Wolesi Jirga candidate for Takhar province, Kabul, August 3, 2005

The security situation has deteriorated in Afghanistan in the last six months, including high-profile cases of social and political violence against women. These include the killing of three women in Baghlan province with a note left on their bodies warning women against working for NGOs, the kidnapping of a female international aid worker who assisted war widows, and the murder of a woman in Badakshan province accused of adultery.<sup>38</sup> On August 10, 2005, a peasant woman in Zabul province was dragged out of her house and executed by the Taliban, who accused her of being an "American spy."<sup>39</sup> The shooting raised fears about increased targeting of women.

There are significant differences in the nature and intensity of security threats throughout the country. In the south and southeast of the country, most insecurity is caused by forces allied with the Taliban, who have vigorously reemerged to disrupt the election process, including attacks on voter registration sites and election workers. In the

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<sup>36</sup> Human Rights Watch phone interview with a JEMB official, northeastern Afghanistan, August 9, 2005.

<sup>37</sup> Human Rights Watch phone interview with a women's rights activist, western Afghanistan, August 9, 2005.

<sup>38</sup> Amnesty International, *Afghanistan: Women still under attack - a systematic failure to protect*, 2005.

<sup>39</sup> BBC, "Mililitants kill Afghan woman 'spy,'" August 10, 2005 [online], [http://news.bbc.co.uk/2/hi/south\\_asia/4137538.stm](http://news.bbc.co.uk/2/hi/south_asia/4137538.stm).

east and north of the country, forces of local militias and armed factions seek to assert their control over regional candidates and, ultimately, the national parliament and Provincial Councils. These forces use their arms for political power, and often, control over local crime, smuggling, and Afghanistan's surging poppy production to intimidate their political opposition. In the northeast, not only social conservatism, but also physical terrain and distance present obstacles. Candidates often have to walk for days to reach election centers, a more significant barrier for women compared to men. Women in western Herat province describe a more open environment after the former governor Ismael Khan was removed, but intimidation by local commanders remains a concern especially in rural areas.

Election-related violence and intimidation have already begun to take place. On June 3, a male civic educator was murdered by the Taliban in Uruzgan province,<sup>40</sup> and on July 20, gunmen killed a male civic educator in Paktika province. Voter registration centers were also attacked in Paktika, Khost, Uruzgan, and Daikundi provinces.<sup>41</sup> Many candidates fear to report intimidation and investigators also face difficulties in confirming the actual events and motives. A dilemma for women is they often do not know how far they can push social norms and their political freedoms without incurring retaliation. Cases of threats and intimidation include:

- According to the JEMB, on July 17, 2005, a female district field coordinator was shot in the leg by unidentified gunmen. This incident took place in Kamdesh district, Nuristan province. In this same district, five days later, eighty men descended upon the village of Kotya and abducted three men, including two election workers. They were released one day later, reportedly unharmed, but as of this writing, no arrests had yet been made.<sup>42</sup>
- A female candidate in Logar discovered an attempt to set fire to her house. According to media reports, she said that she found a bottle filled with explosive liquid set against the door of her house. It exploded and sent flames against her door.<sup>43</sup>
- On June 17, 2005, three rockets were fired at the house of a female candidate in Wardak. One rocket landed inside her property. The candidate is from a

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<sup>40</sup> AIHRC-UNAMA, *Joint Verification of Political Rights, Wolesi Jirga and Provincial Council Elections, First Report, 19 April-3 June 2005* [online], [http://www.aihrc.org.af/jvr\\_on\\_election.pdf](http://www.aihrc.org.af/jvr_on_election.pdf) (retrieved July 8, 2005).

<sup>41</sup> Joint Election Management Body Secretariat, "JEMB—End of Registration Report, 21 July 2005," pp. 6-7.

<sup>42</sup> Joint Election Management Body Secretariat, "JEMB—End of Registration Report, 21 July 2005," p. 7. The 80 men were dressed in army uniforms. Registration books and other election materials remain unaccounted for.

<sup>43</sup> Human Rights Watch e-mail correspondence with a JEMB official, Kabul, August 1, 2005.



prominent family and has received threats in the past related to anti-government protests. She reported that she knew the perpetrator, but did not reveal the name for fear of retaliation. She did not make an official complaint to UNAMA or the ECC.<sup>44</sup>

- In mid-2005, a candidate in Kandahar received repeated threats over the phone. She told Human Rights Watch, “The phone calls were all threatening my life. They asked me to give up running for parliament or something would happen to me. They would kill me. I have told UNAMA and AIHRC about the phone calls.” She also reported two events in early August, one in which two men approached her on the street, one wielding a gun, and one in which men came to her house. She said, “I was really frightened.... I reported it to the security commander.... I am really scared now. I wasn’t very worried about the phone calls...[but] these recent events have made me frightened. I don’t go out at all. I don’t know what I should do when the official campaign starts.”<sup>45</sup>

Although security remains a problem for both men and women candidates, women face extra risks. One female candidate told Human Rights Watch, “Women have more security problems than men. Women can’t go out alone. Women can be raped.”<sup>46</sup> An attack against any women candidate is highly symbolic and therefore can increase fear among all women candidates. Another candidate noted said, “Yes, women have more security problems. Coming out of your home just by yourself is thought a sin. Women are threatened, humiliated and men candidates say bad things about them. Women feel insecure.”<sup>47</sup>

Men can do things that are risky for women, for example, posting their photograph on campaign flyers and posters. A woman candidate in Kandahar told Human Rights Watch, “One main problem for all women is that they are afraid. Wearing burqas, it is very hard to campaign. Women are afraid of putting their pictures on flyers. Women candidates have lots of problems.”<sup>48</sup> Many women, in choosing to continue their candidacies and to campaign, have decided to take these risks. A candidate from

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<sup>44</sup> Ibid.

<sup>45</sup> Human Rights Watch phone interviews with an independent Wolesi Jirga candidate, Kandahar, July 27, 2005 and August 9, 2005.

<sup>46</sup> Human Rights Watch interview with an independent Takhar Provincial Council candidate, Kabul, August 2, 2005.

<sup>47</sup> Human Rights Watch interview with an independent Takhar Wolesi Jirga candidate, Kabul, August 3, 2005.

<sup>48</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Kandahar, August 4, 2005.

Kandahar said, “I have to print my pictures, so that people know me. I know it is dangerous, I have no other way.”<sup>49</sup>

The threat of security problems can have almost as profound an impact on campaigning and voting as actual cases of violence. One candidate in Kunduz said, “Security should be taken care of. If something happens, even the voice of a gun can prevent women from voting. Not only women but everybody might get frightened.”<sup>50</sup> Another candidate said, “I didn’t have any direct problems yet but I have told UNAMA that I am worried. Every day that I get out of my house I am afraid, I feel that the car with high speed is coming to kill me, I am afraid of every small sign.”<sup>51</sup>

Women in the southern and eastern parts of the country said they were scared both by warlords and insurgents. A woman candidate from Nangarhar province said, “I am staying in an old house in the city now, because I am afraid Al Qaeda will find my place.”<sup>52</sup> A woman candidate in Kandahar said, “Our security is threatened both by warlords and Al Qaeda. The security condition should get better in districts.... I suggest that government should increase security forces in districts.”<sup>53</sup>

Human rights activists, NGO workers, and ordinary women reiterate that overall security conditions are critical to enable an atmosphere where women can freely participate in public life. Insecurity has a disproportionate effect on women. For example, in the 2004 presidential elections, women’s voter registration and turnout rates fell far behind men’s in the regions with the worst security. These areas are also those which hold the most conservative attitudes toward women, creating a formidable challenge to women stepping outside of traditional roles. Human Rights Watch interviewed many women who were frustrated by the inadequate presence of peacekeeping troops, the slow pace of disarmament, and the continued international support for warlords who cooperate in counter-insurgency activities. One independent candidate from Herat said:

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<sup>49</sup> Human Rights Watch phone interviews with an independent Wolesi Jirga candidate, Kandahar, July 27, 2005 and August 9, 2005.

<sup>50</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Kunduz, August 9, 2005.

<sup>51</sup> Human Rights Watch phone interview with a party-affiliated Wolesi Jirga candidate, Mazar-e Sharif, July 23, 2005.

<sup>52</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, August 7, 2005.

<sup>53</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Kandahar, August 4, 2005.

I don't have recommendations for the international community, because the international community stands besides warlords not us, not people. Two years ago we were really hopeful, now people have lost their hope. Poor people get poorer and rich people get richer. The international community could do other things to stop terrorism. If they build hospitals, roads, and schools for people, people wouldn't let any terrorist destroy it. The international community supported warlords and weakened people.<sup>54</sup>

In addition to social and cultural barriers to women's participation in the political sphere, the general climate of insecurity and political intimidation throughout Afghanistan deterred many women who would otherwise be qualified and prepared to run for office. The election commission did not require potential candidates to give a reason for withdrawing their nominations, but one woman told Human Rights Watch that she withdrew her nomination as a candidate because she would have to step down from her current job and because "traveling to remote areas is not very safe."<sup>55</sup> One activist said that for her region, "According to our information, some of the women withdrew because their families weren't willing for them to run. Two to three for economic reasons, and some of them, and I got this from the words of others, because of threats."<sup>56</sup>

While the Taliban seek to disrupt the elections and warlords to dominate them, they are similar in that their tactics of violence and intimidation can only be controlled through the imposition of the rule of law—which, in Afghanistan, requires cooperation of international troops, including the approximately 18,000 U.S. troops (whose mandate is to fight the Taliban, not to act as peacekeepers) and nearly 8,000 members of the NATO-led ISAF. This small force's ability to improve security conditions throughout Afghanistan has been hampered by a narrow mandate, often focusing on force-protection rather than defending civil society, and a narrow geographic range. Generally, where ISAF troops have been operating, they have improved the security situation, but the country as a whole remains wracked by insecurity. Despite ISAF's efforts, not enough has changed to create a secure environment for the September 2005 elections.

### ***Warlords and commanders as candidates***

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<sup>54</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Herat province, August 10, 2005.

<sup>55</sup> Human Rights Watch phone interview with a women's rights activist, Balkh province, August 10, 2005.

<sup>56</sup> Human Rights Watch phone interview with a women's rights activist, western Afghanistan, August 9, 2005.

*I am not sure the elections will be fair. Before I thought that they might be, but now that warlords are back on the candidate list, it is hard to be hopeful. Commanders have money, they buy votes, they give promises to people, and most importantly they have power and influence. This is still the rule of the gun. I wish the elections could happen after total disarmament.*

—Woman Wolesi Jirga candidate, Kunduz, August 9, 2005

The final candidate list includes many commanders with links to illegal armed groups and individuals associated with perpetrators of grave human rights abuses, including women’s rights abuses. Unlike groups aligned with the Taliban, many such commanders have official government positions or do not actively oppose the central government of Afghanistan. However, they are keen to maintain and even expand their existing dominance through armed force. As one woman candidate told Human Rights Watch, “I feel frightened. I am not afraid of Al Qaeda, I am afraid of commanders who are candidates.”<sup>57</sup> A fifty-year-old female teacher running for parliament said, “Their hands are dirty with people’s blood. They are like a thorn in the hearts of people.”<sup>58</sup>

The dominance of warlords in many parts of the country is in large part a legacy of the initial policy of the United States in the war against the Taliban, when U.S. forces actively supported regional militias regardless of their abusive records. This legacy, while tempered over the last year, continues to present a significant threat to security, justice, and human rights in Afghanistan. Many commanders and gunmen retain important and influential government posts. The country still grapples with transitional justice issues. Recent reports issued by the Afghan Independent Human Rights Commission (AIHRC), the Afghanistan Justice Project, and Human Rights Watch have outlined war crimes committed in Afghanistan’s twenty-five years of war by these commanders and have called for mechanisms to seek accountability for past abuses.<sup>59</sup>

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<sup>57</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, July 24, 2005.

<sup>58</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Balkh province, August 10, 2005.

<sup>59</sup> AIHRC, *A Call for Justice: A National Consultation on past Human Rights Violations in Afghanistan*, (Kabul: AIHRC, 2005) [online], [http://www.aihrc.org.af/Rep\\_29\\_Eng/rep29\\_1\\_05call4justice.pdf](http://www.aihrc.org.af/Rep_29_Eng/rep29_1_05call4justice.pdf) (retrieved May 20, 2005); Afghanistan Justice Project, *Casting Shadows: War Crimes and Crimes against Humanity, 1978-2001*, (AJP, 2005) [online], <http://afghanistanjusticeproject.org/warcrimesandcrimesagainsthumanity19782001.pdf> (retrieved July 19, 2005); and Human Rights Watch, *Blood-Stained Hands: Past Atrocities in Kabul and Afghanistan’s Legacy of Impunity*, (New York: Human Rights Watch, 2005) available at <http://hrw.org/reports/2005/afghanistan0605/>.

Human Rights Watch interviewed several women who named specific commanders who were linked to past war crimes or who would intimidate other candidates in their provinces.<sup>60</sup> Independent women candidates in particular felt they had the least protection against intimidation from warlords. A woman candidate in northeast Afghanistan reported the following case of intimidation by a prominent commander:

On July 15, “his men came to destroy our yard wall.... Two days later, I was alone at home when men entered my house.... They didn’t say anything and they started throwing stones at me. Later, they beat me up with sticks. I started shouting and defending myself. Nobody came to help me. Everybody is afraid of Commander [name withheld] and his people.... I was seriously injured and still I can’t walk comfortably. The security office is very near to our house but they didn’t come to help me.... My husband [later] went to the security commander [who] came with his people and arrested the [perpetrators]. Again in the evening the [perpetrators] were released. I don’t know why. Nobody investigated them. Two days before this event on 15th July, [the commander] threatened me about being a candidate. I think all this happened because of that. UNAMA/ AIHRC/ JEMB say that this is a personal and legal problem. They claim that these people are my relatives, but I don’t know these men.... I can’t go out to campaign, women don’t like to come with me, they are afraid.”<sup>61</sup>

Women cited the threats posed to security and fairness by warlord candidates. A woman election worker said, “The first problem of course is security. Not in Kabul, but the provinces. It is not the same for male candidates, especially warlords or powerful commanders. Women don’t know if they [these warlords] will let them campaign.”<sup>62</sup> As a parliamentary candidate in Kunduz said, “Security problems for women candidates are more than men, because most of the women are independent, they don’t have guns and they talk about realities. I always talk about people who destroyed our country and

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<sup>60</sup> One woman candidate in Kandahar province said, “Khalid Pashtoon is a militia commander and he is in the list.” Human Rights Watch phone interview with a Wolesi Jirga candidate, Kandahar, July 27, 2005. Candidates in the north cited candidates supported by Mohamed Atta, a former mujahidin commander and current governor of Balkh province. A woman candidate for the Provincial Council in Takhar said, “Commander Pir Mohammad who committed lots of murder is now a candidate. Commander Bashir is also a dangerous person. There were lots of complaints against these people, but the complaints box was broken and all the complaints were taken away. Commander Piram Qul has the control of all district of Warsaj , he doesn’t let anybody campaign,” Human Rights Watch interview with a Takhar Provincial Council candidate, Kabul, August 2, 2005.

<sup>61</sup> Human Rights Watch phone interviews with a Wolesi Jirga candidate, Kunduz province, August 11, 2005; an international election worker, Kabul, August 11, 2005; and a JEMB official, Kabul, August 8, 2005.

<sup>62</sup> Human Rights Watch phone interview with a woman NGO election worker, Kabul, August 10, 2005.

commanders and warlords don't like that. I expect problems and threats."<sup>63</sup> Powerful commanders defy the election rules. One candidate said, "Commanders have already started campaigning [before the official campaign period] and they put their pictures everywhere during the night. Women can't do that."<sup>64</sup>

Even women in relatively safe places like Bamiyan where there are high levels of women's participation described problems of unfair influence by powerful and wealthy commanders. A female civic educator said, "Powerful people and commanders may influence the process. They buy the district workers of JEMB to campaign for them. People have to vote for the commander in their own area. Districts like Waras and Panjao are controlled by one person who I do not want to name."<sup>65</sup> This influence is often manipulated through both government and traditional social structures. For example:

[A minister] came to Takhar and said bad things about some independent candidates and he helped others. The elders of society hear what the minister says. The elders of the tribe try to make the woman leave her position and support others. The ministers make elders obey them and the elders impose their decision on everybody.<sup>66</sup>

Candidates complained that some candidates are unfairly abusing positions of power. "Some of them are supported by local governments and use their authority for getting votes."<sup>67</sup> Candidates in Mazar-e Sharif and Herat complained about students being threatened by school officials to vote a certain way.<sup>68</sup> One woman candidate said, "People are afraid that if they don't vote for ministers' relatives, they will lose their jobs in government offices. I don't think that in this case the elections will be fair.... There are some warlords who threaten people to vote to them. The joint election commission did not remove warlords' names from the list."<sup>69</sup>

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<sup>63</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Kunduz, August 9, 2005.

<sup>64</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, July 23, 2005.

<sup>65</sup> Human Rights Watch phone interview with a woman civic educator, Bamiyan province, August 10, 2005.

<sup>66</sup> Human Rights Watch interview with an independent Takhar Wolesi Jirga candidate, Kabul, August 3, 2005.

<sup>67</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Mazar-e Sharif, July 27, 2005.

<sup>68</sup> Human Rights Watch phone interviews with an independent Wolesi Jirga candidate, Balkh province, August 10, 2005, a party-affiliated Wolesi Jirga candidate, Mazar-e Sharif, July 23, 2005, and an independent Wolesi Jirga candidate, Herat, August 10, 2005.

<sup>69</sup> Human Rights Watch interview with an independent Takhar Wolesi Jirga candidate, Kabul, August 3, 2005.

The presence or absence of warlords who often implement discriminatory policies against women has a significant impact on women's political participation.<sup>70</sup> One women's rights activist and civic educator talked about the greater freedoms that women in Herat have enjoyed since the removal of Ismael Khan, one of Afghanistan's most powerful warlords, as governor of the western region. She said, "Women can go to the market. Women can work in different offices, there were threats before. Women...are not threatened like before, before there were problems or threats if you wanted to make an international trip, now women are freely traveling. Very, very positive changes have occurred."<sup>71</sup>

Human Rights Watch interviewed women who, despite serious consideration, chose not to become candidates because of security concerns linked to local commanders and a sense of disillusionment about the fairness of the elections. Women comprise only four of the 289 candidates for Nangarhar's Provincial Council and 18 out of the 179 candidates for Nangarhar's fourteen seats in the Wolesi Jirga. One respected woman educator from eastern Nangarhar province said, "I wanted to be a candidate, but I don't have money and power. I was afraid of warlords and armed people—people who have guns and power.... There are complaints because [commanders implicated in war crimes] who were taken off [the candidate] list are back on the list."<sup>72</sup> Human Rights Watch has documented ongoing abuses by influential commanders in Nangarhar province, including a former mujahidin leader, Hazrat Ali.<sup>73</sup>

A human rights worker in Herat province said, "Commanders are very influential. Most women didn't run for parliament because of this."<sup>74</sup> A women's rights activist who has developed strong credentials throughout Afghanistan said she did not become a candidate because her family had suffered violent intimidation in the past after she helped conduct research for a report on human rights abuses against women. She said, "Ismael Khan's people created problems for me and the new governor of Herat is also

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<sup>70</sup> For example, for more information on restrictions against women in Herat under Ismael Khan, please see Human Rights Watch, *"We Want to Live as Human," Repression of Women and Girls in Western Afghanistan*, (New York, Human Rights Watch, 2002), available at <http://www.hrw.org/reports/2002/afghnwmn1202/>, and Human Rights Watch, *"All Our Hopes are Crushed," Violence and Repression in Western Afghanistan*, (New York, Human Rights Watch, 2002), available at <http://hrw.org/reports/2002/afghan3/>.

<sup>71</sup> Human Rights Watch phone interview with a women's rights activist, Herat, August 9, 2005.

<sup>72</sup> Human Rights Watch phone interview with a woman educator, Jalalabad, July 24, 2005.

<sup>73</sup> Human Rights Watch, *"Killing You is a Very Easy Thing for Us," Human Rights Abuses in Southeast Afghanistan*, (New York: Human Rights Watch, 2003), available at <http://www.hrw.org/reports/2003/afghanistan0703/>.

<sup>74</sup> Human Rights Watch phone interview with a woman human rights worker, Herat province, August 10, 2005.

against me. I was afraid. I didn't want to create more problems for myself and my family.”<sup>75</sup>

### ***Campaigning in rural areas***

*I am afraid of going to Kalafghan district of Takhar province. I also don't want to go to Chal district. They are remote areas and lots of commanders stand [as candidates] from there. I don't walk out of my house by myself. I go everywhere with my father and brother.*

—Woman Provincial Council candidate, Takhar, August 7, 2005

Travel to villages and rural districts is one of the most difficult challenges facing women candidates. Numerous women candidates told Human Rights Watch that, as women, they would have greater difficulty than men to campaign outside of the cities.<sup>76</sup>

Human Rights Watch interviewed women candidates in southern, eastern, northern, and western provinces who all cited security, including problems associated with travel to rural areas, as their top concerns. An election worker said, “Men can go to different parts, for example in Badakshan, men can go anywhere, any district. Women cannot, they may be threatened, like in Nuristan province. [In some places, it is] not possible for women to campaign or to exercise freedom of speech.”<sup>77</sup> Candidates also felt there were few avenues for protecting themselves. Most have decided to run accepting that they face deep risks to their personal safety.

One candidate for a Provincial Council seat said, “I am afraid. I can't [leave] my house.”<sup>78</sup> A teacher running for the Wolesi Jirga said, “I have problems traveling to remote areas. I can't take guards with myself, because I don't have enough money to give them. Men don't need guards for themselves. It is a problem for women independent candidates.”<sup>79</sup> A candidate from Kandahar province said, “It would be

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<sup>75</sup> Human Rights Watch phone interview with a women's rights activist, location withheld, August 10, 2005.

<sup>76</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, July 23, 2005.

<sup>77</sup> Human Rights Watch phone interview with a woman NGO election worker, Kabul, August 10, 2005.

<sup>78</sup> Human Rights Watch interview with an independent Takhar Provincial Council candidate, Kabul, August 2, 2005.

<sup>79</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Mazar-e Sharif, July 27, 2005.



wonderful if an armed man could accompany me. I am afraid of going to areas like Khakriz and Shah Wali Kot districts.”<sup>80</sup>

A candidate from Nangarhar province made the following recommendation, “Our life is in danger, anybody can come to our office and kill us. We don’t have guns.... When women travel to remote areas, police should go with them.”<sup>81</sup> One woman expressed fear because she had traveled to the United States and was afraid she would be targeted. She said, “I have lots of problems traveling to far and remote areas..... I am afraid Al Qaeda may kill me for my trip [to the United States].”<sup>82</sup>

The problem is not just limited to southern and eastern Afghanistan, where more conservative social mores and Taliban activity hamper women’s travel. Even in areas without significant Taliban presence, women face real difficulties in venturing into rural areas. An independent woman candidate in Herat province said, “There is no use traveling there. Some districts are not safe for women to travel. Some people don't like women candidates. I travel with two male relatives and some women.”<sup>83</sup>

The restrictions women face traveling in rural areas is important not only for women candidates during the campaign period, but women voters on election day. Many candidates have recommended that the government and NGOs provide transport for women who come from remote areas to vote.<sup>84</sup> As one candidate put it: “I think that giving transport to women on voting day will help them a lot. It will also encourage them to vote.”<sup>85</sup>

### **Government protection**

*I don't have any requests for the government. I know the government can't do anything. Our requests won't be responded to. The elections in Takhar won't be fair,*

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<sup>80</sup> Human Rights Watch phone interviews with an independent Wolesi Jirga candidate, Kandahar, July 27, 2005 and August 9, 2005.

<sup>81</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, August 7, 2005.

<sup>82</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, August 7, 2005.

<sup>83</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Herat province, August 10, 2005.

<sup>84</sup> For example, Human Rights Watch phone interview with a woman educator, Jalalabad, July 24, 2005; Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Balkh province, August 10, 2005.

<sup>85</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Mazar-e Sharif, July 27, 2005.

*the locks on [ballot] boxes are all plastic. They can be easily broken and the votes can be replaced.*

—Woman candidate for Provincial Council, Takhar, August 2, 2005

Women candidates interviewed by Human Rights Watch expressed mixed feelings about armed protection. Some women said the government should provide them armed bodyguards, whereas others rejected the idea. Some candidates recommended that, “Security should be provided for each candidate. We can take one armed person with ourselves to protect us when we travel to remote areas.”<sup>86</sup> One candidate from Nangarhar province told Human Rights Watch, “I need police to go with me everywhere. The security commander of districts should take care of everything when candidates enter the district. I need armed men with myself. . . . During the night one armed man should guard my house.”<sup>87</sup>

One security proposal is for the Ministry of Interior to provide two guns to candidates who have received threats. A female candidate said, “I am against this decision as a woman candidate. We hate guns, we have very bad memories from guns, we don’t want to carry guns as candidates. I don’t think it is good for security, because it encourages our enemies to use violence.”<sup>88</sup>

Some independent candidates—in particular women—are loathe to turn to local security forces that ostensibly provide protection but in some places are implicated in much of the insecurity and intimidation. Even though candidates felt nervous about security conditions, many felt they could not turn to the government for assistance. This sense of hopelessness reflects recognition of the very real limits of the central government’s resources and authority, and the concomitant power of militias associated with warlords and armed factions.

One candidate in Balkh province said, “I want to remind you that the security commander in Mazar is also from the Jamiat Party. The condition in Balkh is really hard. All offices are connected to each other and one party. I ask the government to make fast decisions to change conditions here.”<sup>89</sup> A JEMB official said, “No women ask for guns.

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<sup>86</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, July 27, 2005.

<sup>87</sup> Human Rights Watch phone interview with an independent Wolesi Jirga candidate, Jalalabad, August 7, 2005.

<sup>88</sup> Human Rights Watch phone interview with a party-affiliated Wolesi Jirga candidate, Mazar-e Sharif, July 23, 2005.

<sup>89</sup> Human Rights Watch phone interview with a party-affiliated Wolesi Jirga candidate, Mazar-e Sharif, July 23, 2005.

I think women candidates feel they can't depend on local security forces that might be heavily influenced by warlords."<sup>90</sup>

The complaints procedure may not be accessible to all candidates. An election commissioner told Human Rights Watch, "While the media has carried reports of women candidates experiencing difficulties in campaigning and intimidation, the ECC has received no complaints from women candidates of this nature. However the JEMB recognizes that women in remote areas may not have access to facilities to file written complaints."<sup>91</sup> As mentioned earlier, many candidates are still unaware of the procedures.<sup>92</sup>

Some candidates have been frustrated by the lack of response from the ECC after they submitted complaints. One official with the JEMB said that, "We have heard complaints—that the filed complaint goes nowhere, goes in a vacuum, that they [the ECC] don't get back in touch. Maybe the investigation is resolved or cannot be taken further, but they don't convey that back to the person who made the complaint."<sup>93</sup> Others have lost confidence in the complaints process after dozens of individuals were initially screened out of the candidate list and then cleared, despite links to militias and warlords.

#### IV. Conclusion

*Security has always been a concern since the fall of the Taliban. This recommendation has been repeated many times. But the government should come up with the mechanisms to ensure security. They say women are free. But they cannot just say they give rights to women, they have to ensure it. They have to make the environment safe and secure.*

—Woman election worker, Kabul, August 10, 2005

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<sup>90</sup> Human Rights Watch phone interview with a JEMB official, Kabul, August 8, 2005.

<sup>91</sup> E-mail correspondence to Human Rights Watch from Najla Ayoobi, JEMB election commissioner, August 16, 2005.

<sup>92</sup> For example, some candidates made recommendations to Human Rights Watch that the Afghan government should create a mechanism for submitting complaints. One woman said, "I want the government to open a special office for candidates' problems," Human Rights Watch phone interview with S.W., Wolesi Jirga candidate, Kandahar, August 4, 2005.

<sup>93</sup> Human Rights Watch phone interview with a JEMB official, Kunduz, August 9, 2005.

The Taliban stripped women and girls of their most basic rights. Banished completely from public life, the slightest infraction could result in arrest or beatings. With the fall of that regime at the end of 2001, it seemed such nightmares were a thing of the past. But the pressures on women today are sometimes nearly as severe.

Hundreds of women have chosen to brave risks to their personal safety in order to have a voice in the country's emerging political institutions. The Afghan government, domestic and international election observers, and the international community must work together to support Afghan women's political participation.

Four years ago, the United States, Britain, and their allies pledged to support Afghan women in their struggle to reclaim their rights after the fall of the Taliban, and to provide a supportive environment for them to do so. In 2005, while Afghan women's rights are in one sense "on the agenda" of the international community—witness the often stirring rhetoric of world leaders and well-intentioned programs targeting women—key international actors have done little to create the conditions necessary for a genuine flowering of women's rights in the country. An expansion of NATO-led peacekeeping troops throughout the country and renewed efforts at disarmament could help transform it from the rule of the gun to the rule of law. Instead, Afghanistan remains one of the most poorly funded conflict zones in the world.

Prompt action by Afghan and international actors in the next month can foster a more secure environment so that women candidates may campaign with greater confidence. The ECC should find ways to facilitate the submission of official complaints, especially from candidates in rural areas that are far from Provincial Election Centers (PECs). The ECC should respond to such complaints immediately and communicate the actions being taken to complainants. Local and international security forces should coordinate regular meetings directly with candidates, election staff, and human rights workers at the local level, and provide emergency mobile phone numbers to candidates.

Additional steps should be taken to support the new parliament and Provincial Councils when they begin their work. This includes training for new government officials and security for officials who face threats and intimidation, particularly women elected to the Provincial Councils who may be at extra risk of such problems.

