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AFGHANISTAN INDEPENDENT HUMAN RIGHTS COMMISSION

Report on Violence against Women in Afghanistan

(The first 10 months of 2020)

Table of Content

INTRODUCTION:	1
TYPES OF VIOLENCE	1
PHYSICAL VIOLENCE	1
SEXUAL VIOLENCE	1
VERBAL AND MENTAL VIOLENCE	1
ECONOMIC VIOLENCE	2
OTHER CASES OF VIOLENCE AGAINST WOMEN	2
THE IMPACTS OF VIOLENCE ON WOMEN	2
ACTIONS TAKEN BY AIHRC	2
WHERE THE VIOLENCE OCCURS	3
REASONS AND FACTORS OF VIOLENCE AGAINST WOMEN	3
RECOMMENDATIONS	3

Introduction:

Violence against women is a serious human rights concern in Afghanistan. Despite the significant achievements that Afghanistan has had in the area of educating women and girls, health and their participation in the political, economic, social and civic affairs throughout the past 18 years, they still cannot fully enjoy or exercise their human rights. This can be because of the cultural and social challenges that women face in most parts of the country. Violence against women in Afghanistan is a widespread phenomenon that includes physical, sexual, economic, verbal, mental, and other types.

According to AIHRC's Data Center, a total of 3477 cases of violence against women have been recorded at AIHRC offices in the first ten months of 2020. During the same period of time in 2019, the cases of violence recorded at AIHRC were 3910. A comparison of both shows 11% decline in violence against women in 2020; however, this decline could be due to lack of women's access to legal and judicial organs, escalation of insecurity in different parts of the country, and the lockdown due to COVID-19.

Types of violence

Physical Violence

The most common type of violence against women is physical which can happen in different forms. AIHRC has recorded a total of 1241 cases of physical violence against women in the first ten months of 2020 which includes cases of beating, mutilation, injuring, forced labor, etc. The total cases of physical violence amount to 35.7% of all types of violence that happened against women in Afghanistan in the first ten months of 2020.

In some cases, the violence against women has been so gross that the Commission has had to intervene without the victim's referral to AIHRC for registering a complaint. The gross violations of women's rights that have been documented by AIHRC include cases of murder, rape, abduction, and suicide which amount to a total of 281 cases. Out of all 281 cases of violence against women documented by AIHRC, 167 of them are murder. The murder cases are mostly "honor killing". Furthermore, the perpetrators of 123 these cases have been arrested, while the perpetrators of the other 158 cases have escaped trial.

Sexual Violence

Every year, numerous women and girls become victims of sexual violence, a serious plague in Afghanistan. Sexual violence is a taboo in Afghanistan's traditional society; therefore, most cases of sexual violence are not reported. However, during the first ten months of the current year, a total of 130 cases of sexual violence against women (the gravest of which are 23 cases of rape) have been recorded at AIHRC offices. The aforementioned figure amounts to 3.7% of all cases of violence against women in the first ten months of 2020.

Verbal and Mental Violence

Verbal and mental violence against women is also a common type of violence that exists in Afghanistan society, but is not often counted as violence. Mental and verbal violence have huge negative impacts on women's minds and

souls. The most common type of verbal or mental violence is humiliation, using curse words against them, and threatening them. Such violence can happen inside the families or in the public. According to AIHRC's database, a total of 1120 cases of verbal or mental violence against women have been recorded which makes that 32.2% of all cases of violence recorded by AIHRC in the first ten months of 2020.

The most common cases of mental or verbal violence recorded by AIHRC during the mentioned time include a husband threatening his wife to get married again or force a divorce on the wife, insulting and using bad language against women, accusing women of crimes they have not committed, and threatening women to murder or rape.

Economic Violence

During the first ten months of 2020, a total of 601 cases of violence against women have been recorded by AIHRC offices which accounts for 17.3% of all cases of violence against women during the mentioned period of time. Economic violence involves cases of depriving women of their inheritance, not providing alimony (nafaqa), no role in family expenditures, selling their belongings (like jewelry) without their consent, and preventing them from work.

Other cases of violence against women

Violence against women does not limit to the categories mentioned above. The other cases of violence recorded by AIHRC in the first ten months of 2020 include 385 different cases of ousting from home, forced marriage, early marriage, no role in choosing a spouse, giving to Bad or exchanging women, preventing women and girls from going to school, etc.

The impacts of violence on women

Violence against women can negatively impact women's well-being, dignity, social status, and living condition. Moreover, violence hampers the improvement of women and causes them to be isolated. Violence against women not only hurts them physically, but also leaves a myriad of negative psychological consequences. The extent of the negative consequences of violence against women is alarming. In the first ten months of 2020 alone, AIHRC has recorded 1339 cases of women with an unknown fate, 26 leaving home, 58 escaping home, 536 demanding divorce, 247 injured, 328 mental illnesses, etc.

Actions taken by AIHRC

AIHRC regularly records cases of violence against women in a specific database, but that is not all. AIHRC advocates for the victims of human rights violations until justice is served. Out of all 3477 cases of violence against women registered at AIHRC during the first ten months of 2020, 482 of them have received legal aids, 483 cases are advocated for, and 346 cases have been officially referred to relevant authorities such as the Ministry of Women Affairs, Ministry of Justice, hospitals, and aid organizations. Another 315 cases have been transferred between institutions, and 715 cases were introduced to the Police and/or Attorney General's Office. Other forms of human rights assistance have also been provided, such as introducing to safe shelters, providing legal consultations, and documenting various cases.

Where the violence occurs

Most cases of violence against women occur at families and inside the houses. Out of all 3477 cases of violence against women recorded at AIHRC, 3331 of them (95.8%) have occurred inside the families. It indicates that home environment is the most dangerous place for women in Afghanistan to be at. The rest of the cases have occurred at the streets, workplaces, hospitals, schools or universities, and detention centers or prisons.

Reasons and factors of violence against women

There are many influencing factors causing violence against women. The most prominent factors of violence against women include harmful traditions and customs, insecurity and government's inability to control remote provinces and districts, continuation of a culture of impunity and no firm action against criminals, administrative corruption and abusing one's official position, intervention of high-ranking officials in processing the cases, women's limited access to justice (courts, anti-violence attorneys, female detention centers, and female lawyers), owning illegal weapons by unlawful armed groups, insufficient support to the victims of violence against women, low literacy and public awareness, poverty and unemployment, and also more drug-addictions. These factors cause continuation of family violence against women in Afghanistan.

Recommendations

1. According to the findings by the present report, the following are recommended as effective mechanisms to solve women's legal problems, reduce violence against women, and improve their awareness of their rights:
2. Public awareness raising on women's rights and social privileges, especially in the society and family;
3. Creating effective mechanisms to fight dominance of harmful traditions and patriarchy;
4. Creating job opportunities for women to make them financially independent;
5. Including women in high ranking administration panels to involve them in large scale national decision and policymaking;
6. Hiring experienced and professional staff at Special Attorney to Fight Violence against Women, strengthening Court to Fight Violence Against Women, and expanding these structures to remote provinces of the country, and also supporting women's participation in defense and security forces;
7. Reforming the Law on Preventing Harassment against Women, criminalization of all forms of harassment mentioned in this law, and also devising effective mechanisms to easily address cases of harassment;
8. Reforming the Law on Elimination of Violence Against Women and the Penal Code to remove the possibility for the victim to withdraw the case;
9. Creating effective monitoring mechanisms in legal and judicial systems of the country to fight corruption and build trust among the people;
10. Facilitating registration of marriage and divorce all over the country and monitoring a smooth implementation of both; and
11. More safe shelters around the country to better protect the victims who cannot return home.