



GENDER ALERT ON COVID-19 AFGHANISTAN



May 28, 2020

Issue VI: Women, Peace & Security and Ensuring Women's Meaningful Participation in the Afghan Peace Process

Following the previous Gender Alerts,¹ UN Women issues this sixth alert to continue to highlight the gender specific impacts of COVID-19 in Afghanistan. This alert focuses on a pillar of the women, peace and security agenda of particular relevance in Afghanistan today – participation. Specifically, the alert engages stakeholders on how to collectively ensure women's meaningful participation in an intra-Afghan peace process. It addresses the ways in which exclusion and lack of women's meaningful participation represent, in part, an expression of existing low numbers of women in leadership positions and existing barriers to exerting influence in male dominated spaces. However, in Afghanistan, women with expertise, standing ready to serve their nation, are in no short supply. With a wealth of women leaders in Afghanistan with expertise in peace and security issues, this alert also addresses additional barriers to their participation and its impact on the sustainability of a political settlement. It encompasses the overarching gendered impacts as described in previous alerts, but also outlines how the COVID-19 pandemic may, without proper attention, affect broader inclusion. It is also essential to ensure that amidst lockdown, broader consultative opportunities for women's civil society and inclusion of gender and human rights expertise is readily available to the negotiating parties.

CONTEXT & EMERGING GENDER IMPACTS

This alert addresses several issues related to ensuring women's meaningful participation in an intra-Afghan peace process and ensuring a gender-sensitive resolution of the conflict in Afghanistan. Some of the issues represent ongoing challenges pre-existing the COVID-19 crisis. However, attention to these issues in the context of COVID-19 is essential to ensuring that implementation of the WPS agenda remains a priority to ensure that any peace created can last. The alert dedicates particular attention to the following areas, while also analyzing the new challenges as related to COVID-19: (1) women's direct participation: setting the agenda and exerting influence; (2) inclusivity and engagement with women's civil society and women's rights defenders at all stages; (3) addressing the practical barriers for women's meaningful participation in direct and consultative processes; (4) coalition building in a time of COVID-19.

The alert concludes with a set of preliminary recommendations for consideration by national and international stakeholders to support the meaningful participation of women

¹Available on UN Women's Regional Website: <https://asiapacific.unwomen.org/en/digital-library/publications>.

in peace and security processes, particularly the intra-Afghan dialogue. The alert draws upon recent recommendations for the United Nations and other stakeholders highlighted in the Secretary-General's report on women, peace and security, as well as commitments by the Government of the Islamic Republic of Afghanistan.

Women's Meaningful Participation in an Intra-Afghan Dialogue

Around the world, ensuring women's meaningful participation in peace processes,² is an exceptional challenge. The Secretary-General in his latest report to the Security Council not only stressed the complexities around this issue today, but noted that inclusion of women as "delegates and decision makers has become increasingly difficult," citing fractured and protracted conflict, as well as non-State actors for whom "gender inequality is not only a vestige of historical social structures, but a strategic objective consistent with misogynist ideology and attitudes around the rights and roles of women."³ Briefly, the global state of affairs looks like this. Between 1990 and 2017, women constituted only 2 per cent of mediators, 8 per cent of negotiators, and 5 per cent of witnesses and signatories in all major peace processes.⁴ And, only 3 out of 11 (27 per cent) peace agreements signed in 2017 contain gender-responsive provisions.⁵ This is despite the existing evidence that demonstrates women's added value and positive impact on peace processes.

In Afghanistan, quantitative analysis shows that from 2005 to 2014 women were present at the table during twenty-three rounds of talks only twice.⁶ During the Kabul process, in February 2018, women remained underrepresented, leading to the continued trend of women's civil society organizations, and other excluded constituencies, seeking influence through separate public advocacy, and informal consultations with the Taliban.⁷ In addition, throughout 2018 and 2019, there have remained only a few women present for informal talks, alongside some bilateral consultations between leading women's civil organizations and the U.S. Special Envoy and the Islamic Republic of Afghanistan. And although women also comprised 30 per cent of the Loya Jirga held in March 2019, there remained

wide reports of marginalization and dismissal. In the current process after the February signing of an agreement between the United States and the Taliban, four women are appointed to a 21-person team to participate in future direct talks between the Islamic Republic and the Taliban.⁸ Nevertheless, it is imperative that the international community, and most importantly, national stakeholders, including the Government, civil society, and others redouble efforts to ensure that not only are the women on the negotiating team empowered to influence the process across the full range of issues discussed and to offer their respective expertise (not just gender and women's rights), but that the process invests in inclusivity, engagement of women's civil society, and the protection and promotion of human rights.

Overall, the result, which is consistent across many contexts beyond Afghanistan, is that women are excluded from directly participating in negotiating the resolution of conflict or informing multi-track diplomatic efforts as negotiators, mediators, observers, civil society, leaders, activists, human rights defenders, and more. This in turn contributes to the exclusion of gender-sensitive provisions in peace agreements that are critical for gender sensitive implementation of a peace agreement and subsequent peacebuilding processes, finally resulting in less sustainable peace.

Women's direct participation: setting the agenda and exerting influence

Since 2001 the Islamic Republic of Afghanistan has shown a genuine interest in striving to adhere to human rights norms and principles and has achieved steady progress in advancing human rights, especially women's human rights and freedom of expression. Afghanistan continues to reaffirm its commitment to human rights and the necessity of legal protections to fulfil its obligations through adoption of relevant national legislation,⁹ as well as ratifying international treaties and optional protocols.¹⁰

These advances in women's rights are largely due to the sustained and courageous efforts of the women of Afghanistan.¹¹ Gains in women's rights and social and political empowerment have largely been made because of women's

²For the purposes of this brief, the terminology of "peace process" refers to track I, formal diplomatic processes aimed at resolving armed conflict in Afghanistan. Additional references, including to track two and multi-track diplomacy, are specified. Further briefs may focus on track II processes.

³S/2019/800, para. 12.

⁴Data from the Council on Foreign Relations (5 January 2018). Women's Participation in Peace Processes.

⁵S/2018/900, para. 42. See also, UN Peacemaker (<http://peacemaker.un.org>).

⁶Council on Foreign Relations, citing the 2010 talks in the Maldives (9 percent), and the 2011–2012 talks in France (10 percent).

⁷Ibid.

⁸Initially, five women were appointed. At the time of writing, the current composition of the negotiating team was 4 women of 21 total.

⁹This includes, for example, the Constitution (2004), the Law on Ending Violence Against Women (2009), the Criminal Procedure Code (2014), the Penal Code (2018), Anti-Torture Law (2017), and Juvenile Code (2015).

¹⁰International Human Rights Law ratifications by Afghanistan, i.e.: i) CEDAW – 05 March 2003; ii) CRC-Op-Sale of Children – 19 September 2002; iii) CRC-Op-CAAC – 24 September 2003; iii) CRPD – 18 September 2012; iv) OPCAT – 17 April 2018.

¹¹In 2002, the first Women's Summit brought together Afghan women from different countries. Women mobilized to be included in newly established transitional administration and government structures and the first Ministry of Women's Affairs. In 2004, women further mobilized to ensure that their rights were reflected and protected in the 2004 Constitution, resulting in inclusion of Article 22, which is the foundation for incorporating principles of gender equality and non-discrimination in government policies and initiatives and other provisions spanning rights for education, healthcare, welfare, and employment services for women. These gains span the full scope of the WPS agenda, from participation and conflict prevention to protection and relief and recovery in partnership with the Government of Afghanistan. See e.g., <https://www.usip.org/publications/2018/10/afghan-peace-process-work-women-must-be-involved>.

mobilization and efforts, as well as changes to the Constitution as noted above. With the potential for constitutional reviews as a component of the peace process, there is a real risk of erosion for the rights and freedoms of all Afghan citizens, especially women. Representing this point directly to the United Nations Security Council, Mariam Safi stated the following: “For women, it is imperative for the State to define the type of peace that would ensue from reconciliation. Our findings show that women believe that the future of their rights is intricately tied to the outcomes of the peace process.”¹²

Despite these gains, women still face a number of challenges in exerting influence in leadership positions. As noted in the previous alert on women, peace and security, women in Afghanistan who are rights defenders, journalists, activists, political and social leaders and women’s-movement builders also experience alarming levels of violence, including public harassment, threats of violence, and direct targeting and assassination for the work that they do, including challenging traditional gender norms and stereotypes in both the public and private sphere.¹³

In order to ensure that women are able to meaningfully participate either directly or through consultation in an intra-Afghan peace process, it is essential to ensure that they are able to influence the agenda and that their respective areas of expertise are acknowledged and made of valuable use by the negotiating team. This goes beyond gender expertise since women, including Afghan women, currently positioned in the negotiating team hold a range of expertise.¹⁴ There is no one size fits all solution to this challenge, particularly as overcoming such a roadblock is highly context specific, whether it is within a negotiating team, among civil society organizations engaged in parallel advocacy initiatives and more. Instead, it requires dedicated advocacy and engagement from all stakeholders, including international and national partners, as well as consistent solidarity.

Inclusivity and engagement with women’s civil society and women’s rights defenders at all stages, including for confidence building measures

At the same time, amidst the COVID-19 response and efforts to achieve an immediate cessation of hostilities through ceasefire arrangements and more comprehensive settlements, there is significant pressure to expedite arrangements to allow for humanitarian and health responses. This is critical to ensuring that humanitarians and health

workers can respond to the immediate impacts of COVID-19 for those populations most at risk and need. **However, expediency cannot justify exclusion of gender provisions in ceasefires, consultations with women’s groups and women’s civil society, or lack of community monitoring mechanisms that engage women.** In fact, across contexts, from setting the agenda of a peace process, to engaging in confidence building measures such as ceasefires, humanitarian access and prisoner exchange or release agreements, gender perspectives and women’s inclusion is often entirely overlooked. The common refrain, such as ensuring women’s participation later to save lives now, does not address the reality that including women and gender expertise is precisely what leads to sustainable outcomes that positively respond to and save the lives of women and girls.

In 2019, this reality was reflected in the advocacy of many women’s civil society organizations and gender and peace and security experts, particularly related to a ceasefire arrangement. These priorities remain applicable in any future negotiations on a ceasefire between the parties.¹⁵ Some of these main priorities included: (1) the inclusion of women’s groups and women in the security sector at all stages of development; (2) consultation on all provisions with the public, including women residing in both State and Taliban controlled territory; (3) inclusion of gender provisions that address the particular needs of women’s groups and women and girls; (4) comprehensive consultations for any monitoring and verification process with women’s groups, civil society organizations, conflict IDPs, youth groups, victims of conflict, and women with disabilities, particularly at the beginning phases when ceasefire violations are being identified and added onto the list of what will be counted as a violation; and more.

As was further illustrated through the dedicated alert on gender and humanitarian action,¹⁶ ensuring women’s full involvement in humanitarian response planning, leadership and delivery is essential in shaping and delivering a response which meets the humanitarian needs of both women and men. Without adequate levels of women’s representation in pandemic planning and response, and consultation with women themselves, women’s specific needs will largely go unmet. **This is true for humanitarian access arrangements negotiated in the context of a peace process in order to reopen, resume, and deepen delivery of essential services. Without dedicated expertise and consultation with women as individuals and through their organizations that provide frontline services, these arrangements will not benefit women and girls.**

¹²S/PV.8199 (2018).

¹³For one example, see Violence against Women in Afghanistan’s 2018 Parliamentary Elections, UN Women and Afghanistan Research and Evaluation Unit (AREU) (2019) and Violence Against Women in Elections in Afghanistan: An IFES Assessment, International Foundation for Electoral Systems (2019).

¹⁴The current negotiating team is comprised of four women.

¹⁵At the time of writing, both the Taliban and the Government had announced unilateral ceasefires for three days over Eid celebrations in May 2020.

¹⁶Issue I: Gender Alert on COVID 19 in Afghanistan: Ensuring a Gender Sensitive Humanitarian Response, UN Women (24 April 2020).

Addressing the practical barriers for women's meaningful participation in direct and consultative processes

These challenges also extend to the underlying technical, operational and financial hurdles presented during this period. As noted in the previous gender alert on WPS, **the foundational building blocks for women's meaningful participation in peace processes remain under significant pressure that is only compounded by the COVID-19 pandemic.** Specifically, equality before the law, broader inclusivity, security and protection from violence, and access to essential and social services are those features of life that are necessary to ensure women's meaningful participation, but entirely under stress in the immediate.

Overall, women's civil society organizations, human rights defenders, victims' associations, and other partners will require exceptional support to overcome the increased individual economic, social and other pressures, as well as the regular challenges of implementing programmes in Afghanistan. Regardless of formal employment and high-level leadership roles, most women in Afghanistan are experiencing increased burdens of care and domestic labor. This reality means that women, even in leadership and high-profile positions, or those women who run civil society organizations, and other types of entities, grapple with less time for their public and professional life. For this reason, it is essential that stakeholders consider how they can start the conversation and ensure that addressing these compounding challenges is part and parcel of their engagement of women to engage in formal and informal participation in a peace process.

To the extent feasible, initiatives such as the Women's Peace and Humanitarian Fund COVID-19 Emergency Response Window, which includes Afghanistan as an eligible country, should be elevated and localized to deepen much needed support to women peacebuilders at all levels. In addition, clear pathways for funding women's civil society organizations to participate in consultative processes related to the peace process is critical. As these measures have coordinated in the past, it is possible to address this challenge by increasing coordination and finding consistent and accessible mechanisms to financially support women's organizations and individuals to participate when the opportunity arises.

Coalition building in the time of COVID-19

Today, one question that is with nearly all stakeholders working on women, peace and security in Afghanistan is

how can women's civil society organizations and rights defenders best be supported to continue to build momentum and coalitions around their priorities for peace? This question does not have a clear answer in a country like Afghanistan where only 14% of the population is online and able to access online consultations and meetings. The go-to modality for diplomacy and mediation is in-person dialogue and process. This is the case for a number of reasons, including the need for discretion and protecting sensitive information discussed in peace negotiations. At the same time, online communication in Afghanistan is not only challenging for security considerations, but also the somewhat limited function it can serve in facilitating a more inclusive process when such a small portion of the population has access to the internet.

The previous gender alert on WPS¹⁷ underscored that further restrictions on women's movement and assembly for public health effectively means that women's organizations previously working on building momentum and coalitions to ensure their rights are reflected in any upcoming intra-Afghan dialogue are in many places on hold with contingency efforts underway to adapt this work to the changing and diverse context. UN Women's partners working at the district and provincial level have halted local level peacebuilding work and convening aimed at strengthening the role of women with little to no education in advocating for their rights at the local level, as well as elevating their experiences and perspectives on peace to the national level. At the same time, some women's organizations are out of necessity and dedication to the communities they serve pivoting and responding to the immediate needs of those communities. These realities pose operational, financial, and safety risks for existing women's organizations who will require steadfast support to weather these challenges. The COVID-19 pandemic creates a unique scenario where physical distancing and required public health measures necessarily stymie this momentum towards collective organizing at a critical juncture in progress towards an Afghan peace process.

Overall, stakeholders should proceed with caution in wholesale transitions to online dialogues and forums given the low rate of internet access in Afghanistan and the inconsistency in access even when available. Such efforts should be backed by greater technical, financial, and operational support to women's civil society organizations and women and girls as stakeholders in the design and development of responses to ensure as wide reaching community engagement as possible.

¹⁷Gender Alert on COVID-19, Afghanistan: Issue III: The Impact of COVID-19 on the Implementation of the Women, Peace and Security Agenda (7 May 2020).

RECOMMENDATIONS:

The following preliminary recommendations reflect an overall need for national and international stakeholders to ensure coordination, cooperation, and commitment to women's meaningful participation in an intra-Afghan dialogue. This includes direct participation of women in the negotiating team who are supported by structures that allow them to influence decisions within that team, as well as support for broader inclusivity and community consultation measures, particularly with women's civil society organizations. In follow up to this brief, UN Women will continue to engage with key women's civil society organizations, as well as deepen efforts at the provincial and district level to engage Afghan women and women's civil society organizations on the peace process. In addition, UN Women will continue to support international and national partners to ensure that women, peace and security efforts are coordinated, inclusive and gender responsive.

National and international actors

National and international actors can contribute to responses that integrate transformative approaches to negotiating peace and implementing peace agreements in Afghanistan by:

1. **Women's Meaningful Participation in Negotiating Peace in Afghanistan:** Adapt current strategies on women's meaningful participation in an intra-Afghan dialogue to ensure the protection and promotion of women's human rights, including through technology innovations, new strategies for direct and consultative engagement or coalition building
2. **Gender & Human Rights Expertise:** Ensure dedicated gender expertise, including on women's human rights, is available to the Islamic Republic of Afghanistan's negotiating team. This should also include providing mechanisms for building trust, acceptance, and support among the members of the negotiating team across these and other issues around inclusivity.
3. **Negotiating Gender-Sensitive Ceasefires:** Advocate for the inclusion of women's groups and women in the security sector at all stages of ceasefire negotiation, consultation on all provisions with the public, including women residing in both State and Taliban controlled territory; inclusion of gender provisions that address the particular needs of women's groups and women and girls; and comprehensive consultations for any monitoring and verification process with women's groups, civil society organizations, conflict IDPs, youth groups and victims of conflict, particularly at the beginning phases when ceasefire violations are being identified and added onto the list of what will be counted as a violation.
4. **Protection of Women's Civil Society & Women's Rights Defenders:** Consider opportunities for protection mechanisms for women's human rights defenders in the context of COVID-19 and document relevant trends related to their protection.
5. **National Action Plan on Women, Peace and Security:** Continue support to the implementation of Afghanistan's National Action Plan on United Nations Security Council Resolution 1325 (2019-2021), including by addressing limitations on programming during phases of the COVID-19 crisis.
6. **Long-Term Support for Women-Led Organizations:** Ensure that all technology and virtual efforts or online advocacy campaigns to engage women in peace and security advocacy activities related to the peace process are backed by long-term engagement and greater technical, financial and operational support to women's civil society organizations.
7. **Rapid Funding Mechanisms for Women's Civil Society Organizations & Peacebuilders:** Facilitate rapid and flexible funding opportunities for women's civil society organizations, including providing additional support to implementing partners struggling in the context of lockdown and other measures to implement projects. To the extent feasible, initiatives such as the Women's Peace and Humanitarian Fund COVID-19 Emergency Response Window, which includes Afghanistan as an eligible country, should be elevated and localized to deepen much needed support to women peacebuilders at all levels.
8. **Provision of Services:** Continue the provision of services for conflict affected and internally displaced women particularly those in hard to reach areas in line with the recommendations of the previous alerts.
9. **Coordination:** Improve coordination amongst national and international organizations working on women, peace and security during COVID 19, including as efforts toward an intra-Afghan dialogue intensify to ensure support for inclusivity, respect for gender equality and women's human rights, and the availability of gender expertise and analysis.