



InFocus Programme on 
Crisis Response and Reconstruction

Working Paper
4

Capitalizing on Capacities of

Afghan Women:

**Women's Role in Afghanistan's
Reconstruction and Development**

Sultan Barakat and Gareth Wardell

INFOCUS PROGRAMME ON
CRISIS RESPONSE AND RECONSTRUCTION

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By

Sultan Barakat and Gareth Wardell

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PREFACE

The ILO is keen to collaborate with the Afghan people – both women and men – as well as their institutions in tackling the colossal job deficit and other socio-economic challenges of their country's reconstruction and peace building process. In addition to fielding missions to Afghanistan and the frontline states and developing a strategy paper for its response, the ILO has also found it necessary to assemble relevant knowledge and insights (such as on Afghan women and the general employment situation) to provide a firm basis for effective action.

The ILO's InFocus Programme on Crisis Response and Reconstruction is grateful to Sultan Barakat and Gareth Wardell for preparing this report on *Capitalising on Capacities of Afghan Women*. It contains a wealth of data on the key issues – the different armed conflicts; the position of women in traditional Afghan societies; rural-urban differences in women's lives; ethnicity; impact of external and internal displacement on women's lives; changes that had already started occurring in Afghan women's labour market situation and in other realms before the last regime; the recent crisis and its aftermath. A number of pertinent recommendations are made which should be invaluable for the work of the ILO and other bodies as they seek to assist Afghan women, other population groups and the new government in meeting some of the daunting challenges of rebuilding Afghanistan.

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Sultan Z Barakat and Gareth Wardell

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EXECUTIVE SUMMARY

This desk study considers: the position of women in Afghan society and the impacts upon them of war and of the various different regimes of the last thirty years; the distinctions between the lives of urban and rural women; issues of ethnicity and gender in the Afghan conflict; population displacements – both internal and external, as a result of war, and their impact on women; and the different coping strategies within Afghan families. An overview is given of relevant issues, including the anticipated status of women in the post-war phase, and the future constitutional and legal framework. Finally, conclusions are drawn concerning the importance of adopting the right approach to reconstruction and development activities; a number of recommendations are given for possible future ILO activities aimed at encouraging women's re-entry into jobs and for building the capacities of Afghan women. The report, however, begins with a historical description of the background to the current Afghan conflict and its various distinct phases, up to the most recent events of 2001

Key Findings

The study starts with an account of the different distinct phases of the Afghan conflict and describes the impact on Afghan women of the various different regimes. Whilst most attention has focussed on the impact of the Taliban regime, it is clear that the abuse of women's human rights in Afghanistan is part of a much larger landscape that has been shaped by 23 years of conflict.

One of the key issues to emerge from this study is the significant disparity in the lives and expectations of urban and rural Afghan women and the importance of education and cultural sensitivity in effecting change. The history of Afghan women's emancipation can be traced back to the 1920's and beyond; by the late 1970's Afghan women had achieved constitutional and legal parity with men. A small minority of urban women enjoyed considerable freedom of movement, educational opportunity and a relatively wide range of career choices, but these were freedoms that contrasted strongly with the position of both rural and uneducated urban women. Perhaps the single biggest failure of past development efforts was the widening gap which developed between the cultural outlook of the urban elite and that of the rural masses; as Dupree (1998a) observes: 'Many of the problems we see today are rooted in the fact that at the beginning of this century the ruling elite lost contact with the values of the countryside.' If future reconstruction and development endeavours are to be effective, it is vital that efforts are made to spread the benefits to ensure the rural population is not excluded from any 'peace dividend'. It is also essential that any changes, especially those relating to women, are not forced from the perspective of a Western individualistic agenda, but take account of Afghan family values and not be in opposition to them. (A word of caution is offered here in relation to the Afghan diaspora. In recent weeks much has been written about the importance of harnessing the expertise and energies of the Afghan diaspora; a point that this study also makes. However it needs to be recognised that the Afghan diaspora, particularly its most educated and articulate members settled largely in Western countries, is a reflection of the political, philosophical and religious debates/tensions that led to their migration (see Appendix 2). There is a risk that significant tensions will emerge if those who escaped the worst excesses of the war are now seen to dominate the debates and

decisions about reconstruction. Again, the importance of ensuring that the ruling elite remains culturally connected to the rural mass, and that the benefits of reconstruction accrue to both rural and urban society, cannot be emphasised enough.)

It is also apparent that, contrary to some popular but patronising stereotypes, Afghan women are not passive or powerless ‘victims’. In addition to the important contribution made by women to the economy, they perceive themselves as wielding considerable power, particularly within the family and in brokering peace or mobilisation/de-mobilisation, for fighting. Inadequate recognition of these roles by the assistance community has led to missed opportunities for furthering peace and recovery. Women see themselves first and foremost within the framework of the family and this is reflected in their preferred coping mechanisms in times of hardship. Consequently, there is a need for agencies to focus on the family as the building block for a peaceful and prosperous Afghan society, whilst ensuring a safety net exists for the most vulnerable.

The experience of war and displacement has exercised a profound impact on Afghan women over the past twenty-three years. As a result of widowhood and displacement, more households are now headed by women, whilst the absence of men for long periods to fight led to women taking on new areas of responsibility. In addition, exposure to refugee camp health care facilities, and to education and vocational skills training (for some) has led to changed attitudes and aspirations.

As the assistance community gears up for intervention in the post-war phase, it is of critical importance that agencies do not ‘re-invent the wheel’, but take care to build on existing foundations; to ascertain what exists and what is working and then identify entry points for the scaling-up of operations and the introduction of new ideas that harness and develop existing structures. Significant numbers of women both served and were employed in existing health services, even under the Taliban regime. Energy should be focussed on scaling-up investment and the training of personnel in this sector as well as others and on ensuring the widest possible coverage in rural areas. The same applies to education and to the civil service. All three sectors traditionally have employed large numbers of women, consequently it is important to build upon the broad acceptability that exists for women working in these sectors.

Some national level organisations have survived the war (e.g. the Afghan Red Crescent Society; the National Organisation for Ophthalmic Rehabilitation, etc.). It is important that newcomers to the Afghan scene work to support what exists in terms of rehabilitation and development structures, *not* to compete with it. Patterns observed both in Afghanistan and in conflict situations elsewhere suggest that when peace comes, the rapid increase in the number of international actors can have a serious negative impact. Too often, small but flexible and highly effective organisations, that have remained doggedly throughout the war, are priced-out as larger more affluent agencies ‘muscle-in’ and begin to compete for housing, logistical support, trained personnel and other resources. There is an urgent need for co-ordination on a broad range of issues if these effects are to be avoided.

The report recognizes the linkage between relief and reconstruction/development. As the focus shifts to reconstruction and development activities, it is important not to dispense with ‘relief’ altogether. In post-conflict situations, there are

sections of society that will continue to be highly vulnerable and a safety net will continue to be needed for such people. However, with the cessation of hostilities, there exist greater opportunities for introducing changes in attitudes and in the practice of classical relief. There is a need to move away from standardised relief items, and ‘one-size-fits- all’ solutions, whilst continuing to provide subsidies for those in need. It is also important that agencies endeavour to understand why certain groups are vulnerable, in order to be more effective in assisting them.

It is clear that, despite superficial changes relating to women, Afghanistan is a conservative society in which there remain strong and powerful forces resistant to change. It is also likely that despite any formal cessation of hostilities, political tension and instability is likely to remain for many years to come. Agencies working for change and development in Afghanistan need to be prepared to commit for the long haul; in this cultural milieu there are no ‘quick-fixes’.

ILO will have to work in partnership with a range of actors. Whilst there will be obvious areas of cooperation with other UN agencies, the ILO is strongly encouraged to look beyond the UN and consider partnership with a range of smaller non-UN bodies and NGOs, both national and international, thereby both harnessing and enhancing the capacities and expertise of well-established groups who have been working in Afghanistan for many years.

Throughout the war, Afghanistan’s neighbours have been involved both overtly and covertly in the dynamics of the conflict. Recognising the valid interests and concerns that these nations have in Afghanistan’s stability and economic development, steps should be taken to encourage their positive engagement in supporting the economic development of certain regions of the country to the mutual benefit of all states.

Over the last five years, Afghan women have been the subject of unprecedented levels of interest and international attention; most of it well intentioned, much of it ill informed. Interventions designed to assist Afghan women need to work *with* them, not *for* them. There is a need to recognise the diversity of capacities and aspirations that exists within a group that comprises half a nation. Nancy Dupree describes this diversity in the following way:

‘It is useful perhaps to view the totality of Afghan women as a pyramid. The sound base is broad and consists of a majority who live in rural areas cherishing aspirations that are almost exclusively oriented towards children and family. Their needs lie in all aspects of basic and non-formal education, in health and in skills training for better family welfare. Here some progress, albeit slow, is taking place in a non-confrontational manner.

At the tip are the small number of Western-oriented, assertive working women who have taken a leading part in the emancipation process begun in 1959. They have become accustomed to formal employment in mixed environments, often in association with foreigners who are now joined in battle on their behalf. These women call for the right to participate fully at all levels of decision-making. They bear the full brunt of Taliban ire.

In the centre is the solid core of professional teachers, medical practitioners, engineers, judges, administrators, businesswomen, social workers and civil servants of every sort which has grown in magnitude and strength since the beginning of the century. Largely from middle class, conservative but progressive families, these women neither wish to deny their society's values nor compromise Islam. Over the years they have shown by their comportment that Afghan women can function in the public sphere with no loss of dignity to themselves, their families or the nation. Tragically, many have been lost to Afghanistan through resettlement. Many thousands remain, nevertheless, and thousands of others are being trained even though opportunities for utilising their training look bleak. It is this strong central core that most urgently needs to be uncaged if Afghanistan is to recover and move forward.'

(Nancy Dupree, 1998b: 165-6)

Some data gaps and, therefore, an urgent need for further research and data gathering are identified to ensure that future interventions are effective. Consequently, it is recommended that ILO commence its assistance programmes with pilot projects in two communities, one rural one urban, with the aim of establishing a better understanding of how women in both communities see their roles in the future reconstruction of their societies. The piloting would also allow ILO to test some of the recommendations included in this report at a relatively low cost – allowing a real opportunity for ‘learning by doing’.

1. Introduction

1.1 Gender and the conflicts of the post-cold war world

In the period since the end of the Cold War, there has been a significant increase in the incidence of civil war, particularly of the protracted, intractable types of conflict, usually of political origin, which are now being designated as ‘complex political emergencies’. The social and economic effects of conflict are inextricably linked and are, in turn, reflected in massive refugee flows and population displacement, economic, social and cultural disruption and soaring levels of mortality and morbidity. There is a widespread perception that the character of warfare itself has changed, with an increase in incidence of ‘all-out war’ and the deliberate targeting of civilians. As a result of these changes, conflict-related issues have risen to the top of the agenda in discussions on development policy. Aid conditionality has resulted in many agencies shifting the focus of their assistance towards relief operations. However, coupled with this has been an increasing recognition that relief, rehabilitation, reconstruction and development activities during and in the aftermath of conflict, need to be seen as connected and complementary and not as discrete, mutually exclusive activities (OECD, 1997:32, cited in White & Cliffe , 2000).

The devastation brought by recent wars and their catastrophic impact on civilian populations has led to a growing awareness and concern about the affects of war on women and the disproportionate burdens carried by women in the post-conflict phase. Civilians represent an estimated 90% of casualties in contemporary conflicts (ICRC, 2000) the majority of them women and children. Conventional definitions of war frequently overlook the fact that for many women the notion of war may embrace much broader conceptions including that of structural violence: ‘direct and indirect (structural) violence are not separate but interdependent. The inequalities of the latter shape the expression of the former’. (Peterson and Runyan, 1999:115). Hence, for many women ‘war’ may continue long after hostilities have ceased. ‘The real experience of war is not the shelling and so on, those are just moments, though they are the ones you see on TV. War is about what happens afterwards, the years of suffering hopelessly with a disabled husband and no money, or struggling to rebuild when all your property has been destroyed.’ (Bennett et al., 1995:267)

Whilst acknowledging the impacts of war on both men and women, a gender analysis of conflict, recognizes that ‘women are not just the victims of combat and the beneficiaries of humanitarian efforts. They are also the engines of resistance and key problem solvers in their communities.’ (Mertus, 2000:vii). Such an analysis therefore, needs to illustrate how men and women experience war differently and how taking cognisance of these differences will lead to an improved understanding of post-war recovery processes. This in turn can help to inform and improve the effectiveness of post-war interventions designed to support gender equality.

1.2 Background to the desk study and terms of reference

The International Labour Organization is active in promoting the adoption and enforcement of international labour standards, including those focusing on gender equality in the workplace, and in researching and promoting improved employment

opportunities for women, as well as men, through skills training, employment promotion programmes and the development of cooperative and small-scale enterprises.

A number of recent reports (eg: ILO, Gender Guidelines on employment in conflict-affected contexts, Moser & Clark: Victims, Perpetrators or Actors? Gender, Armed Conflict & Political Violence, and Date-Bah *et al*: Gender and Armed Conflict) have highlighted some direct and indirect gender dimensions of armed conflicts which need to be seriously taken into account, not only in sustainable peace building, but also in the different responses to the various challenges – from humanitarian to reintegration, reconstruction and development interventions and processes.

The current round of fighting in Afghanistan is only the latest twist in a protracted complex political emergency, in which the focus of the international community has tended to fluctuate, depending on prevailing geopolitical agendas. Now in its third decade, the war has resulted in massive population displacement, both internal and external and a serious deterioration in conditions for the civilian population, especially women and children. The inter-factional fighting and instability of the Mujaheddin regime (1992-96), the draconian gender policies of the Taliban regime (1996-2001) and the worsening drought affecting the country have had a devastating impact on Afghan women. The present crisis, precipitated by the events of 11th September 2001, and the international response to those events has, in the short-term at least, compounded an already serious situation, resulting in further population displacement and social dislocation.

The study provides a situation analysis of the impact of war and displacement upon Afghan women and their economic and other roles within the family and within Afghan society. It also assesses implications of these findings for the future reconstruction and development of Afghanistan, including possible ILO interventions, once conditions permit.

1.3 Methodology and limitations of the study

This initial research has taken the form of a desk study, entailing:

- ◆ a review of selected academic, journalistic and agency literature and Internet searches; in addition,
- ◆ the review has drawn on the extensive personal knowledge and expertise of York University's¹ Post-war Reconstruction & Development Unit (PRDU) personnel who have lived, worked and conducted research in Afghanistan, and the border areas of Pakistan, over the last thirteen years.

The rapidly unfolding events in Afghanistan form the backdrop to this study and have added to the sense of urgency on the part of different international actors to formulate strategies and develop specific proposals for the post-war phase. However, it is important to stress that no field research was undertaken in connection with this study; this fact, plus the absence of comprehensive, reliable and up-to-date data on a country in which the last official census was conducted in 1979 and in which warfare

¹ In the United Kingdom.

has resulted in multiple waves of population displacement, constitutes the single greatest limitation of this research. Given the scope and complexity of the issues involved, combined with the limitations of time and resources, this can only be regarded as a partial and very preliminary assessment of the situation. These limitations highlight the urgent need for more in-depth field research if any proposed ILO interventions are to effect positive and sustainable benefits in the lives of Afghan women.

2. Afghanistan – Setting the scene

2.1 General information

Afghanistan is a largely mountainous country located at the western edge of the Himalayan massif. The Afghan population comprises six major ethnic groups: the Pushtuns, Tajiks, Uzbeks, Hazaras, Turkomans and Baluch. A majority of the population follows the Sunni faith and Islam has been regarded as a unifying factor, particularly during times of conflict against external aggressors. However there have been tensions between the Sunni majority, and the approximately 15%, mainly Hazara, Shia minority. A majority of the population is engaged in subsistence agriculture and, prior to the Soviet invasion of 1979, an estimated 85% of the population lived in rural areas.

In 1995, Afghanistan was ranked 170 out of 174 in the UNDP's Human Development Index, making it one of the poorest, least developed countries in the world, as the following table indicates:

Box 1. Afghanistan in figures

Land area (sq. km)	652,100
Population	25, 000,000 (Source: UNOCHA)
Population growth rate (annual % 2000)	2.6% (Source: World Bank)
Population density (people per sq. km)	40.7 (Source: World Bank)
Urban Population (% of total)	21.9 (Source: World Bank)
Number of refugees in Pakistan	2,000,000 (Source: UNHCR)
Number of refugees in Iran	1,500,000 (Source: UNHCR)
Numbers of Internally Displaced Persons	1,100,000 (Source: UNOCHA)
Numbers killed in war	1,500,000
Mine affected areas (in sq. km)	55,000
Landmines	approx. 10 million
Life expectancy at birth (years)	40 (Source: UNDP)
Maternal mortality (per 100,000 live births)	1,700 (Source: UNICEF)
Infant mortality rate (per 1,000 live births)	257 (Source: UNICEF)
Adult Illiteracy rate	Overall: 64% (Source: UNDP)
	Women: 78.1% (Source: World Bank)
	Men: 48.1% (Source: World Bank)
Primary school enrolment ratio:	Girls: 3% (Source: UNICEF)
	Boys: 39% (Source: UNICEF)
Percentage of the Afghan population malnourished	70% (Source: UNDP)

World Bank Web-Site, October 2001

2.2 Historical background

To be accurate, any analysis of the Afghan conflict needs to be underpinned by an understanding of the history of state formation and societal/state relations. Afghanistan was a monarchy from 1747 until 1973; however, the legitimacy of the state has always been somewhat precarious (Maley, 1998). The country's present borders were established when the so-called great powers sought to establish a buffer state between the then British and Russian Empires and, in the view of some analysts

(Rubin, 1995) its identity is more indicative of the strategic needs of former imperial powers than it is of any social or political structures within the formal borders of the state.

War is not a phenomenon unique to Afghanistan's contemporary history. Since independence in 1919, conflict has existed between modernisers and more conservative Afghan factions, complicated by rivalries between the Pushtun and non-Pushtun ethnic groups. The history of the country illustrates that, although those who held power claimed to represent the majority, their principal policy was one of '*divide and rule*'. The same policies characterised the communist regime that ruled the country from 1978 to 1992, with the establishment of different ethnically based militia groups. Throughout its history, up to the present day, Afghanistan's neighbours have influenced and imposed regimes inside the country, while the ordinary Afghan people had little opportunity to participate in the decision-making processes that have affected their lives.

Although the Afghan state that developed in the first half of the twentieth century was weak and dependant on external resources, the socio-economic components of Afghan identity and the sense of Afghan nationhood, are much more deeply rooted in history than the structures of the Afghan state, and it is this sense of nationhood that has come to the fore in numerous popular uprisings throughout history, galvanised by the threat of external aggression or invasion.

2.3 The emergence of the contemporary conflict

By the early 1970s urban elites were gaining access to education and concepts of society that transcended both the local village-based hierarchies and those of the Islamic clergy, leading to growing tensions between traditionalists and modernisers (Fieldon and Goodhand, 2000).

As tensions grew within Afghanistan, so too did external pressures and influences upon the country. In the post-World War II period, the United States emerged as the new and ascendant superpower, assuming many of Britain's former roles in the world. As a result the 'Great Game' of the previous century was replicated once more, this time between an expansionist Soviet Union looking south, and the concerns of the United States as it looked north from Pakistan, keen to influence events in Iran, Central Asia and China. During this period, Afghanistan received sizeable quantities of development assistance from the USA, in addition to significant volumes of both development and military assistance from the USSR.

In 1973, military officers under the command of the King's cousin Daud, overthrew the King. Those favouring a faster approach to reform found a vehicle in the People's Democratic Party of Afghanistan (PDPA) who, in 1978, seized power in a second military coup. The following year, in response to increasing fears of Islamic resistance both within Afghanistan and in the newly declared Islamic Republic of Iran, the Soviet Union invaded the country in support of the PDPA government.

2.4. Phases of the Afghan conflict

Atmar, Barakat and Strand (1998) and Atmar and Goodhand (2000) have identified several key phases to the Afghan conflict. These are described below; in the light of recent events, still unfolding at the time of writing, the authors have added an additional 'phase' of the conflict. (See Appendix 1 for an account of government administrative systems during both the pre-war era and in each of the distinct phases of the conflict).

2.4.1. *Jihad in a cold-war context, 1979-88*

From late 1979 until February 1989, Soviet military forces occupied Afghanistan, during a period marked by fierce resistance from Afghan fighters, known as the Mujaheddin, backed by the US and the Pakistani Intelligence service, the ISI. Initially, the Afghan resistance was largely rural, as the countryside was subjected to massive destruction and Soviet forces carried out aerial bombardment and military offensives in heavily populated areas. Over a million civilians were killed and hundreds of thousands became homeless and displaced as villages were reduced to rubble and waves of refugees fled Afghanistan. Some three million settled in camps along the Pakistani border, while a further 2 million fled to Iran. The Pakistani authorities encouraged organisation of Mujaheddin parties within the camps. A 'Commissariat for Afghan Refugees' was established but, to be eligible for support, refugees had to be registered with one of seven Afghan Sunni military parties to which Pakistan had accorded its formal approval, thereby ensuring the politicisation of refugees and the provision of aid to them (Fielden, 1998).

Numerous INGO's established operations in Pakistan at this time, mostly in the city of Peshawar, in order to provide humanitarian assistance to refugees and, increasingly, to channel aid to those areas of Afghanistan under Mujaheddin control. During this period, assistance was heavily politicised and support to the 'just cause' of the Mujaheddin took precedence over issues such as gender, drug production or human rights abuses. The "aid practice" established in this context was characterised by free handouts, an absence of monitoring and a naïve trust in military commanders who were viewed as representatives of the people and therefore, beyond reproach. This phase also witnessed the large-scale erosion of rural Afghan society and its institutions, as villages emptied and existing village hierarchies were eroded due to massive displacement.

This phase also witnessed the large-scale erosion of rural Afghan society and its institutions, as villages emptied and existing village hierarchies were eroded due to massive displacement. As a result, authority was derived principally from the wealth and power of local warlords; a situation that was perpetuated by the Peshawar based 'aid industry'.

2.4.2. *Jihad amongst Afghans, 1989-92*

After nearly a decade of occupation, the Geneva accords of 1988 led to the withdrawal of all Soviet forces in early 1989 but, despite being hailed as a success, the accords had failed to address adequately the issue of the post-occupation period and the future governance of Afghanistan. The assumption amongst most Western

diplomats was that the Soviet-backed government in Kabul would soon collapse, however this was not to happen for another three years. During this time the Interim Islamic Government of Afghanistan (IIGA) was established in exile. However, the exclusion of key groups such as refugees and members of the Shiite community, combined with major disagreements between the different Mujaheddin factions meant that the IIGA never succeeded in acting as a functional government.

2.4.3. Factional war amongst Afghans, 1992-96

In 1992, UN negotiated plans for President Najibullah, the last communist-era president, to step down and a transitional authority to take over, were thrown into disarray. Mujaheddin groups formed an alliance with a renegade government commander in the north; they entered Kabul and seized power but with no united or coherent strategy for running the government. Within a matter of months, incompatible goals and an aversion to power sharing between the different Mujaheddin factions led to the collapse of their coalition as a new phase in the conflict began.

Abolition of the Ministry of Defence, previously a force for unification, had resulted in different cities and provincial areas coming under the control of individual warlords. Front lines changed frequently between the warring factions, as the coalitions between them shifted. Kabul was carved up along ethnic, linguistic and religious lines, largely between Hazara and non-Hazara (Shia and Sunni adherents of the Islamic faith). Terrible atrocities were committed and large numbers of Kabul's inhabitants were either internally or externally displaced. This was a tragedy that was allowed to unfold, unhindered by international interest or intervention. An Amnesty International report at the time referred to a "human rights catastrophe" of "appalling proportions", but when copies were distributed to members of the US Congress, they were simply disregarded – "There was no interest." (*New York Times*, February 5th 1995).

2.4.4 Regional proxy war, 1996-2001

What began as a struggle against Soviet forces mutated into internal power struggles while those institutions that were left, continued to disintegrate and an institutional vacuum became entrenched. It was into this vacuum that the Taliban emerged towards the end of 1994, as the conflict mutated still further, with factions becoming proxies for the interests of their own regional power sponsors, namely Pakistan, Iran, Saudi Arabia on the one hand, and Iran, Russia, India, and the central Asian republics of Uzbekistan and Tajikistan on the other.

The Taliban's arrival on the Afghan military scene in Kandahar coincided with an initiative by the government of Pakistan to dispatch a trade convoy through Afghanistan, via Kandahar and Herat to Turkmenistan (Marsden, 1998). The Taliban, covertly supported by Pakistan's powerful Inter-Services-Intelligence Agency, were well armed and had the support of a population disgusted with the behaviour of local warlords. Initially their role was perceived as securing the main transport routes and removing/disarming the different Mujaheddin check-points. However, after their capture of Kandahar, they advanced with relative ease, facing little opposition as

Mujaheddin forces either fled or joined them. Herat fell to their control in 1995, and a year later they took Kabul.

The Taliban fighters were largely drawn from Pushtun youths who had spent most of their lives in the refugee camps of Pakistan. The Taliban movement was seen as a way of asserting Pushtun power, to counter the Tajik, Uzbek and (Iranian-backed) Hazara/Shia forces of the Northern alliance. In addition it was perceived as a vehicle for asserting the conservative Pushtun values they had absorbed in the madrassas (Qu'ranic Schools) that had given them what little education they had (Rubin, 1997).

Most international scrutiny of the Taliban has focused on their particular interpretation of Sharia law. However, although on paper they appear to have shown little interest in government administration, as Strand has noted, the Taliban managed to establish a system of government that successfully extended their control further into the countryside than any previous administration was able to do. In a system based on the bureaucratic principles and routines of the pre-communist era, they embodied a continuation of existing ideological orientations and organisational patterns that proved efficient for the purposes of tax collection, army recruitment and general governmental control (Rubin, 1998; Strand *et al*, 1999).

The Taliban's values clashed, in particular, with those of Heratis and Kabulis accustomed to a recent tradition of relatively modern urban lifestyles. Television, music, and photography were all banned, as were games, kite flying and numerous other popular leisure activities. The lives of urban women and girls were particularly severely impacted. They were instructed to wear the all-enveloping *chaddari*, (in Afghanistan the Persian/Dari term *chaddari* is more usual than the Arabic/Urdu term *burqa*) forbidden to study, forbidden to attend schools or university, forbidden to work (other than in the health sector) and were forbidden to leave their homes without a male relative. The Taliban were largely sustained by Pakistan (one of only a handful of countries to accord them official recognition) and initially by Saudi Arabia, both of which countries saw them as a means to advancing their own agendas. By mid-2001, the Taliban controlled more than 90% of Afghanistan and the overall situation in the areas they controlled was one of relative peace, in the sense that factional fighting had ceased. However, despite constituting the de-facto government of the country, they were never accorded official international recognition, and their draconian policies, particularly those relating to women, earned them the opprobrium of most of the international community and world opinion.

2.4.5 *International 'war against terrorism', October-December 2001*

The Afghan conflict, like many protracted civil wars, displays a remarkable tendency to mutate in character. This has been particularly true in recent months, in a series of events that few could have predicted.

In recent years, with the support and collusion of *both* the Mujaheddin and Taliban regimes, Afghanistan had become the base for the Al Quaida network. Large numbers of foreign nationals, from Pakistan and many Arab countries had come to Afghanistan, attracted by the Taliban's particular brand of radical Islam and to

undertake military training in camps run by Al Quida. This situation first came to prominence in 1998 following the terrorist attacks on the United States' Embassies in Nairobi and Dar es Salaam, when the US launched retaliatory missile strikes on Sudan and Afghanistan. However, the events of 11th September 2001 (resulting in the total destruction of the World Trade Centre in New York, the partial destruction of the Pentagon in Washington DC, and the death of over 4,000 people) were of an altogether different scale and significance, striking at key symbols of US military and economic power, on the American mainland. They were immediately attributed to the Al Qaida network and, following Taliban refusal to hand-over the Al Qaida leadership, a military campaign aimed at the overthrow of the Taliban regime, and in support of the Northern Alliance, commenced on 7th October 2001. Taliban forces retreated from Kabul on 13th November and, at the time of writing this report, plans are being formulated for a transitional administration.

3. An historical overview of Afghan women

3.1. Cultural observations and early moves towards women's emancipation

Afghan society traditionally has been characterised by conservative cultural norms in respect to women, with a strong division of roles and segregation between men and women. This particular tradition of segregation, known locally as *purdah*, may be summarised as a keeping separate of the worlds of men and women, and maintaining symbolic shelter for women. Everyday behaviour by men and women is embodied and structured by *purdah* through a code of behaviour, which includes avoidance of any contact between men and women in public, and regulating the association between the two sexes to different locations. According to this code, women generally have been assigned domestic roles in the private sphere, and men in the public sphere. The practice of female seclusion has varied with age, education, class, wealth and ethnicity. There also has been considerable variation in practice between urban and rural areas. Indigenous concepts of 'honour' and 'shame' traditionally have been reinforced in times of war and exile, with the honour and standing of men being determined, in the eyes of their peers, by the protection and modesty of "their" women.

In addressing the issue of gender segregation in Afghan life, it is important to understand the institution of *mahram*. Islamic, or *sharia* law places relationships between the sexes in two categories: mahram relationships, which are formed either by birth or by marriage and which include consanguineously, the immediate family of the woman; *namahram* is the opposite category, i.e. men that women are not permitted to interact with and where there must be either segregation, or the chaperoning of women in public.

The practice of seclusion and segregation described above existed mostly unchanged for much of the 19th century. One of the first experiments with female emancipation occurred in the late 1920s. On their return from a six month tour of Europe in 1927-28, King Amanullah and his wife Queen Soraya unleashed a programme of new reforms, including the creation of a constitutional monarchy, an elected assembly, a secular judiciary and, most significantly, the complete emancipation of women, compulsory education for both sexes, and plans for co-educational schools. The extent and pace of the proposed reforms led to an uprising and the overthrow of the King. It was another thirty years before any further significant moves towards women's emancipation occurred.

In 1959, the government of King Zahir Shah formally announced the voluntary end of female seclusion and the removal of the veil. However, it was left to individual families to decide how to respond to these greater freedoms. In the intervening years, gradual changes had occurred, including the introduction of girls' schools and medical facilities for women, where they received training in both nursing skills and in administration. The constitution of 1964, introduced by the country's male leaders, accorded significant rights to women, including the right to vote, and the right to education.

3.2. Distinctions between urban and rural Afghan women

Nancy Dupree notes that during the 1960s and 1970s conditions for women varied widely depending on their socio-economic position and on whether they lived in an urban or rural environment. By the end of the 1970's, amongst the middle and upper class elite, many Kabuli women were able to move freely around the city without a male family member. They regarded education as their right, studied at university and expected to have their own career. However, Dupree also notes the reaction this produced amongst religious conservatives. There were violent demonstrations, particularly at Kabul University, where unveiled women students in short skirts had acid thrown at them, and women themselves responded by demonstrating as a group for the first time. Conservative religious reactions to women's education and emancipation were a key feature of the anti-government protests of the 1970s, which finally resulted in the leftist coup d'état of April 1978 (Dupree, N. 1998a).

Nevertheless, even in the 1970s, amongst the lower-middle and lower classes, who still comprised a majority of the city's population, most women seldom left their homes without a male escort, even to go shopping. Within this sector of urban society there was little interaction between men and women other than on domestic issues; men would go out to work in a factory or an office, whilst the women would remain at home. In the old city particularly, houses were built around inward-looking courtyards, arranged in neighbourhoods that were divided ethnically, geographically and in kin-oriented sections, where social cohesiveness was strong and the lives of most women were tightly confined. This pattern was strengthened, with ethnically defined neighbourhoods becoming more pronounced as various groups of internally displaced persons (IDPs) arrived in the city.

By contrast, life in the rural villages, where the majority of Afghanistan's women live, was and remains, very different. Vast swathes of the Afghan landscape are dominated by mountainous terrain leaving many villages remote and extremely isolated, accessible only on foot or donkey/horse-back. Such villages are commonly inhabited by one kin-oriented section of the community, with most inhabitants related to one another, either by blood or by marriage and consequently falling into the *mahram* category of male-female relationships. As a result, poor rural Afghan women typically may enjoy considerably more freedom of movement than their counterparts in the urban areas since they are essentially living as a large extended family. Villages on the plains, which tend to be larger and more diverse, follow more urban patterns of settlement, with housing arranged in largely kin-oriented wards. Women tend to move freely between these family units and some older women, who emerge as trusted leaders, may be able to pass between different kinship sections.

Afghanistan's pre-war economy was mainly based on agriculture and animal husbandry. The country has a low population density owing to a difficult topography and extremes of temperature, with an arid to semi-arid climate. In 1978, the last year of peace in Afghanistan, the country was self-sufficient in food and was a significant exporter of agricultural products. Manufacturing industry was generally undeveloped, with the exception of a limited number of plants producing textiles, medicines, and cement. Afghanistan was able to exploit its geo-strategic importance during the Cold War period, to access significant quantities of foreign aid, which funded a centralised

but relatively weak state structure, lacking in any substantial domestic tax base. Foreign aid also funded a relatively good network of arterial road, providing transport corridors between the major cities and urban centres, some major irrigation and hydro-electricity facilities, in addition to a number of (largely urban) health and educational programmes (J. Wall, 2001).

An estimated 85% of the Afghan population lived in the rural areas, and 75% of this figure was engaged in agriculture, livestock and livestock-based handicrafts and carpet production. (World Bank, 2001) It is estimated that approximately eight million hectares of agricultural land are cultivated each year; a third of which is rain fed whilst the remainder is irrigated land. Livestock production has always been an integral feature of smallholder farming systems in Afghanistan providing food, power (as beasts of burden) income, wool, Karakul pelts and leather. Women play an essential part in many of these key sectors of the rural economy. Dupree (1998a) lists these, describing the critical and closely interconnected roles performed by both women and men. Sowing, ploughing and heavy harvesting tasks tend to be performed by men, whilst women are involved in the harvesting of beans, cotton, walnuts, melons, etc. Rural women assume responsibility for the management of domestic food supplies, determining how much should be sold as a cash crops and how much is to be retained to feed the family through the winter months.

Carpet weaving forms another sector of the rural economy in which a clear interdependence of male and female roles is discernible. Men herd and shear the sheep, and the wool is then passed to the women to be spun into yarn. It returns to the men for dyeing and then reverts once again to women for weaving. The final product is then passed back to the men who are responsible for its marketing. Dupree stresses the sense of mutual respect between the sexes that such interdependence engenders. However, she notes that despite widespread involvement of women in almost every sector of the rural economy, the principal and defining role for Afghan women in both urban and rural areas is that of marriage and motherhood. No matter how vital a woman's economic contribution to her family's well being, this remains of secondary importance to her position as a wife and mother. On marrying, a woman moves into the home of her husband; there exists a very strong Afghan code of honour which dictates that, once married an Afghan man must protect and care for his wife, her status increases significantly once she produces children, whilst childlessness for both men and women alike is regarded as a calamity.

4. Ethnicity and gender in the Afghan conflict

Attempts by ethnographers and anthropologists to classify the different ethnic groups in Afghanistan have produced widely differing results, with one German study identifying 50 distinct groups, and a Russian study suggesting there were up to 200. (Conrad Schetter, 2001). Ethnic categories are part of the regional culture, able to be observed but not defined by external analysis. Ethnicity is not a quality of a social group, rather it indicates relations between social groups, relations that are not static but dynamic phenomena. Suffice it to say, Afghan society is a highly complex product of thousands of years of imperial policies, conquests, and state building as well as religious and cultural achievements. (Appendix 3 sets out a brief overview of the major ethnic groups within Afghanistan, whilst highlighting the range of complexities involved, which make broad generalisations on ethnicity very risky).

Within Afghan society, there is a belief that the standing of a family, and in particular the honour of the men within it are directly related to the reputation of their female members. Any 'whiff' of dishonour attached to a woman, immediately impacts the wider perceptions of her family. This view is deeply held within Afghan culture, amongst all ethnic groups and results in strong social disapproval of any behaviour, clothing or actions deemed to be unseemly or inappropriate for women. Consequently, a primary obligation for women is to uphold family honour by conforming to socially and culturally accepted norms of behaviour. The impact of ethnicity on issues of gender is most clearly discernible amongst the Pushtuns, as a result of the particularly conservative interpretation of Islamic teaching on women found within elements of Pushtun tribal society. However, in general the wide disparities in conditions affecting Afghan women and in different approaches to female emancipation are determined not by ethnicity but are more a function of education, affluence, the rural/urban divide, and different cultural/religious interpretations of Islam.

Debate on gender issues has focussed largely on the cities since this is where the greatest diversity and also the greatest tensions have been evident. Nomadic and rural women have been largely unaffected by the controversies of recent years. They live mostly in a secure, kin-related environment where they move with considerable freedom, but with very little access to education or wider horizons. Contrary to the assumptions of some outsiders, rural and nomadic Afghan women typically do not wear the all enveloping *chaddari* unless they have travelled to the city, or their husbands have secured government employment, in which case it is worn proudly as a symbol of status and sophistication – a fact rather lost on some Western commentators (Dupree, N. 1998b: p160).

In the cities, educated women from a more affluent background traditionally have had wider career opportunities, greater freedom of movement and social interaction, and more latitude in matters of dress. However, juxtaposed with this, the conditions for uneducated urban women from poor families, have been much more circumscribed as men have sought to protect the honour and reputation of their families amidst the greater threats posed by an urban environment.

Conrad Schetter (2001) writing on ethnicity in the Afghan conflict, notes that a common error of western observers is to equate ethnic groups with the dominant military-political movements, seeing them as uniform bodies acting in unison. Despite

the ethnicization of the war by the different factions, with the possible exception of the Hazara party *Hezbi-Wahadat*, (Glatzer, 1998) this has not spread to the Afghan masses who do not conceive of themselves in ethnic terms. For Afghans, 'it is not the ethnic group but rather, family clan and village which provide the major hallmarks of identity'. Consequently, in Schetter's view, if a Balkan style dismemberment of the Afghan state is to be avoided, it is important that the international community eschew the imposition of ethnic constructs on Afghan society or attempts to enshrine them through a quota system as part of any new constitutional settlement. Rather, the minor importance placed on ethnicity by most ordinary Afghans should be harnessed as a positive vehicle for unity and political reconstruction.

5. The social and economic impact on Afghan women of 23 years of war and its different phases

5.1 The Communist regime

During the period of Soviet military occupation, 1979-89, a central feature of Government policy was the emphasis on education and vocational training, including women's education. In the cities, where security was generally good, education and training programmes continued largely unhindered. It is estimated that by the end of this period, women were to be found in all major government departments, in addition to the police force, the army, business and industry. Women taught, studied and acted as judges in the Family Court, dealing with issues relating to divorce, custody of children and other family matters. They worked as scientists and pharmacists in government laboratories and comprised over 75% of teachers, 40% of medical doctors, and approximately 50 % of civil servants, almost all of them city based (Human Rights Watch, 2001).

As resistance to the communist regime became focussed increasingly in the rural areas, an estimated 5 million people fled from the countryside as refugees to Pakistan, Iran and further a-field. The specific impact of this displacement on Afghan women will be considered in more detail in section 5 of this chapter. However, it is important to note the massive destruction of what limited infrastructure there was, the disruption to local institutions and to the rural economy and way of life.

Much of the destruction that occurred during this period resulted from Soviet bombing of those rural areas harbouring resistance to the Kabul government. However, some of it was directly attributable to the contested place that education (and women's education in particular), had come to assume within the wider political and philosophical landscape of the conflict. In the rural areas, schools, teachers and indeed any education (other than that provided in madrassas or Quranic schools) came to be regarded with suspicion as "agents of communism", with the result that many rural educational institutions were destroyed and in some cases, teachers were killed by those opposing the communist regime. (Strand, A. Personal communication.)

The protracted war against the Soviet occupation had a devastating impact on Afghanistan's economy and on the lives of many rural women. The combined impact of large-scale exodus from the countryside, the destruction of traditional irrigation systems and lack of skilled expertise for their maintenance, and the widespread and indiscriminate laying of landmines, resulted in a sharp decrease of agricultural output, and depletion of livestock herds. At the same time, what Government-provided social services there were, became largely limited to the urban centres. This situation was slightly mitigated by the input of remittances from the growing Afghan diaspora around the world. However both the human and economic costs and losses of the war were enormous.

5.2 The Mujaheddin regime

If the period of communist administration was characterised by displacement and devastation in the countryside but relatively peaceful conditions in the cities, the exact reverse was true of the period of Mujaheddin administration from 1992 to 1996. The high hopes that greeted the arrival of the new government were quickly dashed as internecine conflict erupted between the different factions. During this period, population displacements were mainly from the cities, especially Kabul. There were also significant internal displacements *within* the city as the ethnic identity of certain neighbourhoods became more entrenched. During the years of Soviet occupation, Kabul had been seen as the origin of all the country's evils and misfortune. This was not simply a view born out of different political perspectives, but was directly related to widely differing religious and cultural aspirations for Afghanistan's future, which included the issue of women's rights. For the conservative rural-based mujaheddin opposition, Kabul and other cities were perceived to be centres of 'sin' and 'vice' precisely because of the high visibility of educated, emancipated, urban women. Consequently, there was a widespread perception that the population of Kabul, which had been by far the most prosperous and secure city during the communist era, was now being 'punished' for its tacit collaboration with the occupation and for the 'immoral values' espoused by the communist regime. Having emerged from the years of Soviet occupation largely unscathed, much of the city was now reduced to rubble.

As ceasefires were agreed and then broken and alliances changed, so front lines shifted within the city of Kabul, sometimes following house to house and street by street fighting. There were widespread reports of women being raped, in addition to allegations of male rape, as different factions wrested control of opposing neighbourhoods of the city (GW, author's personal observations). Almost all factories and manufacturing facilities were destroyed, with the result that women and men who had been employed in such industries were left without alternative employment. Most government schools in Kabul remained closed during this time (many were used to house persons displaced from other parts of the city), with disproportionate impact on women who comprised a majority (70%) of trained teachers. Government Ministries were also the target of frequent shelling and rocket attacks, consequently even when ministry buildings remained open, families were often reluctant to allow their employed female family members to report for work. Women continued to work in those health facilities that were operational, in the offices/programmes of the limited number of NGOs and international agencies that remained and in domestic industries such as carpet weaving and handicraft production.

In rural areas, the same basic cultural patterns outlined above continued to apply to women's involvement in the economy. Flight from the cities was mainly to camps established to receive IDP's, however where city dwellers were able to take refuge with relatives in the villages, this added to economic pressures on the countryside. Arterial roads were in the control of different local commanders at this time, each of whom levied a "tax" on aid convoys, vehicles and even individual bus passengers. A typical journey from Kabul to Jalalabad, or from Kabul to Mazar-e-Sharif (when the Salang highway was open) might entail negotiating access through over 45 check-posts (author's personal experience). Such conditions exercised a massive disruptive impact on trade, marketing products, the rural economy and the women and men working in that sector.

5.3 The Taliban regime

Less than three years after their emergence on the Afghan military scene, the Taliban had taken control of over 80 % of Afghanistan. As they consolidated their hold on power, so security improved in the cities, check-posts were removed from the roads and there was a general improvement in the economy. The World Bank observed that this economic recovery was concentrated in areas of the country taken over relatively early by the Taliban where barriers to trade were removed. In particular, agricultural production increased; livestock herds rose sharply in number, as advantage was taken of available but unutilised grazing lands; and the restoration and expansion of orchards and vineyards led to an increase in horticultural production (J. Wall 2001). Even in Taliban controlled areas, women continued to contribute in traditional ways to the functioning of the rural economy, particularly where they lived in large family groups.

However, in the cities, Taliban social policies led to a drastic curtailment of women's freedom to move and work and to be educated. This derived from their particular cultural interpretation of Islamic teaching (see Ahmed Rashid's *Taliban, Islam, Oil and the New Great Game in Central Asia*), but also from the on-going war mentality. Taliban fighters were encouraged to bring "their" women with them to the cities, as a mechanism for ensuring the morality of their troops; a policy that then resulted in much more conservative Pushtun practices being applied to all urban women. The UN Special Rapporteur on Violence Against Women, who visited Afghanistan in 1999, noted that war-related physical abuse against women had decreased. However she found official, widespread and systematic violations of the human rights of women in Afghanistan and, in those areas controlled by the Taliban, it was noted that discrimination against women was officially sanctioned and pervaded every aspect of women's lives.

Girls and women were denied the opportunity to attend schools or receive education, although policies on these issues were subject to change and modification as is indicated below. Even privately organised schooling in the home was forbidden, although many such clandestine ventures existed. Women were denied the freedom to work (other than in the health sector) and forbidden to leave their homes unless completely veiled and accompanied by a male relative. Following strong protests by the international community over the wholesale dismissal of female government employees after the Taliban took power in 1996, it was agreed that they could continue to draw their salaries without being allowed to perform their work functions. However, in 1999 the Report of the UN Secretary General on the situation of women and girls in Afghanistan noted reports of the widespread dismissal of female civil servants in a move to cut government spending (E/CN.4/Sub.2/ 2000/18).

It should be noted here that edicts relating to dress and appearance affected men as well as women; minority groups as well as the majority. Men were required to grow beards (some Taliban officials even specified the required length), and both government services and employment were denied to men without beards (a move that proved particularly discriminatory to those from the Hazara ethnic minority whose central Asian racial/facial features make the growing of long beards almost impossible (Reuters Online, 6th November 2000). Men were also required to wear the

traditional piron ton-bon (baggy trousers and long over-shirt). Towards the end of their regime, claims were made of plans for a new edict requiring non-Muslims (several thousand Sikhs and Hindus live in Afghanistan, where they are particularly prominent as shop-keepers and merchants) to wear clearly visible, coloured identity tags (Kate Clark, BBC News Online, Tuesday 22nd May 2001).

Numerous edicts were issued attempting to regulate women's behaviour. For example: women were forbidden from working in foreign agencies; assistance to widows and needy women could only be provided through their male relatives and without the employment of females; women could not be appointed as senior staff in foreign run hospitals; women were to walk calmly and avoid creating noise by their footsteps; they were forbidden to travel in a vehicle with foreigners, etc. (CEACR, 1998). One early edict was the decision of the Kabul and Herat Municipalities, on 19 October 1996, to close 32 public bathhouses. Although less well publicised than some other Taliban edicts, this was particularly distressing to urban women. In an environment where fuel was both scarce and exorbitantly expensive and with winter approaching, it also posed a potential health hazard to women (Tanya Power Stevens, cited in Dupree, N. 1998b).

The UN Special Rapporteur noted that apparent violations of Taliban edicts were met with assaults on women by agents of the Ministry for the Promotion of Virtue and the Prevention of Vice, "with instruments that looked like leather cricket bats" and that this was "done on the spot, without a right to be heard or any due process." More serious violations of Taliban edicts were met with "stoning, lashing and other forms of inhuman punishment." The Special Rapporteur also highlighted the ease with which women faced draconian punishments for adultery and fornication, in contrast to the difficulty in proving incidence of rape when it occurred (E/CN.4/Sub.2/2000/18 – 21 July 2000). A subsequent report published in 2001, by the CEACR (UN Committee of Experts on the Application of Conventions and Recommendations) concerning violation of the non-discrimination and other basic human rights conventions in Afghanistan found that perceived violations of Taliban edicts relating to women were met with the use of cruel, inhuman and degrading punishment and ill-treatment by Taliban guards in public places. Amidst such assaults on their freedoms, Afghan women refused to be cowed and sought their own subtle modes of protest. Taliban imposition of the *chaddari* on all women was intended to enforce a measure of standardisation and anonymity. However as Nancy Dupree noted "Women are already making their own fashion statements.... (in their choice of *chaddari*) Burnt orange and forest green are fashionable in Jalalabad; various shades of blue accented by an occasional canary yellow flit about Kabul....the veils shimmer and billow with a certain mysterious seductiveness. This, of course, is far from the intent of the authorities." (Dupree, N. 1998b: 160)

Restrictive policies were applied in all Taliban controlled areas, but their impact was felt more acutely in Kabul, Mazar-e-Sharif, Herat, and other Dari-speaking urban centres, where women had traditionally enjoyed a greater degree of freedom than in the Pushtun-heartland cities of Kandahar and Jalalabad, where more conservative cultural mores were prevalent. However there is evidence that those organisations which, out of a concern that Afghan women continue to benefit from their programmes, chose to adopt more pragmatic, non-confrontational approaches to dealings with the Taliban, were able successfully to negotiate a softening of some

Taliban policies. The UN Special Advisor on Gender Issues and the Advancement of Women noted that, during early 2000, the UN and the NGO assistance community were able to bring about a number of positive developments relating to employment of women such that, by mid-2000 a total of 5,874 women were employed by the international assistance community in Afghanistan, despite Taliban restrictions. However additional restrictions were imposed later the same year. Writing on the same issue, the Country Director of CARE (Crosslines Global Report, No. 34, September/October 1999) noted:

- ☉ Numerous cases of women being allowed to work both inside and outside the health sector, including CARE projects in which over 50 women were working as clerks, distributors, monitors, community development agents, teachers and teacher trainers.
- ☉ At least five Taliban controlled provinces where permission was given for girls to be educated and women to work in schools; 35% of students in CARE-supported schools and 14% of those in Swedish Committee supported schools were girls.
- ☉ An edict prohibiting women from directly receiving humanitarian assistance was nullified, with the result that Kabul's 25,000 widows were able to receive monthly rations direct from CARE and ICRC.
- ☉ An edict restricting female health care to one dilapidated hospital in Kabul was amended and women could be seen in special sections of all hospitals.
- ☉ The Taliban's Ministry of Mines and Industry issued a decision giving permission for widows to work outside the home as long as they observed modesty in clothing and likewise for married women, providing they had the permission of their husbands.

During the same period, the UN Special Rapporteur also visited areas under the control of the United Front (formerly called the Northern Alliance) where she observed instances of female education taking place up to university level and where no official gender discrimination exists. However she noted that, despite the differences at the policy level, women in the regions controlled by the United Front also suffered from narrow access to education, health services and income generating employment.

6. Afghan women as refugees and Internally Displaced Persons

Before turning to consider the particular impact of displacement on Afghan women, a number of religious, cultural and ethnic factors need to be taken into account in describing the overall context of migration (forced or voluntary) in Afghanistan. (See Annexe 2 for a detailed account of the different phases and distinct characteristics of population displacements throughout the Afghan war).

6.1 Distinctive dimensions to Afghan migration

Within Islam, there is a tradition (dating back to the prophet Mohammed's flight from Mecca to Medina in 622 AD) of flight in the face of invasion or persecution from non-Islamic forces, with the aim of preserving faith. The process of religiously motivated flight is referred to as *hijra*, whilst a religiously motivated refugee is referred to as a "*muhajir*". The term would apply regardless of whether or not refuge has been sought within the borders of the same nation state. Consequently, the term would be applicable to both refugees and IDP's. However, when the faith-protecting religious justification for exile no longer exists, there is a strong compulsion to return.

As one of the poorest countries in the world, even prior to the outbreak of war, there has been a tradition of Afghan men (usually women have moved only as part of a family group) migrating to seek either seasonal or longer-term work in neighbouring countries or the Middle East. The number of working immigrants in Iran, prior to 1979, was estimated to be between a half and one million (Strand, A. 2001). Mention should also be made here of the *koochies*, pastoral nomads from the different Pashtun tribes, who roam the mountains and deserts with their flocks on a seasonal basis, both within Afghanistan and between Pakistan and Afghanistan.

The influence of ethnic identity has exercised a distinctive impact on patterns of refugee migration in the Afghan context. According to *Pushtunwali*, the tribal code of honour and ethics that regulates every day life among the Pushtuns, Afghanistan's largest ethnic group, there is a moral obligation to assist those in need seeking temporary shelter among kin. Similar, though less pronounced, ties exist between Afghanistan's other ethnic groups (Tadjiks, Uzbeks, and Turkomans) and the populations of neighbouring states. This factor has played a significant role in easing the process of mass migration to neighbouring countries.

6.2 The impact of displacement on Afghan women and their families

The mass exodus of Afghan refugees, which followed the Soviet invasion of 27th December 1979, constituted the world's largest ever movement of people from one country, transplanted outside the borders of their country of origin. Most Afghan's regarded the Soviet invaders as infidels and therefore considered that their presence in Afghanistan constituted a valid justification for *hijrah* to neighbouring Islamic states. During this time, an estimated 3.5 million refugees fled to Pakistan and 2.3 million to Iran where they were welcomed and supported (UNHCR, 1994). There

was equal condemnation of the invasion in Islamic and Western nations. However in the aftermath of the Islamic Revolution in Iran and the protracted saga of the US Embassy hostages, a disproportionate amount of Western aid went to support the refugees in Pakistan. In Iran by contrast, only limited support was provided by the UNHCR; refugees became much more assimilated into Iranian society, with access to local health and education provision.

Afghan women felt the effects of displacement in a variety of different ways. It is important to note here that an estimated 97% of those fleeing to Pakistan came from a rural background and of that figure approximately 85% were Pashtuns. For rural women, accustomed to a relative degree of freedom of movement within their villages, the experience of displacement led to a dramatic change in their lives as they found themselves confined in vast, overcrowded refugee camps, sometimes in temperatures of 45+ degrees with no available running water, little shade, and no space. However, Nancy Dupree observes that for most women the biggest deprivation was their lack of privacy. In time, more permanent structures were built as the various temporary refugee camps metamorphosed into large villages. Dupree notes that many women were involved in the construction process; the first time most of them had ever undertaken manual work of this kind.

A feature of refugee life common to those in both Pakistan and Iran was the absence of large numbers of refugee men because they were engaged in military operations inside Afghanistan with the different Mujaheddin factions, ensuring continuing links with their home villages (Barakat, S. and Strand, A. 2000). As a result, refugee women often found themselves involved in decision-making that would normally have been undertaken either jointly with men, or by men alone. Responsibility for the upbringing of children fell almost entirely on Afghan women in the absence of men. Afghan women also claimed a significant role in motivating men, husbands, sons and brothers, to continue their participation in the war and in providing future fighters (Atmar, Barakat & Strand, 1998). A further impact of displacement on women was the marked change in birth spacing. Birth rates increased significantly at this time, from a 1978 figure of 9.3 children per woman to 13.6, a pattern replicated amongst both rural and urban women, a pattern observed in other refugee settlements around the world (Dupree, N. 1998a)

The ecology in the camp areas of Pakistan is extremely fragile and resources are scarce, leading to competition between refugees and local inhabitants for firewood, water, and grazing land for flocks. In such situations, frequently it was women who assumed responsibility for negotiations over access to resources and basic necessities. In what was essentially an exodus of the poor, taking refuge amongst the poor, there was enormous potential for conflict. However, despite this potentially volatile environment, there were no major outbreaks of violence – a fact that Dupree attributes to the Pushtun code of ethics and the injunction in Islam, to help fellow Muslims in times of need. Women also played a significant role in ensuring tensions did not erupt into violence. They were aware that they were viewed as symbols of Afghanistan's honour. Consequently they took very seriously the need to ensure they, their children and family members conducted themselves in ways that preserved the honourable reputation of the country.

For those educated urban women who became refugees, life was particularly hard. Frequently they were forced to exchange modern houses and apartments in Afghan cities for the poorer, crowded neighbourhoods of Pakistani cities. Conditions were extremely cramped and sometimes extended family groups of twenty or thirty people were forced to share accommodation intended for five or six. Living side by side with Pakistani families of rural origin with more conservative attitudes to women, the desire to uphold the honour and reputation of Afghan women, led many to start wearing the veil and adopting much more traditional modes of dress and lifestyle than they were accustomed to within Afghanistan. In more recent years, concern for their children's education, especially the girls, has acted as a significant disincentive to those from an educated urban background returning to live in Afghanistan.

A significant and potentially lasting legacy of refugee life on Afghan women will have been their exposure to both health and educational provision. From the outset, clinics were established within all major refugee settlements, giving many rural Afghan women their first encounter with health care facilities. They received pre- and post-natal care; children were immunised against disease and, despite the overcrowded conditions, there have been no major epidemics. This has led to changed perceptions and expectations amongst rural women; the realisation that aspects of life they had taken as an immutable given (acute suffering in childbirth; the scourge of vaccine preventable diseases, deaths due to diarrhoeal disease, high levels of maternal and infant mortality) could be different. Afghan women refugees have proven to be highly receptive to basic health messages, particularly where these produce demonstrable results. If large-scale repatriation ever occurs, such women are likely to both demand, and to be agents for, increased levels of health care provision in the rural areas.

Initial attempts at introducing education in the camps met with the same entrenched suspicion of education in rural areas referred to in section 3.3 above. Over time, this attitude softened, and through the dedication of a number of teachers, boys' schools and even a number of girls' schools were established, although very few children studied beyond primary level. Most girls were withdrawn from school at the age of puberty, whilst a majority of boys left school in order to join the *jihad*, or to engage in other work.

Nevertheless, there is evidence that the years as refugees have influenced people's attitudes and aspirations. There is a trend discernible amongst those returning, to settle in urban centres rather than to return to the villages from which they fled, a trend which was encouraged by the fact that some of the income-generating skills learned from UN and NGO run programmes, could only be used in the cities where there is a larger market. Furthermore, as the rural population became familiar with education, there has been an increasing desire to see their children educated; a fact that has added to the trend towards urbanisation.

6.3 The current situation

Current estimates from UNHCR, put the number of refugees in Pakistan and Iran at 3.5 million. A further 900,000 were living as internally displaced persons prior to 11th September 2001, but it is estimated by UNHCR that this figure has now increased to 1.1 million, a figure that could rise further depending on the outcome of the current war.

7. Vulnerability and coping strategies of Afghan women and their families

To arrive at an understanding of vulnerability and coping strategies in Afghanistan, it is important to take into consideration traditional Islamic approaches to vulnerability and care of the family (for more detail see Box 2). Afghanistan is a highly communal society, in which group identity takes precedence over any concept of the individual. The death, destruction and displacement of over two decades of war compounded by the effects of a prolonged drought (now in its third year) in a country already one of the poorest in the world prior to the outbreak of war, have conspired to produce a highly vulnerable population in which significant numbers of people, particularly widows and orphaned children, have found themselves without the traditional support networks of family and community. Nevertheless, when addressing issues of vulnerability in the Afghan context, it is often neither possible nor appropriate to refer only to “Afghan women”, since their plight usually is inextricably linked with that of their families. Consequently this section identifies a broad range of coping strategies employed amongst vulnerable groups within Afghan society, highlighting particularly those involving women, and children.

For qualified/educated people living in the cities, employment within the NGO and UN aid agency sector has made a significant impact on the local economy. In addition to jobs as health workers and in project management/administration, Afghans have been employed as drivers, translators, mechanics, logisticians, radio operators, and cooks/domestic workers. As a result of the strong cultural emphasis on communal sharing and coping strategies based on family support networks, the impact of this employment has been widely felt, with International NGO or UN agency employees typically supporting extended families of up to 15 or 20 people each. Commenting on the positive achievements secured by the UN and NGO assistance community through tough but principled negotiations with the Taliban regime, the Special Advisor on Gender Issues and Advancement of Women noted that by mid-2000, there were a total of 5,874 Afghan women employed by the international assistance community in Afghanistan (including 1,020 doctors and health workers, 2,066 traditional birth attendants, 900 WFP bakery staff in Mazar-e-Sharif and Jalalabad).

As is apparent from section 5 above, migration has been a significant coping strategy for many Afghans, particularly during times of heavy fighting. As ethnic divisions and tensions have deepened, vulnerable people have sought refuge through migration to new regions of the country or to different districts within a city, with the result that the ethnic identity of certain areas and neighbourhoods has become more entrenched. At times however, recourse to concealing ethnic or religious background has also been used as a coping strategy (Strand, *et al*, CMI 2001). An additional strategy, often combined with migration, is the sale of personal belongings to raise funds. In January 1993, as over half the population of Kabul was displaced, so the main streets and bazaars of Jalalabad were quickly filled with carpets and household possessions, as many of the 300,000 IDP's settled in nearby camps began to sell their personal belongings. Similar scenes could be witnessed in Charikar and other urban centres to which displaced Kabulis fled (GW: author's personal observations). A coping strategy, closely connected to migration and which reflects the strength of

family/community support networks, is the issue of remittances from Afghans who form part of the wider Afghan diaspora.

Dependence on aid constitutes a key coping mechanism for people in war-torn societies as is demonstrated by its prevalence in the Afghan context. In 1998, NGOs contributed \$86.6 million to the economy and provided employment to 25,000 people. Humanitarian aid, contributes US \$200 to US\$300 million annually. Only a small proportion of this is spent on longer-term livelihood support and developmental activities. Another coping strategy, prevalent amongst young men, but with direct consequences for women and their families, is the decision to join one of the warring factions.

One of the by products of the pervasive presence of aid is the 'dependency mentality' which has emerged within some Afghan communities. This mentality was encouraged in part by the overwhelming largesse of some politically motivated donors during the Cold War era, combined with a poor NGO understanding of developmental response to emergencies and recovery. This has led to a mind-set of helplessness in relation to conflict, peace and recovery arising from an environment in which too often, beneficiaries have been treated as passive recipients. The result has been the creation of a pool of unskilled, dependent young men, whose frustration and hopelessness is able to be harnessed and used by the war lords or 'conflict entrepreneurs' to serve their own ends. Many of those currently fighting in Afghanistan have only one 'skill' to use in support of their increasingly impoverished families, that of fighting for a commander. There is also a discernible trend towards marriage at a younger age for women, and of the re-marriage of widows to other members of their husband's family, sometimes as a second wife, as a part of family/community coping strategies (Atmar, H., Barakat, S. and Strand, A. 1998).

Begging and child labour is a common coping strategy, particularly in Kabul and the other larger cities of Afghanistan. The 1999 report of the UN Special Rapporteur on Violence Against Women found that the denial of employment to women had resulted in a rise in begging and prostitution in the country. A 1996 UNHCR/Terre des Homme survey found over 28,000 street children working in Kabul, 20% of them girls. However the survey only included children observable on the street and did not include closed workshops and factories. The report notes that, if these were also included, the figure for street children/child labourers in Kabul would exceed 30,000. (The deteriorating situation in Afghanistan in the years since this report was produced makes it likely that this figure will have increased still further). Interviews were conducted with 2,000 children and their families. A majority of children were between the ages of 11 and 14, although a significant number were under the age of 10, and there were even children as young as 5 working on the streets. Most children worked between 6 and 12 hours per day, and the most common types of work they engaged in were: scavenging for firewood, collecting scrap paper, carrying rubbish, polishing shoes, cleaning cars, selling small items (matches, toilet paper, key tags, soap, etc.) and begging for money. A majority of the children suffered from significant health problems and malnutrition and, in subsequent visits to families, 145 children had died from malnutrition.

All of the children surveyed did have a home to go to at night; the vast majority lived with their own families, and a few stayed with the family of friends.

Roughly 75% of children lived with both parents, but 491 children had only one parent, only 2.6% of children had been orphaned; 73% of families surveyed had been displaced, their own homes were no longer habitable and they were living either in rented accommodation or tents/mosques/war damaged buildings, etc. A majority of children (71%) earned money for their labour, which contributed to their family's overall income; 29% took home the produce of their labour in the form of firewood, scrap-paper, etc. as fuel for cooking/heating. (UNHCR/Tdh, 1996)

Mention should also be made of criminal behaviour as a coping strategy. In the lawless environment that may prevail in a war torn society, categorising 'criminal behaviour' can be problematic, particularly when it is often the 'authorities', or those claiming to represent them, that are engaging in such activities. In Afghanistan, during times of heavy fighting, extracting on the spot 'taxes' from travellers by local commanders and their check-posts is routine and may extend to relieving travellers of their wrist-watches and other possessions, or even theft of vehicles, etc. Natural resources (marble, timber, emeralds, lapis lazuli) have been illegally extracted and exported and historical artefacts/antiquities have also been sold for personal benefit and for funding different factions. There are estimated to be three million people involved in the opium economy, and smuggling of a broad range of goods across international borders, circumventing Pakistan's customs duty and sales tax is common place (Atmar, Barakat, & Strand, 1998).

In summary then, a certain regression or chain of events is evident in the pattern of coping mechanisms present within Afghan society: Traditional Islamic approaches to the care and support of the vulnerable are deeply embedded within Afghan culture and, in times of need, most Afghans turn instinctively to family and the members of their wider community for support. For those few with sufficient education/qualifications (and with the right contacts), employment within the aid or NGO sector is also a source of support to many, both directly and indirectly. The influence of family and community is further reflected in patterns of migration, as people seek refuge first within their own family or tribe. However for many, particularly widowed women and those women separated from family by conflict, the particular circumstances giving rise to their migration mean that this is not an option.

Experience and impact of displacement begin seriously to erode the family and community support mechanisms that have provided the principal coping strategy for most. Cut off from such structures, people become increasingly vulnerable. Their next coping strategy is usually to sell household possessions, which has the ultimate effect of compounding their vulnerability and making them increasingly dependent on external aid. Heightened levels of vulnerability are further evidenced by recourse to increasingly desperate coping strategies, such as joining militias and criminal activity (in the case of men), child labour and begging or prostitution (in the case of women).

Box 2. Traditional approaches to vulnerability within Islamic culture

Within Islam, the mechanism of *selat al rahm* places a strong injunction on all Muslim men to offer care and support to any members of their extended family in need or facing difficulty. In addition, the concept of *Zakat*, the organised distribution of wealth, which is one of the five pillars of Islam, entails an annual duty for each Muslim to contribute a percentage of their accumulated wealth to the poor; while the related concept of *Saddaka* is more usually connected to religious events, involving support for the destitute, those trapped in debt, and the 'wayfarer', which equates today's IDP. These deep-rooted traditions within Afghan life, at both the family and communal level, have been a highly significant factor in mitigating the impact of vulnerability caused by factors such as displacement, death and disablement.

Approaches to fulfilling these obligations, through the collection and distribution of *Zakat*, vary. A common practice is for individuals to donate directly to the poor of their locality, whilst in some communities the task is assigned to a local mullah and in other areas the commander or some other local authority figure might undertake this task. Traditionally, considerable discretionary powers are vested in the leaders or the shura of a local community. This is most likely to be comprised of older men, often dominated by the mullahs, but with much more detailed and accurate local knowledge than external groups or organisations. It is important that international agencies recognise critical local information resources such as these, when establishing systems for identifying vulnerable individuals and groups (Strand. et al. CMI, 2001)

8. Anticipated status of Afghan women in the post-war phase

The west's recent 'discovery' of discrimination against Afghan women (discrimination that passed largely without comment when perpetrated by anti-Soviet Mujadeddin allies in a Cold War context) is indicative both of the political agenda behind much recent posturing and also of a wider ignorance of the realities of Afghan culture. A recent BBC report noted, "...Western journalists and aid workers who thought that piles of burqas would be burned in the street as the Taleban (*sic*) made a quick getaway are in shock. They are incredulous that what has been perceived as the arch symbol of Taleban rule is worn even when the regime is long gone." (George Marcus, BBC News Online, Friday 23 November 2001).

The tribulations of Afghan women did not appear with the advent of the Taliban regime and are unlikely to end quickly now that they have gone. Rather, they are symptomatic of much longer-standing religious/cultural tensions between traditionalists and modernisers in Afghan society. Less than two weeks after the Taliban's departure from Kabul permission to hold a women's march through the streets of Kabul was refused (BBC News Online, Tuesday, 27th November 2001) and within a month of the Taliban's overthrow, television news coverage broadcast images of Northern Alliance soldiers more redolent of their Taliban predecessors: "Soldiers stand with whips, and beat the women in the crowd to keep control. 'The men in the crowd listen to us, but the women don't. They need discipline.' One of the soldiers said. Old attitudes here are hard to break" (Hilary Anderson, BBC News Online, Saturday 8th December 2001).

All the indications are that, despite superficial changes, significant inequities between Afghan men and women are likely to continue. A number of brief observations follow on the current health and educational status of Afghan women since these have a bearing on their labour market participation.

- **Health**

Afghanistan has the second highest mortality rate in the world, with life expectancy estimated at 44 years for women and 43 years for men. At 1,700 per 100,000 Afghanistan's maternal mortality rate is the second highest in the world; over 46 women die every day from pregnancy-related causes, resulting in over 16,000 maternal deaths annually. (Only 15% of deliveries are attended by trained health workers, the majority of them Traditional Birth Attendants). Female rates of tuberculosis infection are amongst the highest in the world; approximately 123,000 cases, 70% of which are females between the ages of 15 and 45 (WHO, 2000). There is almost no gender gap in immunization rates for boys and girls, however between 1996 and 1999, Tetanus and Typhoid coverage rates for women dropped from 37% to 17%, a drop that is thought to be related to Taliban imposed restrictions on women. It is anticipated this will result in an increase in neonatal deaths due to tetanus, since unimmunized mothers are unable to provide newborn babies with protection. (UNICEF, 2000). The current Leishmaniasis epidemic in Afghanistan, a disease carried by flies causing sores, which seriously disfigure the face, has particular implications for

women since its disfiguring effects can impact a woman's marriage prospects. The disease has now spread to more than 80,000 people in Kabul alone (WHO, 2001).

The strong urban bias of existing health infrastructure is disadvantageous to the 75% of Afghanistan's population that lives in the rural areas; this situation has been further exacerbated by the massive degradation of the country's road network. Within cities, the health situation of women and girls has been negatively affected by the complete segregation of health facilities under the Taliban, which curtailed women's access to services.

The 1999 report of the UN Gender Advisor noted strong evidence of an increase in the number of drug-addicted females. The evidence suggests that women are using narcotics both as an alternative to medicines where these are not available and for psychological reasons. It is estimated that 10% of a population living in a conflict usually suffers from mental health problems, although after 23 years of war, this figure is likely to be much higher for Afghanistan, with much residual mental illness having gone untreated owing to conflict and crisis. (WHO, 2001) The UN Special Rapporteur on violence against women notes seriously high levels of mental illness amongst Afghan women, especially in Kabul, where Taliban restrictions have had a particularly harsh impact (E/CN.4/2000/68/Add.4.).

- **Education**

World Bank statistics (2001) put female literacy at just over 20% compared to a figure of over 50% for men. However, many commentators put the figure for women much lower. Only 3% of girls are enrolled in primary school, compared to 39% for boys and there are fears that female literacy will fall still further. However, the full impact of Taliban policies on female education is still not clear. The Report of the UN Secretary General on the situation of women and girls in Afghanistan noted that in 1999 there was an *increase* in the number of community and home-based schools for girls in various parts of Afghanistan (E/CN.4/Sub.2/2000/18, para 35). With women comprising over 70% of qualified teachers, the Taliban ban on women working had a negative impact on boys' education, whilst ensuring a large pool of otherwise unoccupied women teachers was available to teach girls in the informal sector. There is some suggestion that the proliferation of such informal, home-based female education could well mean that more girls have had access to some form of education than before although this certainly was not the intended outcome of Taliban policy, (Personal communication with Kabul-based agency personnel).

9. Listening to Afghan women's voices

Since the advent of the Taliban, much ink has flowed on the subject of Afghan women. Many have claimed to *speak for* Afghan women, sometimes at the expense of *listening to* them. Research conducted in 1998 (Atmar, H. Barakat, S. and Strand, A. 1998; Lander, N, 1998) sought to redress this balance and the following important points, made forcefully by Afghan women themselves, emerged:

- ◆ While the formal representation of Afghan women in the political arena is limited, they have a greater role in decision-making processes at family and community level. There has been inadequate recognition of the role by the assistance community, with the result that opportunities to further peace and recovery have been missed.
- ◆ There is a cultural dissonance between values advocated by many westerners and those that Afghan women fight for (based on tradition, culture, religion, etc.). Consequently, many of the solutions proposed for addressing gender inequity are culturally insensitive and unpopular with Afghan women themselves.
- ◆ Too often, the approaches adopted in the delivery of assistance have relied on standardised, 'one-size-fits-all' blueprint solutions, rather than seeking genuinely to understand and harness the traditional mechanisms that women have established for leadership in the past.
- ◆ Interviewees were at pains to stress that Afghan women wield considerable power within Afghan society, that their opinions are respected and that those viewing Afghan society through a western prism often fail to take certain concepts of obligations and responsibilities into account. E.g.: the role traditionally played by women in brokering peace and in mobilisation (or demobilisation) for fighting. Men are responsible for the support of their family, but it is a mother who decides whether sons should or should not be allowed to go to the front line. In Qu'ranic teaching, the mother is the gateway to heaven, sons need the forgiveness of their mother before they can enter heaven; the power and value of a mother's *chadar* (head covering) is critical in the mobilisation of men. Consequently, the use of terminology such as: 'Sisters' and 'Mothers' carries far more weight in Afghan culture than professional terms or designations.
- ◆ Violations of women's human rights in Afghanistan are part of a larger landscape that has been shaped by 23 years of conflict and has to be addressed accordingly.

Women's needs are not incompatible with those of their family. Assistance strategies frequently seek to address women's needs in *isolation* from their families. Within Afghan culture there is very little concept of the 'individual' as distinct from their community. Obviously, the needs of vulnerable single women must be addressed, but agencies need to consider women as an integral part of the family unit, ensuring that strategies adopted utilise family mechanisms shaped by Afghan culture and traditions.

10. Constitutional and legal framework

10.1 Historical background

Afghanistan has had a fairly chequered constitutional history: the First Afghan Constitution, promulgated in 1923 was subsequently abrogated in 1924; this was followed by the Second Constitution of 1931, the Third Constitution of 1964 (abrogated in 1973) and the Fourth Constitution of 1977. Each constitutional change was itself indicative of major tensions and upheaval taking place in wider Afghan society (Chishti, N M, 1998) On occasions, as with the overthrow of King Amanullah, attempts to force the issue of women's emancipation played a key role in the downfall of the government of the day. However, in general the government adopted a voluntary approach to women's rights; characterised by facilitation rather than force. They enacted a range of laws that made possible greater freedoms for those women who chose to appropriate them and whose families were willing to support them in their quest for great freedom. By the late 1970's women had been accorded a significant range of legal rights. The constitution gave them the right to vote, the right to education, and the right to work. Nancy Dupree observes: "A male dominated government and parliament passed this constitution guaranteeing women all these rights. A male dominated society was later to take them away." (Dupree, N. 1998a). The contrast between the above legal changes, which sought proactively, but non-coercively, to facilitate women's emancipation, and the collection of laws and edicts put in place during the Taliban regime, could not be more marked.

10.2 Recent developments and future plans

When work on this study commenced, the Taliban regime controlled 90% of Afghanistan and was the *de-facto* government; at the time of concluding, they have been removed from power and any discussion of Afghanistan's current 'Constitutional and Legal Framework' becomes a moot point. The country has now been presented with an effective *tabula rasa* from which to begin the process of re-establishing its constitutional and legal framework.

From 26th November to 4th December 2001, UN sponsored talks on the future of Afghanistan were held in Bonn in December 2001 and, although significantly outnumbered by men, 3 Afghan women were present as full participants. Agreement was reached between the four major parties to the talks: the Northern Alliance, the Pakistan-based Peshawar Front, the Iran-backed Cyprus Group and the Rome Process representing the former King, Zahir Shah, and plans are now under way to establish an Interim Authority, to include a 30-member power-sharing council, to take office in Kabul from 22nd December 2001. The thirty-member Council will be comprised of 11 Pushtuns, 8 Tajiks, 5 Shiite Hazaras, 3 Uzbeks, and 3 drawn from other smaller minority groups. Two women have been appointed to the new Council, both of them highly respected medical doctors. Dr Sima Samar has been appointed Minister for Women's Affairs and is one of 5 Vice Chairs of the new Council. Dr (General) Suhaila Seddiqi has been appointed Minister of Health. (See Box 3 for profiles).

The Interim Authority will consist of:

- 30-member Interim Council
- An Independent Commission to convene an ‘Emergency *Loya Jirga*’
- Central Bank
- Supreme Court

In addition, there is to be a Judicial Commission charged with rebuilding the justice system “in accordance with Islamic principles, international standards, the rule of law and Afghan legal traditions.” The Interim Authority is to be the repository of Afghan sovereignty, with immediate effect, representing Afghanistan in its external relations and occupying its seat at the United Nations. The Emergency *Loya Jirga* (meaning: Assembly of Elders) is to be convened within six months of the establishment of the Interim Authority and will be opened by the former King, Mohammed Zahir Shah. It will decide on a Transitional Authority, to include a broad-based transitional administration which will lead Afghanistan “until such times as a fully representative government can be elected”, which is to be no later than two years from the convening of the Emergency *Loya Jirga*. A Constitutional *Loya Jirga* is to be convened within 18 months of the establishment of the Transitional Authority, in order to adopt a new constitution for the country.

Significantly, the text of the Bonn agreement states “these interim arrangements are intended as a first step toward the establishment of a broad-based, **gender-sensitive**, multi-ethnic and fully representative government”; furthermore the UN has stressed that the new authority *must* guarantee freedom of expression and women’s rights. The United Nations shall have the right to investigate human rights violations and to recommend corrective action.

Box 3. Profiles of newly appointed Afghan women ministers
<ul style="list-style-type: none">• Dr Sima Samar
<p>(Minister for Women’s Affairs/Vice-Chair of the Interim Council)</p> <p>Dr Sima Samar, comes from Ghazni Province and is a member of the minority ethnic Hazara community. Dr Samar, who is 47 years old, qualified as a medical doctor at Kabul University, but fled to Pakistan as a refugee seventeen years ago, after her husband was arrested during the Soviet occupation; her husband was never seen again.</p> <p>Dr Samar has been involved in medical work amongst Afghan refugees in Pakistan. With initial funding from Church World Service, she began establishing clinics and girls’ schools inside Afghanistan. In total she was responsible for the establishment of ten Afghan clinics, four hospitals, schools serving over 17,000 Afghan students. In addition she founded a hospital and a school for refugee girls inside Pakistan. Dr Samar has also been involved in food aid, training on hygiene and family planning, and women’s literacy programmes</p>
<ul style="list-style-type: none">• Dr (General) Suhaila Seddiqi
<p>(Minister of Health)</p> <p>Dr Suhaila Seddiqi comes from a Tajik background and, during the Soviet occupation, was appointed to the rank of General in the armed forces. She is one of Afghanistan’s most respected surgeons, and spent more than two decades working at Kabul’s 400-bed military hospital, much of that time as Head of Surgery.</p>

Dr Seddiqi had close links to the family of the former Afghan King, but chose to remain in Kabul throughout the Soviet occupation, the period of Mujaheddin rule and even during the Taliban regime. She was removed from her post soon after the Taliban came to power but, when it quickly became apparent that her skills were vital to the running of the hospital, she was reinstated within a matter of months. She continued to work throughout the five years of Taliban rule. Dr Seddiqi, who has remained single, is famously quoted as saying “I didn’t marry because I didn’t want to take any orders from a man.”

BBC Online News, Thursday 6th December 2001.

11. Conclusions and recommendations for capitalizing on women's capacities in the reconstruction and development of Afghanistan

Preparing for Afghanistan's reconstruction presents a number of acute challenges for a broad range of stakeholders in the process, not least the Afghans themselves.

When war broke out in 1979, Afghanistan was already one of the least developed countries in the world. The prolonged conflict, now in its third decade, has inflicted severe wounds to both the country and the Afghan people. Even the most cursory glance at the list of human development indicators for Afghanistan confirms the scale of the challenge to be addressed. The current three-year long drought, the high number of Afghan refugees in neighbouring countries, and of internally displaced persons, only adds to the enormity of the reconstruction challenge. The situation is further exacerbated by an unsettled military and political environment, and by regional/international interests that may influence both the process and the outcome.

Consequently, in order to succeed, this overwhelming task needs to be turned into a 'process of the willing', where all actors collaborate and contribute in the fields where they can make a substantial contribution towards rebuilding Afghanistan. Most critically, this must be an environment in which all Afghans, especially women, are assured of an influence on the process, but equally important, one in which they have responsibility for carrying the process forward.

Reconstruction and development

Experience demonstrates that, in many cases, conflict may come to an end, while violence continues for many years, involving former factions, de-mobilised combatants, bandits or militia. Consequently, an inclusive concept - *reconstruction and development* - is used here, as a concept in which this range of overlapping processes might be contextualised and evaluated.

Reconstruction, however, should be seen as the first step in a long-term recovery process. The term should be used interchangeably to indicate: *restoration* of the physical infrastructure and essential government functions and services; *institution building* to improve the efficiency and effectiveness of existing institutions; and the *structural reform* of the political, economic, social, and security sectors. Reconstruction involves economic, social and psychological readjustment - the full range of integrated activities and processes that have to be initiated in order to jump-start the development process that has been interrupted by the conflict. In addition, a 'conflict transformation' perspective should guide the practice of post-conflict reconstruction. Such a view changes the focus and aim of post-war reconstruction in a fundamental way - directing the work towards peace building and the threefold goal of *hope, healing and reconciliation*. In all three facets women can make a unique and most crucial contribution (Barakat, S. 1998).

Of course, building peace requires sound foundations through a commitment to righting wrongs and achieving an acceptable level of social justice. This is why

reconstruction should have a corrective dimension that promotes socio-economic change and not just the restoration of the status quo. This is particularly needed in today's Afghanistan. However, reconstruction also needs to be planned and implemented as an 'investment subsidy', not simply a consumption subsidy, which requires appropriate management and accountability structures to be in place in order to, not only guarantee the successful implementation of initial reconstruction activities, but more importantly, to aim to sustain the investment.

Reconstruction and development involves both a range of processes and a set of outcomes, based on increasing confidence, at the household and community level, that provide an opportunity for long-term recovery. It involves a wide range of activities that take place in the early stages of recovery. Where recovery is retarded or conflict restarts, these activities may need to be repeated or continued for an indefinite period. The exact circumstances of the context in which recovery is being attempted will dictate the timing, focus and potential impact of these activities.

Reconstruction can be planned and implemented at various levels according to the perception of the causes of destruction and violence. What matters is not only what reconstruction is able to deliver but also how it is able to deliver and when. This is why it is essential to view reconstruction as the achievement of a state of mind reached through a process of community empowerment in war-affected communities, a process that must include women as an integral part of that empowerment. It therefore differs from relief in a number of fundamental ways:

TABLE 1: Relief Versus Reconstruction and Development

	Relief	Reconstruction and Development
Aim	Saving lives	Restoring livelihoods
Time scale	Short-term	Long-term
Decision making	Top-down	Bottom-up
Implementation	Centralized	Decentralized
Data needed	Quantitative and rapid	Qualitative, Quantitative and cumulative data
Beneficiaries	Passive Recipients	Active participants
Local Governance	Limited delivery function	Leading role in initiating, planning, implementing and supervising programmes through a collaborative structure of local governance The development capacity building opportunities
Mobilisation of Resources	Quick Donor response on humanitarian basis	Development of medium and long-term strategic planning
Type of interventions	Standard interventions	Taylor-made, multi-dimensional and diverse needs based activities recognizing people's capacities
Nature of subsidy	Consumption	Investment
Media profile	High	Low
Sustainability	Rapid withdrawal of relief	Empowering local organizations & systems of governance

The relationship between peace building and reconstruction is a symbiotic one. Sustainable development cannot take place without lasting peace and peace can never be maintained without successful reconstruction and long-term development. No matter how much effort is put into preventive diplomacy, peacemaking and peacekeeping, experience shows that it is only effective peace building that can

prevent the recurrence of violence among nations and peoples (Barakat, S. *et al*, 2001).

There are two schools of thought in terms of the timing of reconstruction and development activities. The first is that peace is a precondition for reconstruction and development. The second is that through the initiation of reconstruction and development activities at an appropriate time during the conflict, the seeds of long-term recovery will be sewn. Evidence from world-wide experiences supports the second theory, provided the challenge of rebuilding itself (the debate, planning, allocation of resources, initiation of partnerships, implementation and impact) is approached as a national project, accessible to public discussion and participation, then reconstruction is set to heal inter community wounds and restore dignity, trust and faith in the system and, critically, including all sections of society, especially women.

Responsibility and accountability

There is a need to review and learn lessons from the experiences of external assistance in Afghanistan over the last ten years. A distinctive feature of humanitarian input during this period has been the shortcomings in accountability; inadequate levels of accountability to Afghans by international donors, with a corresponding lack of accountability for the way in which aid has been utilised. This has led to a clearly discernible pattern of behaviour, with blame being laid at the door of the international community when things go wrong. It is vital for Afghan civil society to assume responsibility for decision-making on reconstruction; learning to take both praise when things go well and also criticism when they go wrong. Consequently, it is recommended that in ILO's technical assistance in the country, it could set up a vehicle to be termed a "Joint Reconstruction Committee", comprised of respected representatives of the various geographic, ethnic and women's groups, able to work hand in hand with ILO officials, donor governments and relevant NGOs to assume responsibility for establishing priorities and allocating resources. Afghans should constitute the majority on such a body.

The first step in the initiation of any reconstruction and development process is a recognition of people's resilience and impressive abilities to survive the hardship of conflict by employing various coping mechanisms (social, economic and political). Many of them may not be clear to outsiders and as such cannot be easily understood and valued. Despite the continued fighting and turmoil of recent years, there are community level structures and other components of Afghan civil society that have both survived and been invested in. With additional investment in planning and capacity building, these can be turned into an effective, responsible and proactive nucleus for the reconstruction of Afghanistan.

The second is to recognise that while central government and international assistance is needed for large-scale reconstruction, local level recovery goes on regardless of policies, interventions, or the support of international organizations, but in a much slower and more painful way. However, the level of activities fluctuates greatly depending on the openings offered by the reduction in level of conflict.

A further step in the reconstruction and development process is the recognition that a key dimension of protracted conflicts is that there will always be areas where levels of conflict are too high to engage in any developmental activity, and others where some forms of reconstruction and development could take roots despite difficult access, closed economies and other restrictions. By acknowledging these realities, local authorities and aid agencies can get on with the business of detecting such transitional opportunities. By using the local knowledge they have gained during the emergency phase, together with their post-emergency presence and their access to resources, local authorities and agencies can enable the transition from emergency to reconstruction and development programming and provide incentives for sustainable recovery in some of the more stable areas. To do this, indicators must be established early on – ideally when planning the emergency intervention – to identify the early signs of local level recovery. For example, returning displaced people, the availability of local investment, and, willingness to participate.

Reconstruction and development activities, no matter how limited, should provide opportunities for the restoration of livelihoods (hope and dignity), thus reducing dependency on relief in contexts where emergency has become the norm rather than the exception. However, external relief sources and efforts run the risk of being misinterpreted as a substitute for local authority and governmental budgetary allocations. In the absence of a formal government, the structures of governance that are harnessed and developed in embarking on the task of reconstruction (at both local, regional and national level) will lay the foundations for any future government that emerges. It is important that mechanisms for providing external support to the reconstruction process engender responsibility and accountability to the local population for a broad range of government functions, not simply for “security”. That must, at all costs, be avoided. The main responsibility to provide for and protect the population must rest squarely on those who either are selected/elected to represent these, or even those who might have placed themselves in such a position through force. Not least, as post-conflict economies are often shaped to privilege certain powerful political actors.

Spreading the benefits

There will always be persons and groups that have built wartime systems to exploit opportunities through the war economy. The continuation of such vested interests serves only to widen the gap between the ‘haves’ and the ‘have nots’, both within the war-affected areas and between the war-affected areas and the rest. The lack of reconstruction activities at the village and community level, and people’s direct influence over these, will serve only to widen the gap. However, ongoing support of reconstruction and development efforts should be based on an accurate assessment of the genuine need for assistance to the most vulnerable in society, and this is where relief subsidy should continue. There is also an acute need for reliable and up to date base-line data, as a basic pre-requisite for defining needs, planning, designing and evaluating reconstruction interventions.

There is a need to de-centralise reconstruction interventions. An overwhelming majority of those educated, qualified and articulate Afghan women who remain are to be found in the cities. Evidence also suggests that even among rural refugee women who have received skills training, the nature of that training has

tended to militate towards urban relocation for those returning to Afghanistan in recent years. In the post-war phase, as agencies seek to ensure that their programmes benefit women, the tendency will be for international efforts to focus on higher visibility projects where educated Afghan women are available to facilitate access and assist with implementation. However, it is vital that neither Kabul, nor the other strategic urban centres, become the sole beneficiaries of reconstruction activities. Rather, every effort should be made to maximise the benefits and coverage of all the different geographical regions, with a view to reaching the majority of the population that continues to be rurally based. As Afghanistan's population remains roughly 75% rural, it is suggested that a corresponding percentage of reconstruction expenditure and activities expenditure be allocated to rural communities, where most Afghan women still live.

Furthermore, recognising the valid interest and concerns that Afghanistan's neighbours have in the stability and economic development of the country, steps should be taken to encourage the support and economic development of different regions of the country through the relevant neighbouring states. This will require a very clear co-ordination mechanism, drawing on the framework of approaches already outlined in PCP (Principled Common Programming) although it needs to, a much larger extent, be owned by all humanitarian actors, donors and Afghans.

Although many of the problems facing post-conflict societies existed prior to the outbreak of conflict, the consequences of conflict can radically alter the political, demographic and economic structure of a country. For example: more households become headed by women, certain intellectual and entrepreneurial sections of society migrate and populations are prevented from returning home, creating new ethnically polarized zones. The range of changes brought about by the conflict, needs to be identified and incorporated in any rehabilitation strategy. Rather than attempting to enforce participation in the reconstruction and development process, involvement should be encouraged for example by inviting different geographical regions to submit proposals for the funding of interventions designed to meet their specific, locally identified requirements. Such proposals may be technically facilitated by agencies but would follow a thorough process of locally conducted needs assessment. Particular emphasis should be placed on the *process* of needs assessment, to ensure that women and other traditionally marginalized groups, are enabled to contribute and that the proposed interventions serve to build their capacities.

12. Practical proposals for ILO's contribution to building the capacities of Afghan women

In the post-war period, it is recommended that any international interventions be designed with the aim of building the capacities of Afghan women and to help develop the labour market in ways that will be of particular benefit to women as well as men. The following proposals are offered to that end.

12.1 Legal/constitutional framework

It is recommended that the ILO take a lead role in providing preparatory assistance to Dr Sima Samar (the new Minister for Women's Affairs) to ensure that her ministry is able to give strategic and comprehensive input to the proposed Constitutional Loya Jirga and the Judicial Commission (see section 9.2 above) in the drafting of relevant sections of the new Afghan Constitution, and in the drafting of labour legislation. The aim is to ensure that women are accorded equal rights and opportunity in the post-war employment market. Law-making bodies are a key area in which, too often, women are absent. Afghanistan has a history of women as legislators and judges and, prior to the convening of both the Emergency and Constitutional Loya Jirga, it is essential that there be strong advocacy to ensure women are able both to be present and to participate in these bodies. ILO legal expertise will need to reflect the stipulation of the Bonn agreement that the new constitution and legal framework are drafted "in accordance with Islamic principles, international standards, the rule of law and Afghan legal traditions."

12.2 Need for base-line data

The last official census was conducted between 15th June and 4th July 1979, although only 55–60% of the settled population was counted because of the armed conflict affecting many parts of the country. The Afghan Statistical Yearbook of 1983, based on projections from that census, gave a population of 15.96 million for 1981/82. The authors estimated that 16% of the population was nomadic, while 15.8% of the population lived in urban areas, nearly half of them in the city of Kabul. Given the size and frequency of the various waves of migration in the intervening years, reliable and up to date data is hard to come by, however most recent estimates suggest significant changes to these figures. Consequently, as ILO prepares to develop proposals for the post-war era, there is an urgent need for base-line survey to ensure strategies for revitalising the labour market can be also targeted and benefit women as well as men. It is recommended that ILO undertake rapid labour market assessments, with a view to identifying potential economic and employment/income generating opportunities for women. Such assessments should include: Skills and occupation profiles; forecasts of short/medium term labour market demands; identification and analysis of vulnerable war-affected groups (war-widows, refugees, IDP's, disable persons, ex-combatants); data on available materials/commodities; identification and assessments of potential partners for ILO interventions. Furthermore, ILO could encourage other agencies to compile data on the employment and other impacts of their activities. Given the current lack of appropriate national institution, the strategies for collecting key information within the country have to also involve local authorities.

12.3 Infrastructure development

There are both direct and indirect benefits that accrue to women through infrastructure development projects, even if they are not always the primary beneficiaries of the employment opportunities generated by such projects. For example the repair and extension of arterial and feeder roads into remote rural areas helps improve access to markets for the agricultural and handicraft sectors in which rural women are employed. Infrastructural developments such as roads and rural electrification can also free up women's time from involvement in traditional tasks such as water collection, firewood gathering etc., thereby enabling investment in other activities, literacy programmes etc., that enhance the quality of their lives. Since ILO's labour-based infrastructure building know how will be invaluable, rehabilitating and developing Afghanistan's limited and crumbling infrastructure, the Organization should ensure that women participate equally in any activities it undertakes in this area.

12.4 Local level planning, participation and negotiation

Infrastructure projects frequently involve negotiating shared access to scarce resources needed by different parties to a conflict, consequently they have the potential to act as 'connectors' in building local capacities for peace (Anderson, 1996). For example, water supply schemes, aimed at the review and rehabilitation of Afghanistan's archaic water distribution systems and the mitigation of drought, will include water management, community contracting, and the development of irrigation schemes and water supply points. Such programmes will necessitate needs assessment, negotiation and the establishment of rights and obligations. In the rural areas, respected older Afghan women, familiar with the water supply needs of their respective communities and able to move with relative ease between different groups, may be uniquely placed to play a part in such programmes. It is recommended that, as proposals for infrastructure projects are developed, ILO take the lead in exploring opportunities for empowering Afghan women to participate in the local level planning, participation and negotiation processes they will entail.

12.5 Women's skills training and literacy programmes

It is recommended that at the earliest opportunity, ILO in partnership with UNESCO and other NGOs, establish a consultation forum on the development of practical and feasible future skills training policies for women and girls in Afghanistan. Naturally, this forum should include local women trainers and teachers. An early goal should be to conduct a review of previous skills training and adult literacy experience among Afghan women, including recent projects undertaken with refugees. An Afghan Women's Committee for Education and skills training is recommended (comprised of international experts from UNESCO and ILO, local and exiled Afghan women, and additional leading figures with adult literacy experience, to consider both short and long-term education policies, and to agree the design and implementation of a women's literacy pilot project. It is anticipated that other, more

extensive activities would flow from such a project.² More detailed documentation on possible project proposals is available from the PRDU.

12.6 Private, home-based schooling initiatives

There is evidence that the informal and clandestine, home-based schooling initiatives for girls which flourished during the Taliban regime were particularly effective in addressing the educational needs of girls. In the post-Taliban era, it is likely that educated urban families will wish to see their daughters educated in formal girls' schools, however for families of a more conservative ethos, particularly those refugees from a rural background who are increasingly settling in urban centres and who have had prior exposure to education, the availability of a more 'secluded' educational environment may help to improve up-take of education by girls. It is recommended that ILO and UNESCO explore opportunities for providing support, training and advice to women teachers with a view to strengthening and regularising this informal sector. Public-private partnerships are inevitable and the ILO is in a good position to start to develop some of these ideas.

12.7 Micro-finance programmes

It is recommended that the ILO support the development of micro-credit programmes to finance food-processing enterprises for women in rural areas and other economic activities of urban women. For relatively low levels of investment, it would be possible to add significant value to women's labour through the development of such schemes designed to generate new sources of income for rural women and to improve their access to markets. This would also add value by enhancing the nutritional status of women and their families. Other possibilities for micro-credit investment would include investment in the domestic carpet and kilim-manufacturing sector.

12.8 Facilitating labour market re-entry

Many urban women had effectively already been prevented from working for many years prior to the arrival of the Taliban regime, as a result of the widespread destruction of plant, factories, laboratories, clinics and other facilities that occurred during the period of the Mujaheddin government. It is anticipated that needs assessments will be required to quantify the precise nature of assistance necessary to facilitate the re-entry of Afghan women into the labour market. Nevertheless, it is recommended that the ILO work in partnership with Government, local institutions and international organisations, to establish 'return-to-work' schemes aimed at providing professional refresher courses and other training interventions designed to up-date the professional skills of a range of personnel including: doctors, nurses, pharmacists, para-medical professionals, teachers, civil servants, managers and others.

² Fernando Cardenal, SJ former Education Minister of Nicaragua, and winner of UNESCO's *Kruskaya* prize has indicated a willingness to serve as an advisor to any future literacy activities in Afghanistan.

12.9 Assistance to vulnerable groups

It is recommended that ILO give particular attention to the establishment of vocational training, rehabilitation and employment/income generation designed to address the needs of the most vulnerable groups of women. In particular: widowed women, disabled women (especially unmarried women with disabilities) and without a clearly identifiable network of family support. In Kabul alone, there are an estimated 30,000 women who are now the sole providers for their families. There is a critical need to expand levels of employment to incorporate these women and so enable them to find means to support and sustain themselves and their families.

12.10 Support to special groups

Amongst vulnerable groups in Afghanistan, those with disabilities are especially vulnerable. International assistance has tended to focus on those with disabilities resulting from the conflict, especially ex-combatants. However, support also needs to be given to those women and men with visual and audio impairments. For example, Afghanistan seems to have higher than average levels of visual impairment³. It is recommended that ILO provide assistance to help build the capacity of existing institutions, which have continued working throughout the war, to provide specialised rehabilitation, education (Braille production, etc.) and vocational skills training for those with special needs.

12.11 De-mining activities

Women and children are disproportionately affected by landmines. It is recommended that ways to enhance and accelerate de-mining projects be designed to increase awareness amongst women and children and to maximise benefits in those areas where women and children are most at risk.

12.12 Vocational programmes for those suffering from war-related trauma

Women have been disproportionately affected by the mental and emotional traumas of war in recent years (see 8 above). The therapeutic benefits of decent work can help restore dignity and hope, whilst providing much needed income-generating opportunities for vulnerable women and their families. It is recommended that ILO explore opportunities for collaboration both with WHO and with existing NGO activities, to develop vocational/income generation programmes targeted particularly at those women who have suffered from war-related trauma.

³ This (according to the authors) may be attributable to nutritional deficiency and to congenital blindness.

12.13 Advocacy/information dissemination

The BBC radio programme “New Home, New Life” is a very popular ‘soap-opera’ listened to by most Afghans, which is used as a tool for disseminating important educational/health messages. It is recommended that the ILO, in partnership with an organisation such as the BBC, develop a similar programme for advocacy/information dissemination aimed at women and how to tackle their socio-economic needs.

12.14 Gender awareness

Gender issues have featured prominently in much recent media coverage of Afghanistan, especially during the Taliban regime. Consequently, there already exists a high level of awareness of ‘gender’ and the needs of Afghan women as an issue that must be addressed in the Afghan context, especially among organisations familiar with the country. However, in the post-war period it is anticipated that there will be a significant increase in the number of international agencies and NGOs operating inside Afghanistan. There is a serious risk that such newcomers to the Afghan scene may seek to impose a dogmatic approach to gender issues in the operation of programmes in this context, without due regard for the conservative nature of local cultural mores, prevalent amongst both men and women. It is recommended that ILO, in conjunction with other organisations experienced in Afghanistan, develop a campaign to be aimed at members of the international aid/NGO community, designed to ensure that appropriate, realistic and culturally sensitive gender analysis is undertaken in the project design phase, to ensure the cultural feasibility of any proposed interventions.

12.15 Diaspora

The worldwide Afghan diaspora represents a significant and largely untapped resource. As Afghan women and their families have migrated around the world, so they have been exposed to new training opportunities, acquiring new skills and qualifications. It is recommended that leading Afghan women in exile be identified who could be instrumental in forming a *Friends of Afghan Women* support network. ILO could be well placed to act as the interface between such women and different local contexts within Afghanistan, where their particular skills combined with their knowledge of Afghan language and culture, may enable them to facilitate interventions designed to enhance the lives and employment opportunities of women in both urban and rural areas (Note the need for caution referred to in the Executive Summary, in relation to harnessing the energies of the Afghan diaspora).

As indicated in 12.2 above, there is an urgent need for further research and data gathering to ensure that future interventions are effective. Consequently, it is recommended that ILO establish a pilot project in two communities, one rural one urban, with the aim of establishing a better understanding of how women in both communities see their roles in the future reconstruction of their societies. The piloting would also allow ILO to test some of the recommendations included in this report as well as others at a relatively low cost – allowing a real opportunity for ‘learning by doing’.

Appendix 1

The administrative structures and institutional capacities of the Afghan state

The Pre-war Administration

In contrast with most other countries in the region, Afghanistan never had a sophisticated colonial administrative infrastructure in place, to enable the effective implementation of policy decisions at the provincial or local level. Tax collection, for example, has never been effectively executed. (Ghani, A. 1990, Afghanistan XI: Administration in Encyclopaedia Iranica). The cultural and life-style gap existing between the educated elite who controlled the administrative machinery of government and the ordinary rural Afghan was profound.

The Afghan Constitution of 1964 divided the country in 24 provinces (*Wilayat*), each headed by a Provincial Governor (*Wali*) who reported to the Ministry of Interior in Kabul. In addition, there were representatives of the various Ministries attached to the provincial administrations, with each reporting directly to their respective superiors in Kabul. Provinces were further subdivided into districts (*Woluswali*) headed by a District Administrator (*Woluswali*) who reported to the Provincial Governor. Larger districts were divided into Sub-districts (*Alaqadari*). The smallest administrative unit in the rural areas was that of Village or rural Sub-division, while cities were sub-divided into wards. At this lowest community level, a middleman function existed whereby a locally recruited person served as the intermediary between villagers/ward-residents and the provincial/municipal administration. In the rural areas this functionary was referred to as the *arbab*, *malik* or *mir*; in the cities the preferred title was *wakil-e-gozar* (Adamec, L.C. 1997).

Louis Dupree (1997), describing this Constitutional period of Afghan history, notes the lack of trained administrators, technocrats and technicians. Middle-ranking officials functioned by perpetuating their own position, within a system that discouraged both innovation and initiative. In the countryside, visits from government officials were usually associated with tax, army conscription and enrolment for so-called voluntary work. Consequently, whilst officials were treated with courtesy, every effort was made to minimise contact. In addition, government practice involved frequent transfer of officials aimed at preventing their development of any person power-base. As a result, government bureaucrats, unable to establish long-term, stable relationships with the local population, were much more concerned with nurturing good communication with their superiors in Kabul, than establishing positive and durable relationships with the local population of their district.

Writing about the reality of how government departments functioned at this time, Dupree observes:

“Below the level of the ministers and deputy minister, the ministries are veritable bureaucratic jungle. Although ministers, deputy ministers, and their immediate advisors generally have a liberal, action-oriented outlook and do attempt to get things moving, the system under which their underlings function preclude the rapid completion of any given approved project. Few

bureaucracies in the world equal – although many approach – Afghanistan in its built-in slowdown mechanism.” (Dupree, L 1997: 654)

The Communist-era Administration, 1979-92

A positive consequence of inadequate, poorly developed local-level state administrative infrastructure was the high degree of functioning self-governance, particularly in rural localities. Local councils or *Shuras*, existed in many communities, although they didn't necessarily represent a specific geographic area; they may on occasions derive from a particular solidarity group with membership dispersed over a wider area. Traditionally, the village *shura* consisted of the older men in a given community, who would be called upon to solve specific problems or address a local conflict by a process of consensual decision-making. In this respect, the *shura's* style of operation is generally reactive rather than proactive, lacking the capacity for forward planning or policy implementation.

During the war against the communist regime, the formal structures of the central government were operational only in the cities, urban centres and a limited number of other strategically important locations where the government retained full control. In areas under mujaheddin control various approaches to administration were adopted: most commanders had their structure of military organisation, some also established a form of civilian administration, whilst in those locations where mujaheddin groups gained control of larger centres, existing communist government administrative structures were assimilated.

Mujaheddin groups and commanders also organised councils, which they called *shuras*, although these differed from the traditional Afghan *shura*. Membership was often more limited and clearly defined and they existed to fulfil a specific objective or mandate, most frequently military in nature. Increasingly, Pakistan-based NGOs who were keen to identify local counterparts focussed on the *shura* as being a somehow more representative vehicle to assist in the disbursement of their aid. Indeed, some began to insist on engagement and interaction with a *shura* as a prerequisite for their involvement. However, such factionally based *shuras* were often less broadly representative than the traditional ones and, not infrequently, existed more as a response to the “felt-needs” of aid agencies, gathering at their behest and in order to legitimise their strategies.

The Mujaheddin Administration, 1992-96

Following the overthrow of the communist regime in 1992, the existing government administration changed hands, passing to the new mujaheddin government, which assumed Afghanistan's seat at the UN, took control of Afghanistan's embassies abroad and received recognition from the wider international community. However, the coalition that took control remained in tact for only a matter of months, after which a four-year period of intensive inter-factional fighting began. For much of this time, Afghanistan had a national government in name only. In reality, the country functioned as a patchwork of territories each under the control of different regional warlords.

Administrative fragmentation occurred in two key respects: Firstly, as different commanders consolidated their grip on power in their respective localities, so they took steps to establish and reinforce their own regional administrative

apparatus. Loyalty to the local commander and his particular faction was of primary importance and there was little, if any direction or co-ordination from Kabul relating to non-military matters. Secondly, government ministries in Kabul were themselves allocated to different factions and mujaheddin parties, with any sense of a permanent or impartial senior civil service completely absent. Once ministers were appointed, they regarded their office as a personal power base and friends, family members and loyal supporters were duly rewarded with positions in their ministry. Ministerial finances were largely dependent on both the international connections and fund-raising skills of the minister in question, and the degree to which pivotal government figures, such as the President and Defence Minister, were reliant upon them for support.

Two other critical issues were to affect the bureaucracy at this time. Firstly, as the security situation deteriorated, so further waves of people were displaced, both internally and externally. People with higher education and professional skills were disproportionately represented amongst those who were successful in gaining access to other countries, resulting in a diminishing pool of skilled personnel available to work within the public administration. Secondly, the rapidly diminishing value of government salaries also had a negative impact on the functioning of the administration. The remuneration structure within the Afghan government generally had been comprised of two components: a monthly salary, and certain allowances/rations paid in kind (heating fuel, wheat-grain, cooking oil, etc.). As the rate of inflation soared and the exchange rate for the Afghani fluctuated wildly, basic government salaries remained unchanged, with the result that over time, official salaries (if they were paid at all) were sometimes worth less than a dollar a month. Staff continued to report to work when they could, even if only for a few hours a week, in order to be eligible for government allowances which, in a commodity-scarce environment, were now worth far more than their basic salary. Nevertheless, this situation served to inhibit the effective functioning of the government administration and to increase the, already high, levels of corruption amongst officials (Author's personal recollections). During periods of heavy fighting in Kabul and other cities, staff were often unable to reach their offices. It should be noted that a significant number of lower level staff did retain their positions as ministries changed hands during this time, however the manner in which the administrative system itself was carved up between factions as a reward for loyalty, the intermittent and personality-based approach to funding/staffing, and the absence of any real coordination from Kabul, effectively eliminated any unified system of governance.

The Taliban Administration, 1996-2001

On assuming control of Kabul in 1996, Taliban efforts focussed on re-establishing the pre-war administrative structures, whilst seeking to mould and modify them to suit their own purposes and the changed realities in the country. Principal amongst these modifications was the introduction of district and provincial level *shuras*, and the establishment of the Ministry of Vice and Virtue (or, to give it its full name: The Ministry for the Prevention of Vice and the Promotion of Virtue). This functioned as a relatively independent control or enforcement ministry which, when combined with the information flows made possible by the newly established *shuras* and pre-existing religious networks, gave the administration a level of control unprecedented in Afghanistan for over two decades. There follows a brief descriptive

account of the key levels of administration operational in the roughly ninety per cent of Afghanistan controlled by the Taliban regime between late 1996 and mid-November 2001.

- *The central level*

The ‘brain drain’ that afflicted the Mujaheddin administration was exacerbated further by the arrival of the Taliban. The primary qualification for participation in their new administration was loyalty to the Taliban’s religious, political and cultural worldview. As a result the remaining members of the Dari speaking, educated elite in Kabul, who had always been regarded with suspicion by the more conservative Pushtun population in the south, began to leave in greater numbers, leading to a significant decline in administrative capacity. Some people with a more modern educational background did join the regime, but most of those in senior leadership positions lacked even the most rudimentary administrative and diplomatic skills necessary to build and sustain a government administration.

However, despite its shortcomings, a government structure was in place, ministers met on a regular basis, with clear delineation of roles and an understanding of the responsibilities and functions of different government departments. A process of budget preparation and management of central government expenditure was in place and, although levels of public expenditure (on anything other than defence) were extremely limited, nevertheless some funding was set-aside for humanitarian purposes and public services (eg: to the Afghan Red Crescent and the Kabul Municipality). A UN report (Office of the UN Humanitarian Coordinator, 2000) even observed that the Finance ministry was still using a public finance system modelled on the French public accounting system.

Kabul continued to be the official capital of Afghanistan during this period, receiving such foreign delegations as still came to the country and handling the increasingly tense relationships with international humanitarian agencies. However the situation was complicated by the fact that the locus of Taliban theocratic power was Kandahar in the south, where the Taliban leader, Mullah Mohammed Omar, was based. Consequently agreements brokered by those in Kabul ran the risk of being undermined by this additional layer of government. However, it could be argued that this was simply indicative of the rural origins of the Taliban, marking a reversion to traditional, conservative patterns of interaction with outsiders where, as Dupree notes, “When outsiders approach, the village leaders disappear behind mud walls, and the first line of defence (second line of power) come forward to greet the strangers with formalized hospitality...”

- *The Provincial level*

The system of maintaining direct representation of government ministries at the Provincial level was continued under the Taliban, although in general, responsibility for engaging with humanitarian agencies and international NGO’s, came under the purview of the Ministry of Foreign Affairs. The pre-war practice of regularly rotating both provincial governors and local ministers resumed under the Taliban, in a move designed to strengthen loyalty to the centre and prevent individuals developing their own local ‘fiefdoms’.

The provincial council of religious leaders, known as the *shura-e-ulama*, which was comprised of *ulema* (religious leaders) from all districts within a province, regained particular prominence under Taliban rule. They were responsible for deliberating on both religious and civil matters and ensuring that administrative decisions were made in accordance with *sharia*, or Islamic law. Provincial Governors were responsible for relating to this *shura* and ensuring the existence of an effective two-way information flow from centre to province, on administrative, religious and political issues. It is important to note that there appears to have been a policy of ensuring some representation of non-Pashtuns even at senior levels within the Taliban administration. Although, Provincial Governors in Taliban heartland areas were all Pushtun, there were non-Pushtun governors in other provinces and even at ministerial level in Kabul.

Parallel to the structure of provincial administration, as in Kabul, was the powerful and all-pervasive independent presence of the Ministry of Vice and Virtue, which drew on a combined network of both religious leaders and informers already instituted by previous administrations. As with surveillance networks in many countries, there was a discernible tendency on the part of individuals to volunteer information on others as a mechanism for easing pressure on themselves.

- ***The district/local level***

At the district level, the *woluswal* assumed responsibility for deliberating on disputes brought to him by members of the local community, in addition to addressing such issues as levying taxes, army conscription and, where appropriate, implementation of drought-related WFP projects. A *woluswal* would be recruited from outside the district, to ensure that their first loyalty remained to the central administration and not to any local power-base.

The lowest level of decision-making traditionally has been the village *shura*, which would interact with the *woluswal*. As has already been stated, the *shura* is not a proactive body that plans or prepares for the future, with a pre-arranged schedule of meetings, but more of a reactive body. This has in turn led to considerable questioning of the approach adopted by many NGO and UN agencies, in which *shuras* were seen as representative bodies able to play an active role in reconstruction and development programmes. Nevertheless, it is apparent that the Taliban regarded the *shura* as a key component of their approach to governance, with the *woluswal* encouraged to work closely with the local community, or agency established *shuras*. This had the effect of increasing the local *shura's* influence, role and room for manoeuvre, but it led to a corresponding increase in the responsibility of the *shura* to act in ways that were perceived to be in accordance with the interests of the Taliban regime, thereby further extending their control into all levels of national life.

It is apparent that the Taliban regime sought to re-vitalise many of the pre-war administrative structures of the Afghan state, in combination with their own religious networks, harnessing both in pursuit of their own specific objectives. Changes to the functioning of the pre-war administrative system can also be discerned in the power divisions between Kabul and Kandahar and the rise to prominence of the Ministry of Vice and Virtue. Perhaps the most significant change during this period was the supplanting of an educated urban elite, by a religiously educated clergy more attuned to the conservative cultural mores of rural Afghan life, than to the concerns of the urban population, and the international community.

Appendix 2

Patterns of migration during the Afghan conflict

Pre-war Population Displacements

A number of incidents of population displacement have occurred in Afghanistan's history prior to the Soviet invasion of 1979, which should be mentioned here briefly since they still form part of the collective memory of different groups. In the 1890's, during the reign of King Abdur Rahman, the destruction of their property and homes and the fear of slavery and starvation led many of the Hazara ethnic (and largely Shi'ite) minority group to flee. Some went to Turkistan (now Turkmenistan) and Tajikistan, some to the city of Mashad in Iran, and most to Quetta then in British India. A large number were forcibly moved to Kabul to provide slave labour, having been declared 'non-Muslims' by Sunni clerics. Other smaller incidents of forced displacement occurred, involving groups of Pushtuns opposing the King who fled north, and an influx of Turkmen and Tajik *muhajirin* (religiously motivated refugees) fleeing the Soviet annexation of Turkistan in 1930.

During the 1960s and 1970s, in addition to an increase in work-related economic migration to Iran (estimated at over 600,000 Afghans), there was also a wave of politically motivated migration to Pakistan of radical Islamists, including students and a number of faculty members of Kabul University. Although numerically quite small, this group was politically significant, comprising many of those who later became leaders of different Afghan resistance parties during the Soviet occupation.

The 1980s

The mass exodus of Afghan refugees, which followed the Soviet invasion of 27th December 1979, constituted the world's largest ever movement of people from one country, transplanted outside the borders of their country of origin. Most Afghans regarded the Soviet invaders as infidels and therefore considered their presence in Afghanistan constituted a valid justification for *hijrah* to neighbouring Islamic states. During this period, in excess of 3.2 million refugees fled to Pakistan and 2.3 million to Iran where they were welcomed and supported. There was equal condemnation of the invasion in Islamic and western nations, however in the aftermath of the Islamic Revolution in Iran and the protracted saga of the US Embassy hostages, a disproportionate amount of western aid went to support the refugees in Pakistan, where they were housed in camps, received support via NGOs, and from the UN agencies coordinated by the Commissioner for Afghan Refugees. There was a strong consensus at this time, among both bilateral and non-governmental agencies, that aid constituted a legitimate second avenue for supporting *jihad*. In Iran by contrast, only limited support was provided by the UNHCR; refugees became much more assimilated into Iranian society, with access to local health and education provision. A feature of refugee life common to those in both Pakistan and Iran was the practice of Afghan refugee men frequently being engaged in military operations inside Afghanistan with the different Mujaheddin factions, ensuring continuing links with their home villages. (See Barakat and Strand, 2000).

Two other waves of migration during this period should also be noted: a large number of highly educated Afghans left Pakistan at this time, seeking refuge further afield, in Europe, the USA, Canada or Australia, where a number of them already had relatives. They were either unwilling to be associated with the radical nature of the opposition groups in Pakistan, or were simply more attracted by more challenging employment and economic opportunities elsewhere. As the officially sanctioned Afghan political parties in exile grew in strength and influence, so a number of Afghans opposing them sought political asylum.

Another significant population displacement to occur at this time was migration from rural to urban areas, particularly the city of Kabul, which increased in size by over one million people. This can be attributed to two main reasons: as the fighting in the countryside increased, so people sought the higher level of security and stability prevalent in the urban centres. In addition the cities offered much greater educational, employment and business opportunities, as well as being the main base for those aid agencies and foreign assisted medical facilities that continued to operate inside Afghanistan during the Soviet occupation.

The 1990s

Expectations that the departure of Soviet forces in 1989, would be followed soon after by the fall of the Kabul government and a period of massive repatriation were not to be realized. Only a limited number of returns took place, primarily because, in the view of most Afghans, the presence of a communist regime in Kabul justified the continuation of their *hijra*. However, as it became increasingly apparent that the demise of the Soviet Union would lead to the loss of any remaining Soviet financial assistance to the Kabul backed regime, an exodus began from the cities, as the urban elite, many of them closely associated with the PDPA, left in large numbers; over 80,000 Kabulis alone were registered as entering Pakistan in 1991-93. In 1992, when the Mujaheddin did finally take control of Kabul, there was a spontaneous repatriation of over 1.5 million Pakistan-based refugees, and a similar influx of refugees from Iran, with most of the returnees going to the rural areas. (Strand, A. 2001a)

The rejoicing and repatriation that greeted the establishment of the new Mujaheddin government was to be short-lived, as inter-factional fighting erupted and new waves of population displacement commenced. On 1st January 1994, a major battle for control of Kabul began between different political/military factions within the Mujaheddin government, with fighting centred on the north of the city. A brief ceasefire was declared to give those who wished to leave, the opportunity to do so and, in the exodus that followed, witnessed by the author, over half a million people fled the north of Kabul. Some took up refuge in parts of the city controlled by other factions, most attempted to go to Pakistan. However, closure of the Pakistan border resulted in up to 300,000 settling as internally displaced persons, in tented camps on the outskirts of the city of Jalalabad. Those trying to reach Iran faced similar difficulties when the Iranian border closed, and had to remain in temporary settlements near Herat. The city of Herat and the surrounding region, under the control of Ismail Khan, remained peaceful during most of 1994-95, leading to moves from the Iranian government to begin repatriating Afghan refugees, as part of a joint

UN/Afghan/Iranian programme. However, this was terminated following the Taliban's capture of the region in September 1995.

The UN estimated that between 1994 and 1995, over half of Kabul's 1.5 million residents were displaced. Some left either for refugee camps or to stay with relatives in the countryside; others were internally displaced within the city, moving back and forth across the city as front-lines shifted, taking refuge in mosques, disused school buildings and vacated houses. The Hazara population of Kabul was targeted in an apparent incidence of ethnic cleansing at this time, leading many to take refuge with relatives in the Hazarajat region of central Afghanistan, or in Pakistan (Atmar, Barakat & Strand, 1998).

The Taliban takeover of Kabul in 1996 and their capture of Mazar-e-Sharif the following year led to further population displacements, as those most closely associated with the previous regime fled. Subsequent fighting, near the city of Bamyan, and in the town of Charikar and villages of the Shamali plain, saw the forced expulsion of the local population by the Taliban, in moves designed to neutralize local resistance to their control of these areas.

However, the mid to late 1990's also saw substantial numbers of refugees returning to their homes with international assistance, a movement of people largely attributable to the increased degree of peace and stability in those areas controlled by the Taliban, and the World Bank noted a modest economic recovery at this time.

The current situation

Current estimates from UNHCR, put the total number of refugees in both Pakistan and Iran at 3.5 million. A further 900,000 were living as internally displaced persons prior to 11th September 2001, but it is estimated by UNHCR that this figure has now increased to 1.1 million. Original contingency plans prepared at the start of the current crisis envisaged a possible figure of 1.5 million new refugees, but to date this has not happened.

Appendix 3

Ethnicity in Afghanistan

This appendix seeks to give a brief overview of the major ethnic groups within Afghanistan, whilst highlighting the range of complexities involved, which make broad generalisations on ethnicity very risky. The attached map indicates the broad geographical location of different ethnic groups.

- ✿ *The Pushtuns* are the largest ethnic group in Afghanistan, estimated to number between 40% and 60% of the population. There are currently no reliable figures for the size of the Afghan population but, given a range of between 20 and 25 million, this would put Pushtun numbers at between 8 and 15 million. (Figures for the numbers of Pushtuns in Pakistan are equally unreliable but the 1981 census counted 11 million Pushtun Pakistanis). Based predominantly in the south and east of the country, they are largely Sunni in faith and have an elaborate tribal system, their own code of ethics known as *Pushtunwali* and their own language. However, such generalisations immediately need to be clarified, e.g.: there are small but significant numbers of Pushtuns in the north, of Shiite Pushtuns in the Kandahar region, and of Kabulis who insist on their Pushtun identity but are completely unable to speak or understand the Pushtu language. By contrast, there are also significant numbers of ‘Tajiks’ living in Pushtun areas, who *do* speak Pushtu.
- ✿ *The Tajiks* constitute the second largest ‘group’ in Afghanistan; a majority of people living in the provinces north of Kabul are referred to as Tajiks and in the larger Dari-speaking cities they form the majority. Nevertheless, there are minority groups of Tajiks in almost all Pushtun-majority provinces. When asked how they identify themselves, Glatzer (1998) observes that most Tajiks made reference to their valley, area or town rather than to being Tajik; he notes that ‘Tajik’ is essentially an analytical term used by outsiders to describe those who are Sunni, Dari-speaking, but from a non-tribal society. Schetter (2001) notes that the term ‘Tajik’ originally referred to all those who could not be ethnically categorised. However, there is now an increasing tendency to describe themselves as Tajik when speaking to outsiders.
- ✿ *The Hazaras* who are predominantly Shiite in faith, are estimated to number between 2 and 3 million people, are located mainly in the central Afghan highlands, known as the *Hazarajat*, and speak a dialect of Persian known as *Hazaragi*. However, there are also Sunni and Ismaili Hazara minorities. Sizeable groups of Hazaras are found in the major cities, particularly Kabul and Mazar-e-Sharif, where traditionally they have formed the poorest sector of society, often being assigned the most menial jobs. Other Afghan groups identify the Hazara by their distinctive Central Asian features, something which modern Hazara nationalists ascribe to their descent from Ghengis Khan. The discriminatory policies of past (Pushtun dominated) Afghan governments in the 1880’s and 1890’s, including theft of Hazara land and the

practice of slavery, have left a legacy of mistrust towards the *Pushtuns*, which is a common unifying force among *Hazaras*.

- ✿ *The Uzbeks* constitute the other major ethnic group in Afghanistan. They are mostly Sunni, roughly equal in number to the *Hazaras*, are found mainly in the north of Afghanistan and speak their own Turkish language, although in the cities many would also speak Dari. Uzbeks can trace their origins to two main groups, one an indigenous group of Uzbeks based in the northern areas for many centuries. The other group migrated into Afghanistan following the expansion of Tsarist Russia in Central Asia, and again during the imposition of soviet rule in what is now Uzbekistan.

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