

Abstract:-

South Asian region is viewed among the worst affected regions in terms of violence against women and gender marginalisation. Women are vulnerable to direct violence particularly sexual exploitation during war and post conflict situations. In this context, Security sector reform (SSR) is indispensable to post-conflict situations in order to avoid the reoccurrence of conflict, to create the moderate conditions for reconstruction and development as well as to enhance public security. For its effectiveness, the United Nations Security Council under 'Resolution 1325' calls for wider female participation

in all aspects of post conflict reconstruction (UN 2000). The comprehensive integration of gender equality dimensions into SSR processes is critical for ensuring accountability and effective delivery of justice and security services. Though, in several countries particularly the developing nations, SSR policies and programs fail to involve both women and men in decision-making processes and do not adequately acknowledge gender dynamics. In the aftermath of 9/11, Afghanistan witnesses a transformational process by facing a stiff challenge of resisting terrorism and building democratic institutions, accountability and respect for human rights. Thus, gender mainstreaming in post conflict reconstruction becomes an important debate. This paper will

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GENDER MAINSTREAMING IN SECURITY SECTOR REFORM: A CASE STUDY OF AFGHANISTAN

critically analyse the importance of gender in the process of SSR. Also, the progress made by Afghanistan in integrating gender in the peace building vis-a-vis decision making process. The paper further highlights the challenges and issues concerning gender and SSR.

Keywords:

Security Sector Reform, Gender, Afghanistan, Post conflict reconstruction, Gender Based Violence.

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INTRODUCTION

Gender issues entered into the mainstream of society as a global strategy for promoting gender equality. The concept was adopted in 1995 at the United Nations Fourth World Conference on Women held in China. The conference highlighted the importance of gender equality as a pre-requisite condition for the economic and social development. According to the United Nations Economic and Social Council (ECOSOC), the gender mainstreaming is “the process of measuring the implications for women and men of any planned action including legislation, programmes or policies in any area as well as at all levels.” Also, it is a strategy by means of which the concerns and experiences of women as well as of men are considered as an integral part of the design, monitoring, evaluation and implementation of policies and programmes in all spheres of social, political and economic life. The ultimate goal of gender mainstreaming is to perpetuate the inequality as well as to achieve gender equality. In addition, it includes gender specific activities whenever men and women are in disadvantageous positions. Such measures are undertaken to combat the direct as well as indirect consequences of discrimination. The mainstreaming of gender is therefore a strategy to transform unequal social and institutional structures into fair and equal structures for both men and women.

On the other hand, the concept of security sector reform (SSR) appeared at the international scenario in late 1990s as an instrument of international development aid. It mainly focuses on the civil-military relationship and their impact on overall development. SSR represents a broader aspect of the understanding of security beyond the realm of state or regime security. As such, the concept represents a post-Cold War approach to security and development assistance. The SSR is based on the primary assumption that an effective and efficient provision of security against external threats to the state does reveal that the institutions are responsible for protecting society as well as are accountable to the basic needs of individual citizens and communities (Nikolaisen 2011). In the post-cold war period, it was successfully implemented in Africa and Balkan regions and afterwards, it became a stabilizing factor in resolving the conflict and leading towards post-conflict rehabilitation and prospects of Peace building. Later, it has assumed a greater attention and focus from the international community. In July 2005, the Security Council started its mission to West Africa by reaffirming that in recent years each country has been a source of instability in the sub region. Therefore, the first and foremost salience is to reform the security sector issues (DCAF, 2006) in order to bring the peace and stability.

SSR is also a process of transforming the security sector to enhance effectiveness, accountability, transparency as well as respect for human rights and the rule of law. Thus, the integration of gender into security sector reform programmes could contribute towards effective functioning of security sector institutions. The Afghanistan is most viable country to study the inclusion of Gender in the SSR as it is amongst the most vulnerable countries in the world. It has witnessed internal chaos and external intervention from the decades that have kept the country in a perpetual state of conflict.

AFGHANISTAN AND THE ARMED CONFLICT

The armed conflict has been an inevitable part of Afghan history. It is also having a very long experience of armed conflict in both the pre and post-cold war era's. In 1979, the country was invaded by the Soviet Union while as in 2001, the US intervention took place on the name of war on terror. During the period of cold war, Afghanistan has become one of the battle fields for the major powers and the international community as well. However, the internal politics have been largely responsible in promoting the conflict. For instance, the Soviet Union invaded the country with the active support of Peoples Democratic Party of Afghanistan (PDPA) (ICG, 2010). It was only after a decade that a radical leftist party mainly based on Islamic ideology namely the “Mujahidin” emerged with the intention of pushing the Sovietian's back. It was supported by several countries like Pakistan, Saudi Arabia, Iran and the United States. Ultimately, in 1989, the Soviet Union withdraws from the country but at the same time causing internal disturbance and turmoil in the country. Soon after the withdrawal, different groups started fighting for the control of Kabul. To cope up with the situation, Taliban emerged as a response to counter this prevailing anarchy. Accordingly, in 1998, they controlled around 90 percent of the Afghan territory (Hartzell, 2011). However, the anarchy between them and the ethnic groups continued to exist until the US intervention in 2001. After, the intervention, the nature of conflict changed in the country and armed conflict originated in response to the Al-Qaeda's attacks on the World Trade Centre and the Pentagon on 11, September 2001. The intervention was carried under “Operation Enduring Freedom” for the purpose of overthrowing the Taliban regime as well as clearing the country from the al-Qaeda (Ibid). From then, till the date, the US had not left the country. The presence of US forces has assumed serious implications for the Afghan society which further enhanced the already deteriorated conditions.

HISTORY OF WOMEN IN AFGHANISTAN

The concept of Women emancipation is not new in Afghanistan. Looking back in 1920s, King Amanullah introduced some radical changes towards the gender relations by imposing several Western values and norms on women (Moghadam 1994). In 1923, Afghanistan drafted its first constitution in which equal status was granted to all women without any discrimination of religion or group. It also introduced

various social reforms like complete emancipation of women, compulsory education for both men and women, introduction of monogamy and separation of religion from politics. The reformation provoked the vested interests particularly of feudal and religious leaders who started instigating public opinion against the state (Ghosh 2003). At the same time, it faced the strong violent resistance as well as criticism resulting in the replacement of the traditionalist methods (Moghadam, 1994). However, in early 1930s during the regime of King Nadir Shah, the condition of women got deteriorated. He has put several sanctions on the liberty of women and even has banned the girl's schooling. Also, women were forced for the veiling and discrimination against them started to emerge to a large extent. Moreover, the only newspaper namely "Jarideh Zanan" published by Afghan women was banned.

However, slow and gradual changes started taking place for Afghan women in the 1940s. In 1941, the first secondary school for women was established in Kabul. In addition, a remarkable event occurred in the Afghan history in 1964 when the constitution granted women the right to vote vis-à-vis allowed them to enter politics. Also, the Democratic Organization of Afghan Women (DOAW) was established in 1965 to work against forced marriages, illiteracy and bride prices. But such freedoms were limited to women living in Kabul as well as in other major cities. While almost of the rural areas remained to be backward and women continued to be often oppressed and treated as private property rather than human beings with equal rights (Qazi 2009).

Thus, Afghanistan has witnessed a tumultuous recent past so far as women folk is concerned. Since the early 1980's, the country has been occupied by Communist Soviet troops and it got trapped into the internal conflict. Due to the conflict, women become more insecure and found themselves in the midst of western ideas of modernization as well as Afghan codes of culture and values. Also, the Soviet reforms were opposed to women vis-a-vis helped to sustain the fundamentalist movement. The rise of fundamentalism provided space for the Mujahidin to strengthen their position as well as to dismiss the Soviet occupation (Abirafeh, 2005). After the withdrawal of Soviet troops, different factions began to strive for power resulting in another stage of the civil war and bringing with it several new horrors leading towards impoverishment and victimization of women.

In 1994, a conservative Islamist association under the leadership of Mullah Omar called the "Taliban" emerged and acquired control of over two thirds of the territory of Afghanistan. During the regime of Taliban, the position of women worsened and they were deprived from their basic liberties. They put sanctions on the women and girls access to secondary education, employment, adequate health care and severely restricted their freedom of movement as well as array of other internationally recognized human rights. All this was done in the name of protecting women's safety and security. However, the Taliban had the organizational capacity to enforce these policies more particularly in urban areas and to bring them in practice, they adopt the methods of beatings and extreme violence (Human Rights Watch 2001).

The intervention by US-led international forces in 2001 has added more complexity to the condition of women in Afghanistan. During the US-intervention, the military operations, patterns of politics, religious extremism, patriarchal practices and structures as well as violence caused by insurgency continue to threaten girls and women in the most deceptive ways. Thus, the overall situation for girls and women in Afghanistan remains miserable and depressed. Also, the global survey held in June 2011 shows that Afghanistan is the "world's most dangerous country in which to be born a woman" (Alvi 2012). Therefore, in the changing political landscape of Afghanistan in last five decades, women's rights have been continuously exploited by different groups for their political gains.

GENDER IN AFGHANISTAN

In common usage, Gender refers to the process of socially constructed roles, identities and relationship between men and women. In any given society, Men and women were taught to perform different roles and behaviours depending upon their sex (DCAF 2010). In the conservative society of Afghanistan, gender order is historically, culturally and socially introduced concept that has been changed and developed according to Afghan history. However, the perception of Gender greatly vary between men and women in Afghanistan (Abirafeh, 2009). In Afghanistan, the women identity is seen to represent the collective identity rather than individual. Apart from the knowledge and various struggles to mainstream gender, women have not received proper treatment. They are still being treated in an isolated category besides their wider cultural, social and family backgrounds. The Afghan society is similar to the other patriarchal society because gender roles are shaped according to the socio-cultural factors and woman's role is mainly considered as a custodian of the family honour. However, in contemporary times, attempts to separate women from family and community are met with strong resistance and several programs have been initiated to focus primarily on women.

In November 2001, the Ministry of Women's Affairs (MOWA) in Afghanistan had taken a vital step towards the empowerment of women through the Bonn agreement. It was although, the Afghanistan's first action to foster the empowerment of women (Sultan, 2005). The agreement was recognized by UN Security Council under resolution 1358 (2001). By the support of United Nations, Afghan participants come across to outline the process for the political transition in Afghanistan. The agreement established an Afghan interim authority (AIA) on December 22, 2001 constituted of 30 members and headed by Chairman Hamid Karzai. In June 2002, the traditional Afghan assembly called "Loya Jirga" replaced the Afghan

interim authority with a transitional authority (Margesson 2010). The Bonn Accords produced several advances for the Afghan women. Also, it led to revive the Afghanistan's 1964 constitution, which secured equal rights to all the Afghan people before the law. These rights include the right to vote in elections, serve in government and to be elected as the Member of Parliament. The agreement stressed the government to respond to the needs and issues affecting women in all aspects of life in order to attain gender equality. It also led towards the full enjoyment of women's human rights as well as to ensure the social, political, economic, legal and civic rights to Afghan women including the right to be free from all forms of discrimination and violence (Ibid). However, besides the efforts, the Afghan government has not yet achieved the success to place gender properly and women still remain vulnerable.

IMPORTANCE OF GENDER IN SECURITY SECTOR REFORMS

In Security Sector Reform, Gender occupies a very important place and deserves a significant place in the discourse on Human Rights by allocating equal importance to all individuals. The gender dimensions are often included in the security sector reform processes as a part of country's commitment to UN Security Council resolution 1325 (2000). The resolution calls for wider female participation in all aspects of post-conflict reconstruction and particularly more concern regarding to the specific needs of women and girls (UNSC 2008). All the sections of society i.e. men, women, boys and girls have different security experiences, priorities, needs and actions depending upon their sex and gender. The integration of these shared experiences may be fruitful in SSR. Also, the engendering of SSR by ensuring effective participation of women in reconstruction and planning is a key element towards enhancing the gender equality, transparency as well as accountability. Women should be given more participation in the peace as well as in the decision making processes, so that they may improve their social, political and economic status. (Mckay 2004).

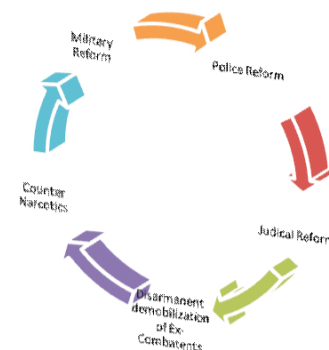
The key element in achieving the gender equality lies in the effective participation of women in the reconstruction and planning processes. The women have played vital roles in various contexts like in the monitoring of public expenditures and in gender-budget analyses, for instance, those in Uganda, South Africa, and Tanzania (Zuckerman and Greenberg, 2004). Also, the issue of local ownership has attached great importance to gender in the SSR. The process of SSR will not succeed unless it involves the local ownership. In this context, the UN Secretary-General argued that SSR can succeed only through the participation of local people and without any gender biasness. It should be based on inclusive and nationally lead processes in which both the local and national authorities including parliaments and civil society, traditional leaders, women's groups etc are actively engaged.

FRAMEWORK OF SSR IN AFGHANISTAN

Before having a look over the framework of SSR in Afghanistan, it is desirable to keep in mind that Afghanistan remained a fragmented state in which the right and capability of the central government to impose rules and regulations remained contested. The power structure of the central government has been dependent on negotiations and tradeoffs with local power groups. The modern and institutional approaches to governance exist side by side with tribal governance structures besides lacking of formal legal basis. Also, due to the repeated changes in government and prolonged conflict, the rule of law structures vis-à-vis security sector have been severely damaged. The efforts made by successive governments to leave its mark in governance has resulted in confused approaches to governance as well as conflicting laws and regulations within Afghanistan.

The Bonn Agreement addressed security sector reform only indirectly and not as part of broader rule of law reforms. It emphasized the need for an international security force till the time as an Afghan security force could be developed. As a consequence, the focus of the reforms were not as much on building credible institutions, but more on ensuring a minimal security presence in provinces and districts. Along with the Bonn process and Operation Enduring Freedom, the SSR agenda was formally set at a Group of Eight (G8) donor's conference in Geneva in April 2002 with the establishment of the lead-nation system. The security sector was divided into five pillars and a lead-nation was appointed to oversee reforms in each sector i.e. Germany on police reform, the US on military reform, the Italy on judicial reform, the UK on counter-narcotics, and Japan on the disarmament, demobilization and reintegration (DDR) of former combatants.

FIVE PILLARS OF SSR IN AFGHANISTAN



By tying individual donors to specific areas of the reforms agenda, the system was intended to ensure the balanced distribution of resources and durable donor engagement (Hodes and Sedra 2007). All countries, except Japan, were (and remain) major troop contributors to NATO's ISAF. In addition, the United Nations in particular through the UN Assistance Mission to Afghanistan (UNAMA), the UN Development Programme (UNDP) and the UN Office for Drug Control and Crime (UNODC), provided technical, financial and administrative support to four of the five security sector priority areas (DDR, Police, counter narcotics and justice). In the eyes of many international actors operating in Afghanistan, "lead nations" have since been replaced by "key nations" which have since been joined by other international actors prepared to assist in the reform and reconstruction of various dimensions of the security sector. Thus, the reformation process in Afghanistan has been assigned to various external countries which were decided in the G8 donor's conference held in Geneva in April 2002.

AFGHANISTAN AND GENDER MAINSTREAMING IN SSR

Gender mainstreaming has evolved as a significant step towards Afghan's development and reconstruction objectives since 2002. These objectives were recognized by international donors as well as approved by the Afghanistan government. In this direction, the UN Security Council Resolution 1325 (UNSCR) was introduced along with the Bonn Agreement in 2002, under the UN mission to Afghanistan in order to supervise its implementation (Mondiale 2007). Also, with the establishment of the Ministry of Women's Affairs (MoWA) in 2002, several mechanisms have been established to promote and protect women's rights such as, establishment of gender units within most ministries, and appointment of gender focal points, gender working groups, and gender advisers at some ministries (UNAMA 2011). Under the supervision and guidance of MoWA's, state institutions are expected to mainstream gender in their policies, annual plans and activities. Gender equality is preserved in the Constitution of Afghanistan and is identified as a crosscutting theme in the Afghanistan National Development Strategy (ANDS).

In 2003, the Government of Afghanistan adopted a Convention on the Elimination of Discrimination against Women (CEDAW). The Eliminating Violence against Women (EVAW law) passed in 2009 criminalises brutal acts against women such as forced marriage, rape and forced self-immolation. While there are some visible improvements in the implementation of the law by prosecutors and primary courts in their handling of cases of violence against women, the application of EVAW still remains inconsistent. Increased number of women report violent crimes against them, suggesting that this development is a result of increased legal awareness efforts by civil society organisations, the government and the international community. There has been a significant surge in the registration of cases of violence against women by prosecutors (UNAMA 2011).

In 2005, Habiba Sarobi, a former women's affairs minister, was appointed as governor of Bamiyan district, the first-ever female provincial governor in Afghan's history. In 2008, the National Action Plan for the Women of Afghanistan (NAPWA) was created. It was the government's main vehicle for implementing policies and commitments on women's empowerment and gender equality. NAPWA commits the state to 30 percent representation of women in the civil service by 2018. In 2009, Azra Jaferi became the first-ever female mayor of Nili town in Daikundi province (Walsh 2005). In early 2013, Saira Shakeeb Sadat was appointed as the first-ever female district governor in Jozjan province (Glasse 2013). Also the public health ministry and the labour, social affairs, martyrs and disabled ministry are headed by women.

In present times, the women's presence in rule-of-law institutions has increased in a significant way. There were 1,974 policewomen in June 2013, compared to fewer than 500 in 2007 (ICG 2013). In 2003, when the Afghan Women Judges Association was created, there were 50 female judges; (USAID 2012). In comparison to April 2013, there were 300 female defence lawyers and 250 women prosecutors (ICG 2013). Also, the Legal protections for women have also been enhanced. For the first time, forced and underage marriage, denial of inheritance and rape as crimes came under the Afghan law (Human Rights Watch 2009). In addition, Girls constituted around 40 per cent of all children enrolled in school from 2002

to 2011, their primary school enrolment rates increased from less than 40 per cent to over 80 per cent, and their secondary school enrolment increased from five per cent to more than 34 per cent (UNICEF 2011).

In its attempts to build up the Afghan National Police, the U.S./NATO coalition has taken steps to improve women's recruitment, partly in an attempt to restrain the predatory nature of the force. Women who seek help from the police are frequently turned away, or exposed to further violence and sexual assault. There are now some 1,300 female officers in a force of over 143,000 police. Also, Family Response Units have been established to investigate domestic disputes and crimes. The Gender Mainstreaming Unit in the Ministry of Interior has targets to recruit 5,000 female police by 2014, which would require recruitment at a rate of 1,000 a year (Cortright and Wall 2012). European police officers say the targets are unrealistic, and recruitment remains painfully slow, especially in southern provinces where the insurgency is the strongest.

Despite considerable progress, Afghan women are still struggling to benefit from their new legal rights and to build on the progress they have made. Gender equality in the law has yet to be reflected in the daily life. Insecurity and violence adversely affect women and girls far more than men. Quotas have enhanced women's presence in parliament, but the numbers do not necessarily translate into greater political legitimacy or ability to promote a pro-women legislative agenda. In past elections, some male candidates rejected the quota system as undemocratic. Many male politicians, including in parliament, also resent that a woman can win with fewer votes in a province than her male opponents (Lough et al 2012).

Apart from this, many other well-intended institutional arrangements to empower women politically, such as women village-level shuras (local councils), created through the National Solidarity Program, have failed to achieve their objective. Women are rarely in charge of the development funds received by rural communities under the program (Ibid). According to the head of a women's rights organisation in Herat, women shuras are just symbolic. Village leaders just put their wives into them (CGI 2013). The EVAW law was significant for achievement of human rights but the implementation was slow and irregular, particularly in rural areas because of the police unwillingness to enforce the legal prohibition against violence, and prosecutors. Courts are also slow to enforce the legal protections bounded in the law (UNAMA 2013).

Instead of protecting women from violence by pursuing and prosecuting cases of gender based violence, law enforcement agencies tend to arrest women attempting to escape violence at home, accusing them of running away or intending to commit zina. According to interior ministry statistics, in May 2013, 600 women and girls were imprisoned for moral crimes. Public opposition to arrests of women for running away has increased, but Human Rights Watch (HRW) found this has simply resulted in a shift towards charging them with attempted zina – a crime that carries up to fifteen years imprisonment. In 2010, the Supreme Court instructed prosecutors on how to treat cases of women who had left abusive homes. It said that it was a crime for a woman to leave her family for a non-relative's home, even if fleeing abuse, because this could cause crimes such as adultery and prostitution and is against Sharia principles (Human Rights Watch 2012).

Widespread corruption in the justice system also hampers women's access to justice. Since, those with influential associates often serve little or no jail time; it damages the judicial process putting victims in danger of retaliation. Due to the fear and threat of life women refuse to join the police. Since there are not enough female officers to staff all provincial Family Response Units, those seeking assistance often have to deal with male officers (CGI 2013).

In the absence of adequate training, policewomen are not able to tackle gender based violence. Thus, to address such hurdles, international attention is vital to put them on track. Therefore, international reconstruction and development aid through government national priority programs and implemented by the state or NGOs has strengthened citizen's access to basic services particularly in the area of education and health. But at the same time, insecurity and militant violence remains a major obstacle in delivering of basic services (Wing and Nadimi 2011). With the help of international agencies, some countries have successfully incorporated gender into the SSR and DDR process. For instance, in Nicaragua women police stations have been established create an environment where women feel comfortable reporting violations and assured that their reports will be properly handled. Croatia has set up several committees like Parliamentary Gender Equality Committee, the Gender Equality Ombudsperson. Through integrating gender into policymaking and decision making process they have succeeded to take into account the different needs and views of the both women and men.

CONCLUSION

The Afghanistan remain trapped in the state of constant violence. It may be assumed that Afghanistan could use the experience of countries having successfully tackled the issue of gender and learn the lessons so as to integrate gender into the SSR effectively. Also, it will help to improve the gender inequality and gender marginalisation in the nation. Regarding the conditions of women, the government will need to demonstrate its willingness and ability to increase spaces for women's participation in social, economic, and political spheres while making every effort, including seeking international assistance, to ensure that women are fully protected in these newly created and vulnerable spaces. Enabling Afghan women has been one of the major concerns for the national and international community engaged in the process of reconstruction and development.

However, in the face of rising insecurity, violence, and threats, despite donor-backed opportunities to improve the condition of women, cultural barriers that exist to women's participation in the public sphere remain deeply rooted. Growing anger over the prolonged international military presence and the pro-women agenda of the West has generated a backlash against girls and women with any perceived association with Western interests. Negotiating with insurgents poses clear dangers for women, however, and will only assure progress if women are meaningfully represented and active in all stages of the process. Gradual demilitarisation must be accompanied by significant, long-term commitments by the donor community to support health, education, and development programs.

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