



The Association of the Bar of the City of New York

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March 10, 2003

The Honorable George W. Bush
The White House
Washington, DC 20500

Re: Human Rights and Security of Women and Girls in Afghanistan

Dear President Bush:

I am writing on behalf of the Association of the Bar of the City of New York. The Association is an independent non-governmental organization with more than 22,000 members in over 40 countries. Founded in 1870, the Association has a long history of dedication to human rights, notably through its Committee on International Human Rights, which investigates and reports on human rights conditions around the world. The Association, as an organization of lawyers, is particularly interested in the current situation in Afghanistan.

When the United States undertook its mission in Afghanistan, we raised great hopes among all of its citizens – including women and girls – that we would assist them in regaining basic human rights. Indeed, you have spoken out many times in support of the new freedom of Afghanistan's women and girls, and even stressed the importance of this freedom in your recent State of the Union address. We are writing today to express our deep concern about the safety and rights of these women and girls, who are eager to participate as equals in the reconstruction and governance of their country. The dire threat to the security of women and girls in Afghanistan has been made abundantly clear by many recent, independent and reliable sources, including the August 2002 report by the UN Special Rapporteur on Afghanistan, the November and December 2002 reports by Human Rights Watch, and the analysis of the Harvard Program on Humanitarian Policy and Conflict Research, dated January 2003. We urge you to take immediate, strategic and robust action to ensure women's safety and human rights are fully protected.

There is no doubt that the situation for most women and girls in Afghanistan has improved since the fall of the Taliban. However, there are disturbing signs that Taliban-era restrictions are again being promulgated and enforced in several parts of the country – most prominently in districts near Kabul and Kandahar, and in the western province of Herat. In addition, reports indicate that a gravely insufficient number of human rights monitors have been deployed in the countryside, and that women rarely have access to urgently needed services and assistance.

There are credible reports that in Herat, the local governor, Ismail

Khan, has censored women's groups, intimidated outspoken women leaders, and sidelined women from his administration. Further, restrictions have been placed on their right to work, so that many women are not able to use their hard-won education. Perhaps most distressing are the physical restrictions on women and girls. Government-enforced limitations on their freedom of movement – including a prohibition on driving and on their being in the presence of unrelated men – mean that women and girls are confined arbitrarily. There are reports of abuses by police in Herat, who have detained women and girls accused of being accompanied by unrelated men and forced them to undergo medical examinations to determine if they have recently engaged in sexual intercourse.

While the violations reported from Herat are deplorable, the worsening situation for women and girls is not limited to that province. Credible reports from across the country indicate that women and girls are facing increasingly harsh restrictions by local leaders. Many women, especially those outside of Kabul, fear abuse by police, troops, and government officials should they attend school or university. Women interviewed by journalists and international workers are not only fearful but also deeply disillusioned; instead of the anticipated improvements in their lives, they are experiencing deteriorating rights.

All of the abuses cited above amount to grave human rights violations. They are also clear threats to the safety and basic security of women and girls in Afghanistan, the backbone of a renewed country. We urge you to work closely with the United Nations and the Government of Afghanistan to press regional leaders such as Ismail Khan to cease immediately the use of decrees and government policies that violate the human rights of women and girls, including their right to bodily integrity and freedom from torture, their right to freedom of expression and equal participation, their freedom of movement and association, and their right to equal treatment, work, and education.

We also call on you to encourage the United Nations Mission in Afghanistan to increase the number of human rights monitors throughout the country, and to offer funding, materials, or technical assistance as needed to support this effort. Human rights monitors should be charged specifically with monitoring violations of the rights of women and girls, as well as other serious abuses, and with publicly reporting on such violations.

Finally, we gratefully acknowledge your support for the Ministry of Women's Affairs and the Independent Human Rights Commission, which will be funded through the Afghan Freedom Support Act. Both the Ministry of Women's Affairs and the Human Rights Commission are in dire need of increased technical and financial assistance, and the promised US funds will go a long way toward ensuring their effectiveness. Money is not enough, however; basic political assistance should be extended to these institutions, and arrangements for their protection should be made by the government and those supporting government institutions.

The United States will make a genuine and concrete difference in the lives of women and girls in Afghanistan by insisting on an end to abuses against women and girls by regional leaders, working with the United Nations to extend the reach of human rights monitors, and supporting the Ministry of Women's Affairs and the Human Rights Commission. Further, by taking these steps, your celebratory words from the State of the Union address – that “today women are free” in Afghanistan – will be supported by the essential complement to freedom: security. Until women are secure in Afghanistan, their freedom will be incomplete.

Thank you for considering our recommendations and concerns. We look forward to your reply.

Respectfully,

E. Leo Milonas
President

cc: The Hon. Hamid Karzai
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