THE ROLE OF WOMEN IN AFGHAN PEACE TALKS; A CRITICAL ANALYSIS

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Abstract

The Role of Women in the New Constitution Adopted in 2004 recognizes the Importance of the Status of Women and Their Fundamental Rights, while during the Taliban regime in 1996-2001, women were completely isolated and deprived of their rights. The role of women as the main victims of war and violence in Afghanistan in peace talks is not as noticeable as expected and women are symbolically present in the process. Therefore, the legitimacy of the peace talks as a national and inclusive process is questionable, and the Afghan government has not paid attention to this important issue due to the criticism and pressure of women's advocacy. Women's concerns in the Intra-Afghan peace talks following the Doha peace agreement between the United States and the Taliban in 2020 are more focused on their fundamental rights and the achievements of the past 20 years in which women's freedoms have been partially recognized. They fear that in a patriarchal deal all their rights and freedoms may not be curtailed again, as was the case during the Taliban regime. The presence of women, regardless of the specific mechanism of the peace talks, is another issue that has provoked strong criticism from the international community and women's rights activists against the Afghan government. In a democratic society, the role of women in all national processes must be considered equally and the inclusion of victims of war and violence must be taken into account.

Keywords: Women’s Rights, Afghanistan’s Peace Talks, Freedom, Violence, Women’s Presence in Intra-Afghan Peace Talks.

Introduction

Achieving peace requires fundamental studies and the establishment of institutions that work to consolidate peace. Countries in conflict and societies in transition need lasting peace and positive peace more than anything else. Therefore, these countries should conduct peace studies and conflict resolution as a series of basic studies separately in universities and support peace experts. Afghanistan, as a society of armed violence and structural violence, is in dire need of peace studies and research. After years of bloody war in Afghanistan after 2014, peace talks have been a serious priority for the Afghan government and its international allies, and after years of efforts in 2020, the United States formally entered into negotiations with the Taliban, and finally, after months of secret talks, the US-Taliban peace agreement was signed in Qatar in February, one of the terms of which was the Taliban peace talks with the Afghan government.

This study briefly examines the composition of the Afghan government's delegation in Doha, Qatar, and specifically examines the presence of women in the Afghan peace process. The first part of this study briefly examines peace and conflict and its dimensions. Because a correct understanding of the conflict and understanding the roots of the conflict is effective in achieving peace and formulating strategies and tactics of peace negotiations. In another section, women's fundamental rights are addressed in Afghanistan's new constitution after the fall of the Taliban. The main topic of this study is the presence of women in peace talks between the Afghan government and the Taliban in Qatar. Based on this research, Afghan women have always criticized the low and symbolic presence of women in the political arena and questioned its legitimacy in peace talks.

The other part of the study examines the major concerns of women in the Afghan government's peace talks and agreement with the Taliban, which take place without the effective presence of women in Doha, Moscow, and Istanbul. The right to education and work, the right to freedom of expression, and other women's freedoms in the post-peace period with the Taliban are among the major concerns of Afghan women surveyed in this study. The final section is on the technique and how to include women in the Afghan peace process, which has specifically suggested that international diplomacy include different groups, including women. Although diplomacy involving government officials, non-governmental groups, and their joint presence in the international peace process is feasible, this study introduces this model for the Afghan government to ensure fair participation of women in peace talks. Consider Afghanistan. This study uses secondary data and conceptual analysis concerning the new transformation and progress of the peace process due to experts' analysis.

Definition and Dimensions of Peace

The Term peace is divided into two basic branches: Social Peace and Political Peace. However, there are two types of conflict as well, Political Conflicts and Social Conflicts. Exclusive of its types the term peace refers to the absence of violence politically and socially. The post-conflict situation means peace but, not absolutely, positive and durable peace which elements almost all conflictual points among parties they will remain for a long time. Besides, the peace terminology includes various types of strategies and tactics to gradually remove the conflict’s roots for durable and positive peace. Moreover, the necessity of peace is to avoid being harmed, being hated, and damages the social and political trust. So, it shows that both conflict and peace are a
dynamic process, it is possible to attain peace, but it is not possible to stop conflicts as throughout history wasn’t stopped. Thus, political thinkers and peace activists have written at least four categorize of peace. “Peace with God, Peace with the universe (world of existence), Peace with one’s self; and Peace with others” (Mohammad Ali Taheri, Maryam Dehghan, 2014).

There are three dimensions of peace which are titled Positive Peace to which ensures four essential features covering political, economic, cultural, and military or comprehensively individual and rights focus outlook. On the other hand, there is Negative Peace whose socio-politically qualifications are different from Positive Peace, and the last dimensions Just Durable Peace. Consequently, there are various dimensions of the peace process in distinct situations. At the international level of the peace process, there are many techniques, and methods to solve the problem or find a way. It might be through the different methods, techniques to inclusively involve the women in the peace process, as it will discuss in the upcoming titles like truck diplomacy which is officially laid down by the states but if it breaks down at the national level it might be reasonable.

Literature Review

Women consist of over fifty percent of Afghanistan’s population. Before 2001 almost all women were illiterate and disqualified for administrative jobs because all schools were closed during the Taliban rule 1996-2001. Working outside, being educated, and their presence was prohibited. Moreover, they couldn’t go outside alone without a man from her family. They discriminatively marginalized the women for all social and political activities. Besides on the Agreement on the Elimination of All Forms of Discrimination against Women, the Taliban perpetrate a crime against humanity (Allama, 2011). Post-2001 was a new opportunity for women in Afghanistan, hopeful steps for their bright future, even the situation was not stable much enough. Even still there is an ideal situation of Afghan women caused by three basic factors. First, indecent customs and traditions play a more effective role than laws and regulations. Second, poverty increases violence against women. Third, corruption and literacy menace the women (Javad Darvzian, 2016).

The United States and International Society were the main supporters of the women’s rights and still, they are. Unfraternally, the absence of transparency, good governance, and the presence of administrative corruption damaged women’s rights post-2001. So, ceremonial presence and less tendency of women in the political structure of the Afghan government is one of the basic obstacles against their fundamental rights. During the election, hundreds of slogans state by candidates for women’s rights support but in action, none of them believe in that (Homa Hodfar, Mona Tajaly, 2015).

In the recent years in which the peace process began between Afghan-government and the Taliban, the women's role as a victim of direct violence and indirect violence during the Taliban rule and post-Taliban era is much inconspicuous. While women in post-arm conflicts as the second level of leadership in the peace process could play an essential role. But in on-going Intra-Afghan peace talks, the role of women is less than expected. When the women were excluded by the Taliban during their rule, it is necessary their distinguished presence because their rights are much vulnerable in such a significant process but the government of Afghanistan didn’t concern about this issue (Lederach, 2016).

Women’s Fundamental Rights

Women's studies in the contemporary era are much significant. The issues of women’s rights and their socio-political situation predominated as an interdisciplinary subject in the universities. Western universities were much concerned about women’s rights, but Eastern universities especially in Afghanistan didn’t favor that much. As a critical analysis, women’s rights and their role in peace talks in Afghanistan are discussed. Women’s rights were faced challenges for many decades in Afghanistan, by Sharia’s interpretations of their fundamental’s rights, based on socio-cultural restrictions their political and social rights mostly during the Taliban’s rule 1996-2001.

Extremism, and fundamentalism both marginalized women as embarrassed parts of the Afghan community. When the Taliban was ruling in Afghanistan even a single woman didn’t have the right to go to school, to raise their voice, to be a politician, even to be a nurse in the hospital. The women were ordered to don’t come outside without any man from her family. The public situation was quite throbbing for all, chiefly for women, those who were the symbol of the sin for men according to the Taliban’s interpretation of Sharia. Freedom of speech, freedom of learning, right to work outside were banned by the Taliban. Women's rights and their presence in political, and socio-economic activities shift to a new phase post-11 9,2001 when the Taliban rule collapsed. The women’s rights post-2001, guaranteed at the Afghan constitution, as well as protection of their essential freedom supported by the United Nations in Bonn conference as known as the base of creation of democratic regime in Afghanistan.

Major women’s rights are mentioned in the Afghan constitution authorized 2004. Afghan constitution’s preamble and article 7th state that the government of Afghanistan respect the United Nations’ charter and the universal human rights declaration. Moreover, chapter two-article 22nd second part states that Afghan women and men have equal rights and obligations before the law (Author Committee, 2004). Besides, article 34th guarantees the freedom of speech for all Afghan citizens regardless of sex and gender. While in the Taliban’s era no one has the freedom of speech to express their notion through writing, digital devices, or any possible ways. Even they couldn’t protest against this restrictive situation applied by the extremist group of the Taliban.

Afghan constitution article 33rd statement known as the statement of the open society as states, Afghan citizens have the right to elected and elect someone else. While this basic right of the citizen was not existing during the Taliban’s rule especially for women that was recognized as the second gender. As mentioned above all Afghan women were devest for their humans' rights. Post-2001 many schools re-opened for girls, this was the way of personal development first for themselves, then for Afghan society which was affected by many years of war and conflicts. Even the Bonn conference is known as ethnic division of Afghan society but opened development aperture for women. For instance, for the first time, Ms. Dr. Sima Samar was appointed as the first vice president of Afghanistan. Article 48th and 50th state that every Afghan citizen has the right to work and serve in the public and private sectors. These articles are given this right irrespective of gender or sex for all.
The Taliban was following abominable customs, like forced marriages, child marriages, the prohibition of education for adults, the limitation of personal and social pleasure through listening to music, and so on. But the new democratic constitution has forbidden all aspects of absurd costumes as article 54th states that the government of Afghanistan is in charge to remove all these types of social costumes. While still the society faces these challenges especially in rural areas but granting to advocate for its elimination is a hopeful step. Also, article 58th obligates the state to establish the human rights commission for better surveillance of human rights, this commission acts as an independent organization with a citizen who can complain providing their humanity’s rights. So, the HRC would follow human rights violation cases in judicial organizations (Author Committee, 2004). Legally, women’s rights are protected generally on documents, but in action, the government failed after 20 years past.

In recent years violence’s against women are increasing in governmental administration as sexual harassment, gender-based discrimination, targeted murder, and so on. For example, Momena Ebrahimi, a police officer in Daikundi province, was raped by police officers in the Kijran district, then threatened with death. But yet her complaint didn’t evaluate by the ministry of the interior (Shaigan, 2021). Also, Yaldah Royan coordinator and communication chief resigned on Feb 21, 2021, she wrote on her resignation that discrimination against women and sexual harassment are reasons for her abdication (Ahmadi, 2021). These are just the peak of systematic violence and discrimination against women in Afghanistan. As mentioned above women’s fundamental rights are granted in the constitution but in action, there is no gender equality, if there are some women appointed as a political authority just, they are in a ceremonial position to convince international supporters of the Afghan government.

Women’s Presence in Afghan Peace Processes

The constitution of Afghanistan guarantees women’s presence in high governmental authorities, irrespective of their socio-political affiliations, race, language, and ethnicity. But still, programs and strategies that are expected to drown, are not considered to change their symbolic presence. Post-2001 is known as the golden opportunity for Afghan women, many countries donated millions of dollars for the promotion of women’s capacity in Afghanistan, but still, the government didn’t utilize this social capacity.

The peace process which perused seriously after 2014 the presence of women in was not much enough but through the government, it was just capitalized. Women have never been satisfied with the peace process either on membership of the settlement high council or issues that laid down which affect their socio-political destiny. For instance, just one woman was the deputy of the peace’s high council of Afghanistan. For sustainable peace, the involvement of women is essential, while the Afghan government does not consider much about the women’s role.

The lasting conflict between Afghan national force and the Taliban post-U.S agreement in Doha 2020, shows that the people of Afghanistan are the main victims of the bloody war especially, the women who prohibited to access their humanity’s rights during the Taliban’s rule 1996-2001. Political elites in Afghanistan for long-time marginalized half the population of the country, whilst attaining a culture of peace need to materialized women’s role in every political issue not only the ongoing peace process. In the Afghan peace process, several parameters avoided the distinguished presence of the women. First of all, gender-based politics which lasted for many decades in patriarchal culture always restricted women even in the recent era in which the constitution granted fundamental rights to women. Second, religious fundamentalist notion through the dogmatic interoperation of the jurisprudential rules that its high peak appeared in the Taliban’s era. Third, irrational costumes and tradition is another barrier to the women’s presence in every social and political affair which Afghan’s society restricts women’s education, and women’s empowerment based on the wrong idea that women must not work outside the home, and many other barriers which marginalized the women.

During the intra-Afghan peace talks, women’s role is not distinguished as their population is even more than the man, and as they are the real victim of the war and conflicts. For instance, on March 17, 2021, a high-rank board has invited to Moscow in Russia to an important peace conference about Afghanistan’s peace process hosted by the United States of America, Russia, China, and Pakistan, among 12 members of Afghan authorities, just one woman Habiba Sarabi was involved, while for many years Afghan women advocated for their real, and equal presence in national and international political programs (Nimrokh Weekly, 2021). Afghan women protested about the composition of the board of Afghan’s Supreme National Reconciliation Council. A feminist new paper that advocates for women’s rights wort that “Afghan women do not want patriarchal peace in the absence of women” (Ranjbar, 2021).

In October 2020, the Intra-Afghan peace talks have begun in Doha Qatar, the composition of the Afghan delegation just has 21 persons that just 4 women were included. At that time most Afghan peace activist’s remonstrance the combination of delegation, but the government of Afghanistan that slogan the equality did not accentuate this issue. Discrimination against women has always been a noted issue that the Afghan government just ceremonially misused in international conferences and national programs which even the technocrats that claim the equality of women rights, are influenced by the culture of misogyny in Afghanistan which rooted in factors mentioned above. That is why Afghan women fear the future of the Taliban rule and see their achievements over the past 20 years in jeopardy.

Intra-Afghan Peace Talks and Women’s Worries

The Afghan peace talks, which began directly and formally under the Doha Agreement between the United States and the Taliban, have a part that after the Taliban-US talks the Intra-Afghan peace talks must start that involves Afghan government and the Taliban leaders. Intra-Afghan peace talks are much significant, particularly, and political importance to the Afghan people, especially women, as Afghan women have fallen victim to gender discrimination and the patriarchal culture of Afghan society in war and peace. It was expected that a large number of women would be on the Afghan government’s negotiating team, as women were generally deprived of all their fundamental, social, and human rights during the Taliban regime between 1996-2001, and this is an exceptional opportunity for the consolidation of their rights was in face-to-face talks with Taliban fundamentalist leaders. But this opportunity was not given as much attention by the government as Afghan women expected, and only four women were included in the 21-member panel.
As far as the background of the government's discriminatory policies against women in the political and social spheres, women's belief in the peace process has always been questionable. The main concern of women in the peace process is the violation of their political and civil rights, which have been systematically violated not only under the Taliban government but also since 2001. Although the Afghan constitution provides equal rights for women in all areas, in practice the Afghan government has made no tangible progress. The most distinguished worries of women in the Afghan peace process are the barriers against their education rights, during the Taliban rule no Afghan women were allowed even for primary education. The dogmatic and extremist interpretation of jurisprudence in the Taliban era suspended women’s education rights, therefore the main worry of women is access to education.

Next is the ethnicity, and gender safety which women in Afghanistan have always been immolated of ethnic conflict for 42 years past, the Afghan women in a petition demanded that all their political, social, and cultural rights must ensure in the peace process (Adeli, 2021). She argues that transitional justice is another issue that the United Nations and the U.S.A. must consider about victims who lost their lives and rights through these years. Emphasis on the protection of the rights of children and the education of girls is another concern of women in the Afghan peace process. Children of war victims and women are at risk in peace and war, and this concern stems from their bitter experiences over the past decades.

The continuing armed violence and non-ceasefire by the Taliban is another concern of Afghanistan’s women. They call to the United States and the United Nations to put the issue of the cease-fire, non-escalation of violence against civilians and women, and the formation of a ceasefire monitoring commission at the top of the peace agenda so that the Taliban are escalating the violence to gain more credit in the peace talks. The non-use of weapons such as roadside mines and suicide attacks, which are banned under the 1977 Hague Convention but have always been violated by the Taliban, is another concern for Afghan women.

During 20 years past in Afghanistan since 2001, the international community and the United States have consistently emphasized the protection of women's rights and the strengthening of their presence in government; But the Afghan government has systematically reduced the presence of women to their ceremonial presence or given them illegitimate sexual requests in exchange for government posts. This has damaged the social belief and trust of the people in the presence of women in the social and political arenas and deprived women of their basic rights. Sexual violence is a form of hidden violence that Afghan women have always faced. This view has its origins in the patriarchal culture of Afghani society, which has prevented the presence of women in society and government, so the Afghan government has not taken any practical action in this regard.

In 2020, one of counselor of the Afghan presidential palace, he claimed that officials from the Electoral Commission and the Presidential Palace were being asked to have sex with women in exchange for government positions, this issue shocked the people of Afghanistan (Afghanpaper, 2020). Sexual miss conducted is rooted in the violation of law and regulation that corrupted officials abuse. Thus, the peace process and post peace negotiation are much significant to the women on their freedom, human rights, and their dignity.

Women's freedom of work as an effective force for social and political transformation is another important issue that Afghan women are concerned about in the peace process. Under the Taliban rule, women had no right to work in the public or private service sectors. Talabani's thinking is strongly opposed to any activity and work of women in public and private offices. Despite limited opportunities, and discrimination against them to appoint as high-level government officials since 2001, women have enjoyed relatively satisfactory freedoms and have struggled to increase their presence in various fields. Since the fall of the Taliban, women have had a positive and effective presence in the military, health and education services, politics and economics, the media, and sports. Therefore, preserving the achievements of women in the last 20 years as a turning point in the history of women's life in Afghanistan is one of the main demands of women in the peace process.

How Women Should be Involved in Peace Negotiations?
One of the main concerns of Afghan women during the peace talks has been the significant and comprehensive absence of women in the process from the very beginning. Women make up more than 50 percent of Afghanistan's population and have been major victims of civil war, especially during the Taliban regime. In the history of resolving armed conflicts in various countries such as Colombia, Africa, and other countries, women have played a key role in resolving conflicts and peace negotiations.

In the Afghan peace process, women have been largely ignored as expected, they have not been included or they have been included in a taste that only a limited number of women in government have been included in a peace negotiating team. In this regard, the Government of Afghanistan has not followed any principles to include various social, political, cultural, and other groups influencing the peace process. Usually, the principled process of involving various groups, including women, in peace talks involves a comprehensive procedure that is used as a practical model in modern world diplomacy. At the international level, there are various methods in conflict resolution processes, including formal government diplomacy or government techniques used in the peace and conflict resolution process. Truck-1 diplomacy, Truck-1.5, and Truck-2 diplomacy. These are the official techniques and diplomacy of the government in international conflict (Nan, 2003).

Although the Afghan conflict is an internal intelligence conflict involving many countries in the war, the issue of women's involvement in the Afghan peace talks and its connection to examples of truck diplomacy is different it can be used just as an exemplar. The Government of Afghanistan could categorize the Afghan women to involve them inclusively at least in two levels. As the same as in track-1 diplomacy which includes the high ranked official authorities such as the head of states, ministers, head of governments. The first, the category can be the women who are already governmental authorities, ministers, the human rights commissioners, the ministry of women, and other women which are the government’s employees.

The second level in international conflict resolution is track-2 diplomacy which in this case is not the intention, because the non-governmental or non-official belong to one country, and the Taliban as a party just has two-level, militia and leaders. Thus, the new term track-1.5 can be proper to use for the next category of the women involved in the peace process as a sample.
The second is the officials and non-officials working together, this study means that the government of Afghanistan could select one woman from each provincial council, and one from provincial human rights commissions from every 34 provinces. Then including independent politicians, peace activists, the civil society members held an inter-community election to select at least half members of negotiators among them in Intra-Afghan peace talks. While the women are not satisfied with the presence and role of the women in the peace process.

This method may not be able to bring women into the peace process as it should, but it does involve a large portion of women. In this way, both the government has respected women's rights and a democratic process of electing women has been observed because women in the provinces of Afghanistan have suffered more from the war and have been less involved in processes such as peace talks. It is clear that the victims of war are better informed about their situation, and can bargain for their rights. It was therefore imperative that the Afghan government, regardless of party, ethnic or other considerations, give women a greater role in the peace process by designing an appropriate approach, but the patriarchal culture and unsavory traditions of Afghan society still do not recognize women's fundamental rights in practice.

The absence of women in a democratic society means a lack of human resource development and at the same time gender discrimination against women. In Afghanistan, after 2001, the international community and women's rights organizations organized capacity-building projects, but in practice, the Afghan government has treated the issue with a discriminatory approach. Violence against women has increased and the role of women in politics can be calculated symbolically in a handful. In a nutshell, this is a type of structural violence against women that takes place in a democratic society while, the absence of women, who make up half of Afghanistan's population, has also called into question the legitimacy of the government and the rule of law.

Conclusion

The Afghan Peace Talks are an opportunity that has been achieved after forty years, the comprehensive management of the process is one of the great responsibilities of the Afghan government to comprehensively end a forty-year war and point-to-point armed violence. Women's fundamental rights, including the right to education, the right to work, the right to freedom of expression and the establishment of political communities, and their individual and economic rights are among the top priorities of the Afghan peace talks that must be addressed by the government. Guaranteeing these rights and preserving the achievements of the last twenty years as a turning point in the history of women's presence in the cultural, social and political spheres is one of the main demands of women that should be pursued by women's representatives in Doha peace talks in political bargaining. Be given to them. However, the Afghan government's negotiating team has raised concerns, both in terms of national composition and gender.

The presence of women in the Doha peace talks means legitimizing the violence imposed on them during the civil war years, and especially during the Taliban regime. Therefore, the defense of women's rights by women in the future system of Afghanistan after the Doha Peace Agreement in a basic framework of compensation and the implementation of transitional justice will prevent the forgetting of those violence against women. On the other hand, the lack of effective presence of women as half the population of Afghan society in peace talks means ignoring the human rights and fundamental rights of women. Therefore, the Afghan government, as a democratic regime, must take women's rights and freedoms seriously in peace talks. Although the Afghan government has the support of the international community, it has virtually ignored women's rights in this crucial process and has not considered any specific procedure to include them.

References
