Resolution on the situation of women in Afghanistan and Pakistan

2011/2946(RSP) - 15/12/2011 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the situation of women in Afghanistan and Pakistan.

The resolution was tabled by the EFD, ECR, S&D, Greens/EFA, EPP and ALDE groups.

Parliament is deeply concerned about the situation of women and girls and the **repeated reports of brutal violations of women's rights** in Afghanistan and Pakistan, and stresses that **closer international attention must be paid** as a matter of urgency to the situation of women and girls in those countries. It notes that women and girls often continue to face acid attacks and domestic violence, trafficking, forced marriages, and being traded in settlement of disputes. Police, courts and other justice-sector officials seldom address women's complaints of abuse, including beating, rape and other forms of sexual violence, and those fleeing those hardships may even find themselves in prison.

Parliament urges the Commission and the Council, as well as the international community, to **significantly increase funds aimed at efforts to protect women** from rape, abuse and domestic violence and to outline practical measures to support civil society movements against discriminatory legislation. It insists that **women's rights be explicitly addressed in all human rights dialogues**, including all forms of harmful traditional or customary practices, early or forced marriage, domestic violence and feminicide, and likewise insists that the invocation of any custom, tradition or religious consideration of any kind in order to evade the duty to eliminate such brutality be rejected.

Afghanistan: Members pay tribute to the Afghan women who are playing a crucial role in the development and growth of the nation and acknowledges that, since the fall of the Taliban regime, significant progress has been achieved as regards the situation of women in Afghanistan. It **welcomes positive developments** in the form of appointments of women to high-ranking political and administrative positions in Afghanistan, the recent decision of President Karzai to pardon Gulnaz, a rape victim who had been jailed for adultery, and the recent drop in Afghanistan's maternal mortality to fewer than 500 deaths per 100 000 live births. However, Members note the resurgence of the fear of a possible deterioration in women's conditions and rights in Afghanistan after the **departure of allied forces announced for 2014**. They are particularly worried that women in **areas controlled by the Taliban** or other insurgent groups continue to face punishment by stoning or physical disfigurement when accused of violating the repressive Taliban social codes.

They reiterate that the support of the European Union and its Member States for the reconstruction of Afghanistan must include **concrete measures to eradicate discrimination against women** in order to strengthen respect for human rights and the rule of law.

Parliament calls on the Afghan Parliament and the Afghan Ministry of Justice to:

- repeal all laws that give rise to, or contain elements of, discrimination against women, which are in breach of the International Treaties signed by Afghanistan;

- ensure that the police, courts and other justice-sector officials follow up on women's complaints of abuse, including beating, rape and other forms of sexual violence;

- revise the law concerning the personal status of Shiite women in Afghanistan, which, despite some amendments, contradicts the principles of the International Covenant on Civil and Political rights, the Convention on the Elimination of all Forms of Discrimination and the Convention on the Rights of the Child;

- eradicate the inhuman practice of 'baad' - the sale of a woman or a girl in reparation for a crime or as a punishment decided by a local Jirga - and to take urgent measures to implement fully the law of 2009, which provides for penal sentences of up to ten years for offenders;

- end the practice of incarcerating women for seeking to evade abusive situations and instead to increase the number of shelters for women and children in the country, and urges the EU to grant permanent support for such facilities;

Parliament insists that women's essential contribution to household and community conflict resolution should be used to good effect, and that the number of the seats for women on the High Peace Council and Provincial Peace Councils should be considerably increased.

Pakistan: Members express **deep concern about the handling of certain court cases** and state that the Pakistani authorities also show a worrisome failure to provide protection for minorities and women against social injustice, as has been underlined by court rulings such as the Pakistani Supreme Court decision of 21 April 2011, which acquitted all but one of the six men accused of gang-raping Mukhtar Mai who was gang-raped on the order of a village council to avenge her brother's supposed misconduct.

It urges the Pakistani Government to put into place mechanisms which would allow local and regional administrations to monitor the conduct of informal village and tribal councils and to intervene in instances where they have acted beyond their authority. Members note furthermore that a series of laws has been introduced in Pakistan that **codify women's status as subordinate in law** and in some cases give their testimony half the weight of a man's, including the Hudood Ordinances and the Law of Evidence.

Parliament calls on the Commission, Council and competent EU institutions to:

- propose and implement education programmes aimed at improving the literacy and education of women in Pakistan;

- include the issue of religious tolerance in society in its political dialogue with Pakistan, this matter being of central importance to the long-term fight against religious extremism;

- insist that the Government of Pakistan uphold the democracy and human rights clause enshrined in the Cooperation Agreement between the European Union and the Islamic Republic of Pakistan;

- present a report on the implementation of the Cooperation Agreement and the democracy and human rights clause.

Parliament **urges Pakistan to review the legislation on women's rights** that was introduced after the military coup, in particular the Hudood Ordinances and the Law of Evidence, which violate the status and rights of women, making them subordinate in law. It also urges the Pakistani authorities to:

- re-establish the fundamental rights enshrined in the 1973 Constitution including the right to be free from discrimination on the basis of sex;

- review a number of other discriminatory laws against women, namely the Muslim Family Law Ordinance, the West Pakistan Family Court Act, the Child Marriage Restraint Act, the West Pakistan Dowry (Prohibition on Display) Act, the Dowry and Bridal (Restriction) Act, the Hudood Ordinances, the 1951 Citizenship Act and the 1984 Law of Evidence;
- carry out a thoroughgoing review of the blasphemy laws and their current application, as well as – inter alia – of Section 295 C of the Penal Code, which prescribes a mandatory death penalty for anyone found guilty of blasphemy, and in the meantime to implement amendments already suggested;
- prosecute those inciting violence, in particular those calling for and, in some cases, offering rewards for the deaths of individuals and groups with whom they disagree, and to take further measure to facilitate debate on the issue;
- take decisive action to eliminate 'honour' killings and punish those found guilty of such acts.