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Afghanistan slow to implement law protecting women: UN

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The United Nations in its latest has said that more reports of violence against women were registered by Afghan authorities, under the Law on the Elimination of Violence against Women (EVAW law) over the past year.

The annual report prepared by United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations High Commissioner for Human Rights further added that prosecutions and convictions under the law remained low, with most cases settled by mediation.

The report also added that it was found that police and prosecutors were mediating more cases registered under the EAW law and that large numbers of cases were still resolved through informal dispute resolution mechanisms (jirgas and shuras).

According to the UN report, mediation whether through formal or informal dispute resolution bodies often fails to protect women from further violence by not applying criminal sanctions and legal protections for women.

United Nations High Commissioner for Human Rights, Navi Pillay said, “The landmark law on the Elimination of Violence against Women was a huge achievement for all Afghans.”

Pillay further added, “But implementation has been slow and uneven, with police still reluctant to enforce the legal prohibition against violence and harmful practices, and prosecutors and courts slow to enforce the legal protections in the law. Afghan authorities need to do much more to build on the gains made so far in protecting women and girls from violence.”

According to the report, an estimated 1,669 incidents of violence against women were registered with Departments of Women’s Affairs and police and prosecutors in the 16 provinces, only 109 cases (seven per cent) went through a judicial process using the EAW law.

The report found that overall use of the EAW law to indict and prosecute perpetrators of violence against women still remained low in the 16 provinces over the past year.

“The EAW law, when it is applied, has provided protection to Afghan women facing violence,” said UNAMA’s Director of Human Rights, Georgette Gagnon.

“But most women victims still remain largely unprotected due to a lack of investigation into most incidents and continued under reporting of pervasive violence against women and girls resulting from discrimination, existing social norms and cultural practices, and fear of reprisals and threat to life,” Gagnon added.

UN in its report also urged the Government to fully implement the Attorney General’s 2012 directive, which requires prosecutors to ensure that women are not prosecuted for leaving their houses.

The practice of wrongful prosecution and imprisonment of women and girls for “running away” from home, often to escape violence, continued in spite of directives from the Supreme Court and the Attorney General to end such practices. The practice is also referred to as “attempted zina (sexual intercourse outside of marriage).”