Canadian Women for Women in Afghanistan

Canadian Women for Women in Afghanistan is a volunteer not-for-profit organization founded in 1996 with over ten chapters across Canada. The goals are to advance education and educational opportunities for Afghan women and their families; and to increase the understanding of Canadians about human rights in Afghanistan.

Women in Afghanistan's Government

Afghanistan is divided into 34 provinces. It is governed by the Constitution of the Islamic Republic of Afghanistan, ratified on January 26th, 2004 by the Loya Jirga ("grand assembly"). The Constitution provides the framework for the Government and defines its three main branches: Executive, Judiciary, and Legislative. In the following, we highlight the involvement of women within each of these branches, underscore the challenges facing women in government and profile some women trailblazers in government roles. This fact sheet discusses women in official positions of power within the government, including in the executive, legislative and judicial branches. To learn more about how female citizens participate in politics, refer to the Fact Sheet on Women's Political Participation.

Soraya Dalil

Executive Branch

The Executive Branch consists of a president, who is head of state, head of government, and commander-in-chief of the armed forces. The president is elected directly by the Afghan people to a five-year term, and can be elected no more than twice. He/she must be Muslim, an Afghan citizen born of Afghan parents, and should not be guilty of war crimes (Article 62, 2004 Constitution). The executive branch also includes two vice presidents, and members of the cabinet. Cabinet ministers are appointed by the president and approved by the National Assembly (the two houses of parliament: the Wolesi Jirga and the Meshrano Jirga).

President Hamid Karzai became the first democratically elected president of Afghanistan on December 7, 2004, after already serving as Chairman of the Transitional Administration and Interim President following the Bonn Conference in December 2001 where a transitional government was convened following the overthrow of the Taliban in Kabul. There are no reserved spots for women in the executive branch; however, several women have served in different roles including, during the interim administration, Dr. Sima Samar who was one of five vice chairs as well as Minister of Women's Affairs, and Sohaila Siddiqi who was Health Minister. There were a small number of female ministers in subsequent governments. In 2004, one of the 17 presidential candidates was a woman, Masooda Jalal, who was appointed Minister of Women's Affairs after the election, and there were two female vice presidential candidates. For the 2014 presidential election, there were no female presidential candidates; however, there were three women vice-presidential candidates on the poll.

Masooda Jalal

Women Cabinet Members, 2004-2009
Amina Afzali, Youth, 2004-2006
Masooda Jalal, Women's Affairs, 2004-2006
Husn Bano Ghazanfar, Women's Affairs, 2006-2009
Sediqa Balkhi, Social Affairs, Martyrs & Disabled, 2004-2006

Women Cabinet Members, 2009-2014
Husn Bano Ghazanfar, Women's Affairs, 2009-2014
Soraya Dalil, Public Health, 2010-2014
Amina Afzali, Social Affairs, Martyrs & Disabled, 2009-2014

Judiciary Branch

The judicial branch consists of the Supreme Court (stera mahkama), the High Courts, and Appeal Courts. The Supreme Court is composed of nine members appointed by the President for a period of ten years with the approval of the Wolesi Jirga (the lower house of parliament). The appointment of members for a second term is not permitted. The President appoints one of the members as Head of the Supreme Court.

The Afghan Women Judges Association (AWJA) has called for at least one seat in the highest judicial organ of the country, the High Council of the Supreme Court, to be reserved for a woman, arguing that the High Council of the Supreme Court, which has not had a woman member since its establishment 13 years ago, is "a key issue", as quoted in UNAMA (2013). Aside from the marginalization of women from Afghanistan's Supreme Court, women are also limited from judgeships in more conservative provinces of Afghanistan. Women judges have been targeted by anti-government elements and social stigma has helped to limit their presence to just five of Afghanistan's provinces: Kabul, Balkh, Herat, Takhar and

Amina Afzali

Baghlan. Further, the rule of law remains weak in many areas, and informal judicial bodies, which hold authority in many areas, almost universally exclude women. For more information on this point, please see our Fact Sheet on Women and the Rule of Law.

Legislative Branch
Legislative power in the Afghan Government is vested in the bicameral National Assembly, comprised of the Meshrano Jirga (House of Elders) and the Wolesi Jirga (House of the People). Within each branch of legislative power, women are ensured seats in accordance with Afghanistan's Constitution and Electoral Law, which has provided for a quota for women.

Meshrano Jirga (House of Elders)
The Meshrano Jirga is the Upper House of the bicameral National Assembly of Afghanistan. Within the National Assembly, the Meshrano Jirga possesses more of an advisory role than a law-making role, though all legislation must be approved by the MJ. The MJ is comprised of 102 members, divided as follows: 1) one representative from each of the 34 provincial councils; 2) one representative from each of 34 local district councils; and 3) 34 members appointed by the president. Members chosen by the provincial councils and the district councils serve 4-year terms, while the members appointed by the president serve 5-year terms. Two seats each are reserved for representatives of the Kuchi nomads and disabled representatives. At least seventeen seats are to be reserved for women; however following the 2009 elections, women held only 11 seats (21.6%) in the House of Elders.

According to Article 84 of the Constitution, two-thirds of the total number of the members of the upper house (Meshrano Jirga) are indirectly elected while the president appoints one-third, and 50% of those appointed by the president must be women. On 20 February 2010, 68 representatives (two from each of the 34 Provincial Councils), including 11 women, were elected. In 2011, President Karzai's appointments were vetted by an independent UN sponsored election board and included 17 women (50%), as required by the Constitution.

Wolesi Jirga (House of the People)
The Lower House, the Wolesi Jirga, is comprised of 249 seats and is directly elected by the people for a five-year term. It consists of 34 multi-member constituencies, between two and 33 members each, with ten seats reserved for Kuchis, including at least three female Kuchis. An additional 65 seats are reserved for women; therefore, in combination with the seats for Kuchis, there are at least 68 women within the Wolesi Jirga. In the last elections in 2010, 69 women won seats in Afghanistan's 249-seat parliament.

Afghanistan's Constitution and Electoral Law guarantees the participation of women within the Lower House. According to Article 83 of the Constitution, 68 of the 249 total seats (27%) in the Lower House were reserved for women; however, the number of reserved seats was decreased to 20% in 2013, as part of a regressive trend in women's rights in the last years of Hamid Karzai's administration. The Electoral Law, drawn from the Constitution, outlines provisions to ensure the representation of women within the Legislative branch. Article 23 refers to reserved seats for women within each Kuchi electoral zone, with one seat being reserved for one man and three for women candidates who poll the highest during the elections. Article 25 specifically outlines the allocation of seats for women candidates within the Lower House in order to fulfill the constitutional provision of the 68 reserved seats for women in the Lower House.

Challenges Facing Women in Government
Comprised of 28% women, the Afghan legislature is recognized as one of the most heavily female lawmaking bodies in Asia. The Afghan legislature even possesses a higher rate of female participation than the US and many European countries. The current 28% surpasses the 2004 quota that called for 25% female parliamentary representation. While such statistics are indicative of steps being taken to achieve equality in the representation of women nationally, many challenges remain at the sub-national governance level. For instance, the insufficient capacity of the sub-national government to effectively communicate, advocate, plan, organize, and manage issues related to sub-national needs and services undermines its ability to support the needs and interests of women.

Women in government also face significant security threats as the Taliban frequently targets them. The year 2013 saw a string of assaults carried out against high-profile women.

Many of the perpetrators openly stated that the motivation of their attacks was that their female victims were working, or in public roles.

Sediqa Balkhi

Profiles Of Women in Government
While women face a multitude of obstacles in fulfilling government roles, there are nevertheless notable trailblazers.
Dr. Habiba Sarabi, an ethnic Hazara, was appointed the first female governor in Afghanistan in 2008, for Bamiyan province, before stepping down in 2014 to become a vice presidential candidate on candidate Zalmay Rassoul's ticket. During the Taliban rule, Dr. Sarabi worked underground as a teacher for girls, both secretly in Afghanistan and in refugee camps in Pakistan.

Safia Sidiqi was nominated as a vice presidential candidate on Hedayat Amin Arsala's ticket for the 2014 elections. Previously, in 2005, she was elected into the Wolesi Jirga after receiving the third highest

number of votes. She is also a citizen of Canada and holds a doctorate in law.

In September 2005, Sharifa Zurmati Wardak was one of 68 Afghan women to win a seat in the Wolesi Jirga, representing Paktia province, a conservative area. Before being elected to the parliament, Wardak worked for many years as a journalist, covering the Constitutional Loya Jirga and the presidential elections, and travelling to some of the most sensitive areas of the country to cover stories about women.

Fawzia Koofi, Afghanistan's first female Second Deputy Speaker of Parliament, is an outspoken lawmaker and women's rights advocate. In the 2005 parliamentary elections, she was elected to the Wolesi Jirga for Badakhshan province and became its Vice-President. Koofi was then re-elected in 2010. She has survived several assassination attempts, including one on March 8, 2010, near Tora Bora. In spite of threats, on September 26, 2013, Koofi declared her intention to run for president, with the campaign slogan, "the voice of hope for the future of Afghanistan" and a platform of supporting women's rights and opposing corruption. Unfortunately, the minimum age to run in the presidential election is 40 and as Koofi was only 39 when she registered, she was not qualified to participate in the 2014 elections. She has stated, however, that she intends to run in 2018.

Masooda Jalal has set important precedents for Afghan women in the political arena. A medical doctor, she served as a delegate to the 2002 Emergency Loya Jirga, and would later became the first Afghan woman to run for president (against Hamid Karzai).

Husn Bano Ghazanfar