

Watchlist on Children and Armed Conflict

122 East 42nd Street, 12th Floor New York, NY 10168 www.womenscommission.org
 T: 212.551.3088 F: 212.551.3180 E-mail: watchlist@womenscommission.org

Issue 1: Afghanistan

INDICATORS:

The following are basic indicators on the situation of Afghan children and adolescents. The lack of concrete statistics in many of these areas highlights the need for United Nations (UN) agencies to gather, compile and disseminate data to ensure that children's rights are monitored and protected.

Population	21,765,000 total, 10,876,000 under 18 (2001)
Refugee and Internally Displaced Population (IDP)	More than 3.6 million refugees, estimated up to 1 million IDPs
Infant Mortality	152/1000
Education Indicators	<ul style="list-style-type: none"> • 31.5% overall literacy and approximately 4.7% female literacy (15 years and older) • Less than one-third of boys and one-tenth of girls participate in some form of primary education
HIV Rates	Unavailable
Child Soldiers	Indicated in all armed groups but numbers unknown
Sexual and Gender-Based Violence	Women and children are at high risk of rape, forced prostitution, trafficking for sexual purposes, and forced marriage
Landmines	Among the most densely mined countries in the world, including residential, commercial, grazing, and agricultural areas
Small Arms	The world's leading center of unaccounted for weapons, with at least 10 million small arms in circulation

(Note: Statistics are based on reports from various organizations that have conducted research in Afghanistan and among Afghan refugees in other areas. See sources below.)

INTERNATIONAL STANDARDS:

CONVENTION ON THE RIGHTS OF THE CHILD (CRC)	Ratified, 1994 (prior to Taliban control)	
	<ul style="list-style-type: none"> • Optional Protocol on Children in Armed Conflict 	Not signed
	<ul style="list-style-type: none"> • Optional Protocol on Children on the Sale of Children, Child Prostitution and Child Pornography 	Not signed

Other Treaties Ratified	(prior to Taliban control)International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Prevention and Punishment of the Crime of Genocide, Convention on the Political Rights of Women, International Convention of the Elimination of All Forms of Racial Discrimination, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
UN Security Council Resolutions on Afghanistan	1333 of December 2000 http://www.un.org/Docs/scres/2000/res1333e.pdf ; 1363 of July 2001 http://www.un.org/Docs/scres/2001/res1363e.pdf

SUMMARY

Through two decades of violence and war in Afghanistan all parties to the conflict have violated children's rights. Today Afghan children and adolescents face dire circumstances. Approximately 1 in 4 Afghan children die of preventable causes before the age of five. Approximately 1 in 2 children suffer from malnutrition. The maternal mortality rate is the second highest in the world at 1,700/100,000. Approximately 2 million Afghan children are refugees or internally displaced. Approximately half of all landmine victims in Afghanistan are children (an estimated 5-10 people died everyday in 1999 from landmine injuries). Children and adolescents are reported to be forcibly recruited as soldiers. Many have no access to education or basic healthcare. Afghan girls suffer from institutionalized discrimination, sexual and gender-based violence, and trafficking for sexual purposes. Severe physical, emotional and mental repercussions have taken an enormous toll on several generations of Afghan children, who continue to suffer from the ongoing violence. Most recently, UNICEF reports that of the 7.5 million Afghans who are expected to be dependent on international relief to survive the winter two-thirds are women and children. 1.5 million are children under the age of five.

CONTEXT

Afghanistan has been shattered by two decades of war. A variety of factions, many sponsored by neighboring countries and the West, met the 1979 invasion of the country by the Soviet Union with armed resistance. Following the Soviet withdrawal in 1989, the Afghan Government was overthrown and replaced by an interim coalition government. This arrangement quickly deteriorated into civil war between different warring factions. After a series of military successes, the Taliban seized Kabul in late September 1996 and subsequently gained control of about 90 percent of Afghanistan.

The Taliban have imposed a strict regime based on Islamic law, *Sharia*, in areas under their control. The Taliban government, however, was only recognized internationally by three countries: Pakistan, Saudi Arabia and the United Arab Emirates (UAE). After the September 11, 2001 attacks on the United States, Saudi Arabia and the UAE revoked their recognition.

A coalition of former Afghan leaders and military commanders formed an alliance in 1996 to combat the rising Taliban forces. This alliance, the National Islamic United Front for the Salvation of Afghanistan, is known today as the 'United Front,' or the

'Northern Alliance.' Today it controls the northeastern provinces of Afghanistan and its political arm, the former government of the Islamic State of Afghanistan, continues to hold Afghanistan's UN seat.

All told, armed conflict has created a massive humanitarian and human rights catastrophe. An estimated 1.7 million people have been killed. Another 2 million people have become permanently disabled. Approximately 4.5 million people have been driven from their homes. 70 per cent of Afghans already reliant on humanitarian assistance are children and women.

HEALTH

Afghan children and adolescents have long faced abysmal health conditions. According to figures on children's health published by the United Nations High Commissioner for Refugees (UNHCR) and UNICEF in 2001:

- An estimated 25 percent of Afghan children die of preventable causes before the age of five.
- Diarrhea, acute respiratory infections, and vaccine-preventable diseases account for approximately 60 percent of these child deaths
- Mothers in Afghanistan have the second highest maternal mortality rate (1,700/100,000) in the world with an estimated 16,000 maternal deaths annually
- Approximately 250,000 children per year die of malnutrition. 20 percent of all newborns are born malnourished
- The average life expectancy in Afghanistan is 46 years

In October 2001 Oxfam International reported that:

- Over 750,000 Afghans (including children) are disabled due to mines and high incidence of polio
- Clean water is available to less than 15 percent of the population
- The immunization rate among children is as low as 10 percent
- There is a high incidence of mental health problems, particularly among women

While the general health situation in Afghanistan has long been bleak, it has been compounded by gender inequality under the Taliban. Lack of experienced and educated medical staff in hospitals and clinics is largely a result of the Taliban's restriction on female employment, the disruption in the education system (which has resulted in few new graduates), and the flight of trained medical personnel.

Medical supplies and access to treatment are severely limited, particularly for children. Available resources are often directed towards men, rather than women and children's needs. In 2001 Physicians for Human Rights reported that children were sometimes denied medical care when authorities did not allow male doctors to visit children's wards, which may be located within the women's ward of a hospital. Other causes of poor access to medical care for children include authorities not allowing male doctors to see children accompanied only by their mothers, and the inability of mothers to leave home in order to seek care for their children. Reported cases of HIV/AIDS and sexually-transmitted diseases remain undocumented.

REFUGEES AND IDPs

Thousands of Afghans have fled their homes since September 11th. The UN estimates that 1.5 million may flee in the face of the US military action in Afghanistan. These Afghans will join approximately 4.5 million people already uprooted due to armed conflict, persecution and drought over the past 23 years. Before September 11, an estimated 3.6 million refugees were living in Pakistan and Iran and nearly one million persons had been internally displaced inside Afghanistan. An estimated 51% of the refugees and internally displaced are children under the age of 18. Ethnic and sectarian minorities face insecurity in Afghanistan and comprise a significant portion of the Afghan refugees and internally displaced populations.

The number of Afghans forced to leave their homes has increased significantly in recent weeks. New concerns have arisen over a population of “internally stranded” people who are unable to flee for various reasons. Even before the current crisis IDPs suffered grave hardships. Earlier this year, the UN reported many lived in appalling conditions, suffering from armed conflict, drought, malnutrition, and freezing temperatures. Humanitarian agencies reported that families had resorted to eating bugs and locusts in order to survive. In February 2000 the UN reported that 110 displaced Afghans died in one night in the western city of Herat when temperatures dropped below freezing. Such concerns have heightened current fears about displaced children’s ability to survive the approaching winter.

Pakistan is not a signatory to the 1951 Refugee Convention and its 1967 Protocol, which establish the international legal standards for refugee protection. The borders with all six countries neighboring Afghanistan remain officially closed, but thousands of refugees have entered into Pakistan since September 11 in areas where the border is porous. Continued attacks and security incidents have threatened the ability of local and international relief agencies to assist the refugees.

While refugee children have some opportunities for education, internally displaced children have few. According to UNHCR, in 1999 an estimated 120,000 Afghan refugee children attended 440 UNHCR-funded schools in 3 Pakistani provinces. Approximately 34,000 were girls. Some NGOs have been able to set up education programs for IDPs in Afghanistan, but the coverage is poor and most children have no opportunities to attend school or receive an education. Afghan refugee boys and girls are at risk of sexual abuse and exploitation. Afghan boys may become street children and sex workers. Refugee girls may be married off at very young ages in exchange for dowry, which their families use to survive. Domestic violence is widespread.

LANDMINES

Children are estimated to make up more than half of landmine casualties in Afghanistan, which remains one of the most densely mined countries in the world. Most mines are remnants of the war with the Soviet Union. In 2000, the Mine Action Program for Afghanistan (MAPA) recorded 1,003 mine and unexploded ordnance (UXO) casualties throughout Afghanistan. Of these casualties, 571 involved children under age eighteen. Recorded figures for 2000 indicate an average of 88 reported mine casualties a month, a significant decline from levels in 1999. However, because many casualties go unreported, MAPA estimates that there were actually between 150 and 300 landmine casualties per month in 2000. Actual casualties involving children during 2000 therefore probably neared 1,000. Almost 50 percent of mine victims are believed to die before reaching a

medical facility. Reports from the field indicate that fewer females than males receive rehabilitation/prostheses.

Afghanistan has not acceded to the 1997 Mine Ban Treaty. Both the Taliban and the Northern Alliance have accused each other of laying new mines in frontline areas, but both parties deny using any landmines. Investigations in 1998 and 1999 indicate that while new mining is a concern, it is reported not to be substantial. The use of cluster bombs in the current conflict poses a grave risk to children, who are often attracted to the bright yellow cans of unexploded devices.

SMALL ARMS

With at least 10 million small arms in circulation within Afghanistan, the country is the world's leading center of unaccounted for weapons. These are weapons that are not in the hands of intended users or "legitimate" government actors. Small arms circulating in Afghanistan are commonly traced back to the war with the Soviet Union. At that time, Soviets funneled arms to their troops in Afghanistan (mainly AK-47 rifles), and neighboring countries and the West supplied Afghan rebel groups with small arms and light weapons to assist in the struggle against the Soviets. No effort has been made to collect weapons from that era. These arms continue to circulate throughout the country, in Pakistan and around the region. Recent arms flows are commonly traced to Pakistan, which is involved in the trade of small arms and production of ammunition. Neighboring Tajikistan, with porous borders to Afghanistan, has been identified as source of small arms flow to the Northern Alliance.

Afghan children and adolescents suffer the direct and indirect consequences of the use of small arms and light weapons. Thousands of children have been maimed and killed by these weapons, and suffer the emotional trauma of seeing their homes, families and schools under attack. The availability of small arms also facilitates the use of children as combatants.

EDUCATION

Afghanistan's education infrastructure has been destroyed and statistics are unreliable. However, recent estimates put the overall literacy rate at approximately 31.5 percent, with the female rate as low as 4.7 percent. According to the United Nations Development Programme (UNDP), in 1999 less than one-third of children were enrolled in schools. 1990 data indicated that of those children who were able to enter primary school, approximately 49 percent were able to reach grade 5.

In 1996 when the Taliban captured Kabul, it issued edicts that severely limited the educational and other rights of women and girls. The Taliban's edicts included the ban of women and girls from schools and universities. Since 1999 international agencies have been permitted to open schools and provide educational opportunities for girls and boys. Although female higher education is still severely restricted, reports from Herat, Kandahar, and Kabul indicate female higher learning at nursing facilities.

TRAFFICKING AND EXPLOITATION

Female trafficking for sexual purposes is a thriving business in Afghanistan. Girls are purchased from within Afghanistan and trafficked through Pakistan for destinations in the Gulf, Iran, and elsewhere to be wives or prostitutes. According to reports from the field, young boys are also trafficked through channels leading to the Gulf area. Some children

and adolescents remain in Pakistan, where distinct brothels exist for Afghans. The children most likely to be trafficked for sexual purposes are girls, those from tribal groups and ethnic minorities, stateless persons and refugees, and those living in poverty. Other incidents of trafficking of children for sexual purposes have been reported. There is an urgent need to document these cases. Cases of child labor in Afghanistan are widely reported.

RIGHTS OF WOMEN AND GIRLS

Women and girls are especially vulnerable to sexual and gender-based violence at times of heightened armed conflict. Numerous reports of rape and sexual violence against Afghan women and girls during armed conflict have been documented in recent years. For example, in the northwestern city of Mazar-i Sharif violations perpetrated by the Taliban, Northern Alliance and other groups have been reported and documented.

The rights of women and girls are widely violated in Afghanistan and around the region. In Taliban controlled areas severely discriminatory edicts have restricted the lives of women and girls since 1996. These edicts included banning women from seeking employment, education or leaving home unaccompanied by a male relative. They also required women to be completely covered or veiled with a *burqa* (or in some cases with the Iranian style *chador*). They closed down women's public baths (*hammams*) and barred women from streets for certain periods during the fasting month of *Ramadan*. This pervasive discrimination has directly impacted the welfare and wellbeing of women and girls, including fostering sexual and gender-based violence. Women and girls have been raped, abducted for sexual purposes, victims of domestic violence and forced into early marriages and prostitution.

In many instances the Taliban's restrictions on women and girls have been enforced through the use of cruel, inhuman and degrading punishments, including the beating of females in detention centers or public places. However, the enforcement of these edicts has been erratic and inconsistent, and dependent upon local authorities. Women and girls also face harsh discrimination in Northern Alliance areas and in refugee camps outside of Afghanistan.

CHILD SOLDIERS

The Taliban

There have been many reports of child and adolescent recruitment by the Taliban, although no estimates of total numbers are available. When they first became party to the civil war in 1994, the Taliban recruited mainly among young Afghan refugees attending religious schools in Pakistan (*madrasas*). While the Taliban continue to draw recruits from networks of *madrasas* in Pakistan (which today are spread throughout the country, even in urban centers of Punjab and Sindh), recruitment now also takes place within Afghanistan. They also draw from the Afghan refugee diaspora. The Taliban (like other Afghan factions before it) has also been joined by (usually older) fighters from Middle East countries and elsewhere.

Taliban representatives told a visiting Danish delegation in November 1997 that "all men aged over 18 can become soldiers" and that there is no conscription. In 1998, the Supreme Leader of the Taliban, Mullah Mohammad Omar, decreed that any followers who are too young and who are not yet growing a beard must leave his fighting militia. He warned that anyone violating this order would face severe punishment. While this

directive relates recruitment to puberty and physical appearance in Islamic terms, it still allows the possibility of under-18 recruitment, which is a violation of international standards.

In 1999, after UNICEF warned that there were increasing numbers of child soldiers in the Taliban's ranks, the UN Secretary-General, Kofi Annan, made a report to the Security Council in which he noted that the "Taliban offensive was reinforced by 2,000 to 5,000 recruits, mostly emanating from religious schools within Pakistan, many of them non-Afghans and some below the age of 14." The Taliban reacted strongly to the report and insisted on taking UN officials to the frontline to see for themselves that the claim was untrue. On 1 December 1999 Erick de Mul, the head of the UN Special Mission in Afghanistan (UNSMIA), visited the front-line and reported no evidence of children being used to fight; the only child he saw was a cook.

However, reports of child recruitment by the Taliban have continued to emerge. Taliban recruitment is often cyclical, with large-scale recruitment drives associated with significant defeats or major offensives. *Madrastas*, sponsored by networks that support the Taliban, will periodically close (e.g., for holidays) and send students for military service (presented as a form of holy war (*jihad*), and, therefore, part of their religious obligation and education). Many of these students are not used on the frontline, but rather to police urban centers and checkpoints. This frees more experienced manpower for the front. The students commonly return to the *madrastas* after one or two months of "experience."

Northern Alliance

It is not known whether the Northern Alliance has any specific rules governing the minimum age of recruitment into its armed forces. During the 1999 UN Security Council debate on children in armed conflict, the Afghan representative (who represents the Northern Alliance, which still holds Afghanistan's UN seat) declared that his country "shared the idea of a new peace and security agenda for children and women, ending the use of children as soldiers, and the provision of better protection for children and women in situations of armed conflict."

While there is little information on recruitment practice within the Northern Alliance, children have been reported in their ranks, particularly during recent years as their military situation has weakened. During a visit to Pakistan in November 2000, reliable sources with access to the northern areas told representatives of the Coalition to Stop the Use of Child Soldiers of major new recruitment drives (forced and voluntary, and including children) in the Panjshir Valley and Badakshan.

There have been reports of girls being abducted and sexually abused by various parties to the conflict. There is a pressing need to document these cases.

UN SECURITY COUNCIL ACTIONS

The UN Security Council debated the situation in Afghanistan on several occasions during 2000 and 2001, though its actions primarily concerned the imposition of sanctions aimed at forcing the Taliban authorities to extradite Osama bin Laden wanted for terrorist offenses in the US. A report by the UN Secretary-General in July 2001 concluded that the sanctions regime was having "adverse humanitarian effects" but that these were limited in their scope and magnitude, and were greatly exceeded by other factors, notably

unprecedented drought and the continuing armed conflict. A periodic report by the Secretary-General on the situation in Afghanistan highlighted serious human rights violations and concluded, “the situation of women and girls in Afghanistan remains unacceptable,” but did not pay specific attention to children’s concerns.

RECOMMENDATIONS TO UNITED NATIONS UN SECURITY COUNCIL AND UN SYSTEM

Urgent Action on Afghanistan

- Immediately apply measures and recommendations of Security Council Resolutions 1261, 1314 and 1325 on children and armed conflict and women and armed conflict. This includes deploying child protection advisers with the UNSMA and mandating the mission to conduct monitoring on the situation of child rights, with regular reports to the Security Council.
- Urge all member states to respond promptly and generously to the new Donor Appeal of the UN Office for the Coordination of Humanitarian Action (UNOCHA).
- Support the office of the newly appointed UNICEF Special Representative for Afghan Children in ensuring that Afghan children’s issues are a top priority in all humanitarian planning and programming, as well as long-term and transitional planning on Afghanistan.

On-Going Action on Afghanistan

- Direct that information on Afghan children and adolescent be provided on a regular basis, including briefings by UN agencies, particularly UNICEF and the Office of the Special Representative to the Secretary General on Children and Armed Conflict, and include consideration of these issues in all deliberations on Afghanistan.
- Require UN Agencies to collect, compile and distribute concrete data on the impact of the crisis on Afghan children.
- End all political, financial and material support to armed forces and groups that are complicit in child rights violations, in particular the recruitment and use of children for military purposes.
- Advocate that the UN Secretary General’s minimum age policy for participation in UN peacekeeping operations be implemented for all operations in Afghanistan.
- Call on neighboring countries to respect refugees rights by opening their borders to Afghan refugees, and at the same time meeting international obligations to screen out armed elements.
- Urge all member states to immediately renew support for local and international mine action groups in their efforts at clearance, disarmament, and education; take action to initiate the early destruction of small arms stockpiles; and stop the use of cluster bombs, which pose a severe threat to children.
- Integrate specific measures to promote and protect child rights in all peace and security actions on Afghanistan, including in any potential peacekeeping or peace support operations.
- Support UN inter-agency efforts to ensure that all humanitarian and political actions address Afghan children’s issues, with special attention to the needs of girls.
- Make access to war-affected, refugee and internally displaced children for humanitarian assistance a top priority. This includes using overland routes to bring food to vulnerable groups, requiring compliance with international standards for distribution of food and other assistance, and insisting that education and healthcare, including reproductive healthcare, are available.

- Create preparedness plans to address child separation, including tracing and reunification mechanisms.
- Call on neighboring countries to take steps to criminalize and prevent military recruitment and trafficking for sexual purposes of children by armed groups or other private actors.
- End impunity for on-going human rights atrocities by all factions by supporting the documentation of such atrocities and ensuring access to appropriate international legal mechanisms.
- Consider children's rights in any re-framing of sanctions and review existing sanctions regimes considering their impact on children.
- Urge member states sign and ratify the Optional Protocol to the Convention on the Rights of the Child on Children in Armed Conflict.

Immediate Action towards Transition and Reconstruction

- Include Afghan children's needs as a top priority in the terms of reference for Lakhdar Brahimi's reappointment as the Special Representative for Afghanistan.
- Begin planning now for peace and recovery programs that take into account the protection needs of women and girls, ensuring that any new government respects the rights of girls and women and provides equal access to health, education and other services.
- Begin planning now for disarmament, demobilization and rehabilitation of child combatants, including assistance for girls who may have been abducted and forced into marriages, prostitution and other sexual activity.

SOURCES

- Amnesty International:
 - *Children Devastated by War: Afghanistan's Lost Generations*, 1999.
 - *Public Statement, Afghanistan, Human Rights Abuses Against Women*, AI-index: ASA 11/003/1999 17/02/1999.
- Center for Defense Information.
- Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report*, 2001.
- International Rescue Committee:
 - *International Humanitarian and Human Rights Law, Country Fact Sheet, Afghanistan*, Fall 2001.
 - *Pakistan-Afghanistan, Situation Report on Afghanistan*, July 2001.
- International Campaign to Ban Landmines, *Landmine Monitor Report 2001*, August 2001.
- IRIN, *Special Report on Child Sexual Abuse (2/21/01)*.
- Mertus, Julie A. "War's Offensive on Women: The Humanitarian Challenge in Bosnia, Kosovo and Afghanistan," 2000.
- Machel, Graca, *The Impact of War on Children: A Review of Progress Since The 1996 UN Report on the Impact of Armed Conflict on Children*, Hurst and Company, UNICEF/UNIFEM, 2001.
- Mines Action Canada.
- Norwegian Refugee Council, Internally Displaced Database.
- Oxfam International, *Gender and Afghanistan*, October 2001.
- The Protection Project, Laura J. Lederer, JD, Johns Hopkins University, www.protectionproject.org.
- Reproductive Health for Refugees Consortium, *Refugees and Reproductive Healthcare: The Next Steps*, 1998.
- Reuters, *Afghan Taleban Says Foes Getting New Tajik Arms*, 10/4/99.
- *Small Arms Survey 2001*, Oxford University Press, 2001.
- United Nations, *Portfolio of Mine-related Projects (April 2001)*.
- U.S. Committee for Refugees, *World Refugee Survey 2001*.
- UNDP, UN News Centre, October 8, 2001, www.un.org/News/dh/latest/page2.html#46.
- UNHCR, United Nations High Commissioner for Refugees

- *State of the World's Refugees: Fifty Years of Humanitarian Action*, 2000.
- *Background Paper on Refugees and Asylum Seekers from Afghanistan*, Centre for Documentation and Research, Geneva, April 2001.
- *Afghanistan Humanitarian Updates*, www.unhcr.ch.
- Information Bulletin, June 2000.
- UNICEF
 - *State of the World's Children*, 2001.
 - *ACO Briefing Notes: Afghanistan Plus, October 10, 2001*.
- Women's Commission for Refugee Women and Children.

Watchlist on Children and Armed Conflict
October 15, 2001