

107TH CONGRESS  
2D SESSION

# S. 2647

To require that activities carried out by the United States in Afghanistan relating to governance, reconstruction and development, and refugee relief and assistance will support the basic human rights of women and women's participation and leadership in these areas.

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## IN THE SENATE OF THE UNITED STATES

JUNE 19, 2002

Ms. SNOWE (for herself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To require that activities carried out by the United States in Afghanistan relating to governance, reconstruction and development, and refugee relief and assistance will support the basic human rights of women and women's participation and leadership in these areas.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Access for Afghan  
5 Women Act”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) Despite the removal of the Taliban from  
2           power, Afghan women continue to experience brutal  
3           violation of their human rights, generally outside of  
4           Kabul where warlords are reexerting control.

5           (2) Strong and continued United States support  
6           can ensure that the advances made by Afghan  
7           women since the fall of the Taliban will continue and  
8           grow, rather than recede.

9           (3) The United States has made a substantial  
10          contribution to the emergency relief and humani-  
11          tarian efforts for Afghanistan. Completing the  
12          United States mission in Afghanistan will also re-  
13          quire significant and long-term investments in devel-  
14          opment and reconstruction assistance.

15          (4) The maternal mortality rate in Afghanistan  
16          is one of the highest in the world, with recent re-  
17          ports estimating that every 30 minutes an Afghan  
18          women dies (about 15,000 women every year) of  
19          pregnancy related causes. The estimated maternal  
20          mortality rate of 1,700 deaths per 100,000 live  
21          births can be significantly and rapidly reduced  
22          through access to primary health care services, in-  
23          cluding safe birthing supplies, emergency obstetric  
24          care, prenatal and postnatal care, contraception, and

1 prevention and treatment for the effects of sexual  
2 coercion and rape.

3 (5) Women make up 75 percent or more of the  
4 refugees and internally displaced in camps, urban  
5 areas, and villages.

6 (6) Eighty-five percent of Afghanistan's popu-  
7 lation lives in rural areas. The women in rural areas  
8 perform vital roles in food production, processing,  
9 and preparation. Successful reconstruction and de-  
10 velopment assistance must target rural women as  
11 part of any agricultural interventions.

12 (7) Within Afghanistan and outside of Afghani-  
13 stan, local women's organizations are delivering crit-  
14 ical services and have the knowledge and experience  
15 to assist the United States in delivering effective re-  
16 lief aid.

17 (8) The Afghan Ministry for Women's Affairs is  
18 an important new ministry that is essential for re-  
19 establishing women's human rights, ensuring that  
20 women are included in all development efforts, and  
21 delivering critical legal, health, education, and eco-  
22 nomic services to women throughout Afghanistan's  
23 30 provinces.

24 (9) Afghan women are taking the initiative to  
25 reach across the conflict divide and foster peace.

1 Women's perspectives and experiences in seeking so-  
2 lutions to conflicts are necessary to ensure lasting  
3 peace.

4 (10) Adequate security in both urban and rural  
5 areas is essential if women and girls are to exercise  
6 their human rights, work, attend school, and other-  
7 wise participate in and benefit from humanitarian  
8 and development programs sponsored by the United  
9 States.

10 **SEC. 3. REQUIREMENTS RELATING TO UNITED STATES AC-**  
11 **TIVITIES IN AFGHANISTAN.**

12 (a) IN GENERAL.—Activities described in subsections  
13 (b) through (e) that are carried out by the United States  
14 in Afghanistan shall comply with the applicable require-  
15 ments contained in such subsections.

16 (b) GOVERNANCE OF AFGHANISTAN.—With respect  
17 to the governance of Afghanistan, the applicable require-  
18 ments are the following:

19 (1) Include the perspectives and advice of Af-  
20 ghan women's organizations, networks, and leaders  
21 in United States policymaking related to the govern-  
22 ance of Afghanistan.

23 (2) Promote the inclusion of a significant num-  
24 ber of women in the Loya Jirga and future legisla-  
25 tive bodies to ensure that women's full range of

1 human rights are included and upheld in any con-  
2 stitution or legal structures of Afghanistan.

3 (3) Promote the continuation and strengthening  
4 of the Ministry for Women's Affairs as the Afghan  
5 Government transitions to a long-term government  
6 structure, and encourage the appointment of women  
7 to high level positions within Afghan ministries.

8 (c) POST-CONFLICT RECONSTRUCTION AND DEVEL-  
9 OPMENT.—With respect to activities relating to post-con-  
10 flict stability in Afghanistan, the applicable requirements  
11 are the following:

12 (1) Ensure that a significant portion of United  
13 States development, humanitarian, and relief assist-  
14 ance is channeled to local and United States-based  
15 Afghan organizations, particularly Afghan women's  
16 organizations. Provide technical assistance, training,  
17 and capacity-building for local organizations to en-  
18 sure that United States funded efforts will be both  
19 effective and sustainable.

20 (2) Encourage United States organizations that  
21 receive funds authorized by this Act to partner with  
22 or create Afghan-led counterpart organizations and  
23 provide these organizations with significant financial  
24 resources, technical assistance, and capacity build-  
25 ing.

1           (3) Provide direct financial and programmatic  
2 assistance to the Ministry of Women's Affairs ade-  
3 quate to ensure that the Ministry is able to fulfill its  
4 mandate.

5           (4) Promote multiyear women-centered eco-  
6 nomic development programs, including programs to  
7 assist widows, female heads of household, women in  
8 rural areas, and disabled women.

9           (5) Increase women's access to or ownership of  
10 productive assets such as land, water, agricultural  
11 inputs, credit, and property.

12           (6) Provide long-term financial assistance for  
13 primary, secondary, higher, nontraditional, and voca-  
14 tional education for Afghan girls, women, boys, and  
15 men.

16           (7) Provide financial assistance to build the  
17 health infrastructure and to deliver high-quality  
18 comprehensive health care programs, including pri-  
19 mary, maternal, child, reproductive, and mental  
20 health care.

21           (8) Integrate education and training programs  
22 for former combatants with economic development  
23 programs to encourage their reintegration into soci-  
24 ety and to promote post-conflict stability.

1           (9) Provide assistance to rehabilitate children  
2       affected by the conflict, particularly child soldiers.

3           (10) Support educational efforts to increase  
4       awareness with respect to landmines, facilitate the  
5       removal of landmines, and provide services to indi-  
6       viduals with disabilities caused by landmines.

7           (11) Include programs to prevent trafficking in  
8       persons, assist victims, and apprehend and prosecute  
9       traffickers in persons.

10       (d) AFGHAN MILITARY AND POLICE.—With respect  
11   to training for military and police forces in Afghanistan,  
12   the applicable requirements are the following:

13           (1) Include training on the protection, rights,  
14       and the particular needs of women and emphasize  
15       that violations of women’s rights are intolerable and  
16       should be prosecuted.

17           (2) Encourage such trainers who will carry out  
18       the activities in paragraph (1) to consult with wom-  
19       en’s organizations in Afghanistan to ensure that  
20       training content and materials are adequate, appro-  
21       priate, and comprehensive.

22       (e) RELIEF, RESETTLEMENT, AND REPATRIATION OF  
23   REFUGEES AND THE INTERNALLY DISPLACED.—With re-  
24   spect to the relief, resettlement, and repatriation of refu-

1 gees and internally displaced in Afghanistan, the applica-  
2 ble requirements are the following:

3           (1) Take all necessary steps to ensure that  
4 women refugees and internally displaced in camps,  
5 urban areas, and villages are directly receiving food  
6 aid, shelter, relief supplies, and other services from  
7 United States-sponsored programs.

8           (2) Take all necessary steps to ensure that  
9 women refugees in camps, urban areas, and villages  
10 are accessing high-quality health and medical serv-  
11 ices, including primary, maternal, child, and mental  
12 health services.

13           (3) Take all necessary steps to ensure that  
14 women and children in refugee camps are protected  
15 from sexual exploitation.

16           (4) Take all necessary steps to ensure refugees  
17 and internally displaced persons that seek to return  
18 to their place of origin can do so voluntarily, safely,  
19 and with the full protection of their rights. United  
20 States-sponsored efforts shall not coerce refugees or  
21 internally displaced persons to return to their places  
22 of origin.

23 **SEC. 4. REPORTING REQUIREMENTS.**

24 Not later than 60 days after the date of enactment  
25 of this Act, and annually thereafter, the President shall

1 prepare and transmit to Congress a report that contains  
2 documentation of the progress in implementing the re-  
3 quirements of section 3. All data shall be disaggregated  
4 by sex.

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