

108TH CONGRESS
1ST SESSION

H. R. 1482

To authorize assistance for women and girls in Afghanistan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2003

Mrs. MALONEY (for herself and Mr. ROHRABACHER) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize assistance for women and girls in Afghanistan,
and for other purposes.

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 of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Despite the removal of the Taliban from
9 power, women in Afghanistan continue to experience

1 brutal violation of their human rights, generally out-
2 side of Kabul where warlords are reexerting control.

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

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

13 (4) The maternal mortality rate in Afghanistan
14 is the second highest in the world, with recent re-
15 ports estimating that every 30 minutes an Afghan
16 woman dies of pregnancy related causes, or approxi-
17 mately 15,000 women every year. The estimated ma-
18 ternal mortality rate of 1,600 deaths per 100,000
19 live births can be significantly reduced through ac-
20 cess to primary health care services, including safe
21 birthing supplies, emergency obstetric care, prenatal
22 and postnatal care, contraception, and prevention
23 and treatment for the effects of sexual coercion and
24 rape.

1 (5) Women comprise 75 percent or more of the
2 refugees and internally displaced in camps, urban
3 areas, and villages in Afghanistan.

4 (6) 85 percent of Afghanistan’s population lives
5 in rural areas. The women in rural areas perform
6 vital roles in food production, processing, and prepa-
7 ration. Successful reconstruction and development
8 assistance must target rural women as part of any
9 agricultural interventions.

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

15 (8) The Afghan Ministry for Women’s Affairs is
16 an important ministry that is essential for re-estab-
17 lishing women’s human rights, ensuring that women
18 are included in all development efforts, and deliv-
19 ering critical legal, health, education, and economic
20 services to women throughout Afghanistan’s 30
21 provinces.

22 (9) Afghan women are taking the initiative to
23 reach across the conflict divide and foster peace.
24 Women’s perspectives and experiences in seeking so-

1 lutions to conflicts are necessary to ensure lasting
2 peace.

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

9 **SEC. 3. ESTABLISHMENT OF AFGHAN WOMEN'S FUND.**

10 (a) ESTABLISHMENT.—The Administrator of the
11 United States Agency for International Development shall
12 establish a fund for the purpose of assisting women and
13 girls in Afghanistan in the areas of political and human
14 rights, health care, education, training, security, and shel-
15 ter.

16 (b) ACTIVITIES SUPPORTED.—The fund established
17 under subsection (a) shall support the following activities:

18 (1) Direct financial and programmatic assist-
19 ance to the Ministry of Women's Affairs in Afghani-
20 stan (hereafter in this section referred to as the
21 "Ministry") to promote the strengthening of the
22 Ministry as the Government of Afghanistan con-
23 tinues its transition to a long-term government
24 structure and to enable the Ministry to fulfill its

1 mandate. The Ministry may use such assistance to
2 support activities such as the following:

3 (A) Multiyear women-centered economic
4 development programs, including programs to
5 assist widows, female heads of household,
6 women in rural areas, and disabled women.

7 (B) Collaboration with the Ministry of
8 Health to construct culturally appropriate
9 health infrastructure and delivery of high-quality
10 comprehensive health care programs, including
11 primary, maternal, child, reproductive, and
12 mental health care.

13 (C) Programs to prevent trafficking in persons,
14 assist victims, and apprehend and prosecute
15 traffickers in persons.

16 (2) Direct financial assistance to the National
17 Human Rights Commission of Afghanistan.

18 (3) Construction of women's educational facilities
19 in Afghanistan.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$22,500,000 for each of the fiscal years 2003, 2004, and
23 2005 and such sums as are necessary for each subsequent
24 fiscal year.

1 **SEC. 4. ASSISTANCE TO AFGHANISTAN.**

2 Notwithstanding any other provision of law, not less
3 than 15 percent of the aggregate amount of economic and
4 humanitarian assistance authorized to be made available
5 to Afghanistan for each of the fiscal years 2003, 2004,
6 and 2005 shall be made available for assistance directly
7 to Afghan-led local nongovernmental organizations, in-
8 cluding Afghan women-led organizations, with dem-
9 onstrated experience in delivering services to Afghan
10 women and children to support their programmatic activi-
11 ties and organizational development. In recognition of the
12 appreciating capacity of Afghan-led local nongovernmental
13 organizations, including Afghan women-led organizations,
14 an appropriate percentage of the aggregate amount of eco-
15 nomic and humanitarian assistance authorized to be made
16 available to Afghanistan for fiscal year 2006 and each sub-
17 sequent fiscal year shall be made available for assistance
18 directly to Afghan-led local nongovernmental organiza-
19 tions, including Afghan women-led organizations.

20 **SEC. 5. REQUIREMENTS RELATING TO UNITED STATES AC-**
21 **TIVITIES IN AFGHANISTAN.**

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

1 (b) GOVERNANCE OF AFGHANISTAN.—With respect
2 to the governance of Afghanistan, the applicable require-
3 ments are the following:

4 (1) Include the perspectives and advice of Af-
5 ghan women’s organizations, networks, and leaders
6 in United States policymaking related to the govern-
7 ance of Afghanistan.

8 (2) Promote the inclusion of a significant num-
9 ber of women in future legislative bodies to ensure
10 that women’s full range of human rights are in-
11 cluded and upheld in any constitution or legal struc-
12 tures of Afghanistan.

13 (3) Encourage the appointment of women to
14 high level positions within Afghan Ministries.

15 (c) POST-CONFLICT RECONSTRUCTION AND DEVEL-
16 OPMENT.—With respect to activities relating to post-con-
17 flict stability in Afghanistan, the applicable requirements
18 are the following:

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

1 (2) Increase women’s access to or ownership of
2 productive assets such as land, water, agricultural
3 inputs, credit, and property.

4 (3) Provide long-term financial assistance for
5 primary, secondary, higher, nontraditional, and voca-
6 tional education for Afghan girls, women, boys, and
7 men.

8 (4) Integrate education and training programs
9 for former combatants with economic development
10 programs to encourage their reintegration into soci-
11 ety and to promote post-conflict stability.

12 (5) Provide assistance to rehabilitate children
13 affected by the conflict, particularly child soldiers.

14 (6) Support educational efforts to increase
15 awareness with respect to landmines, facilitate the
16 removal of landmines, and provide services to indi-
17 viduals with disabilities caused by landmines.

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

21 (1) Include training on the protection, rights,
22 and the particular needs of women and emphasize
23 that violations of women’s rights are intolerable and
24 should be prosecuted.

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

6 (e) RELIEF, RESETTLEMENT, AND REPATRIATION OF
7 REFUGEES AND INTERNALLY DISPLACED PERSONS.—
8 With respect to the relief, resettlement, and repatriation
9 of refugees and internally displaced persons in Afghani-
10 stan, the applicable requirements are the following:

11 (1) Take all necessary steps to ensure that
12 women refugees and internally displaced persons in
13 camps, urban areas, and villages are directly receiv-
14 ing food aid, shelter, relief supplies, and other serv-
15 ices from United States-sponsored programs.

16 (2) Take all necessary steps to ensure that
17 women refugees in camps, urban areas, and villages
18 are accessing high-quality health and medical serv-
19 ices, including primary, maternal, child, and mental
20 health services.

21 (3) Take all necessary steps to ensure that
22 women and children in refugee camps are protected
23 from sexual exploitation.

24 (4) Take all necessary steps to ensure refugees
25 and internally displaced persons that seek to return

1 to their place of origin can do so voluntarily, safely,
2 and with the full protection of their rights. United
3 States-sponsored efforts shall not coerce refugees or
4 internally displaced persons to return to their places
5 of origin.

6 **SEC. 6. REPORTING REQUIREMENTS.**

7 Not later than 60 days after the date of the enact-
8 ment of this Act, and annually thereafter, the President
9 shall prepare and transmit to Congress a report that con-
10 tains documentation of the progress in implementing the
11 requirements of section 5. All data in the report shall be
12 disaggregated by gender.

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