

HUMAN RIGHTS OF AFGHAN WOMEN: PRESENT AND FUTURE

Spanish Congress of Deputies, 22/03/2022

CONCLUSIONS



"Beauty in Freedom", by Nigina Aimal. A gift to the Spanish Congress on behalf of the Afghan women of ENoMW.

On Tuesday 22nd March 2022 the Spanish Congress of Deputies hosted a high-level public event, organised by the European Network of Migrant Women (ENoMW), jointly with the European Women Lawyers Association (EWLA) and Spanish Women's Lobby (LEM Espana). The speakers included experts from diverse fields, those who are directly involved with Afghanistan, Afghan evacuations and Afghan resettled evacuees in Spain, as well as the Afghan female activists themselves:

Meritxell Batet Lamaña. President of Congress
Ana María Pastor Julián. Second Vice-President of Congress
María Gloria Elizo Serrano. Third Vice-President of Congress
Pau Marí Klose. President of the Foreign Affairs Committee
Gita Saeed. Afghan poetess and activist under International Protection in Spain
Nigin Sana Torabi. Young Afghan activist under International Protection in Spain
Frohar Poya. Project Officer, European Network of Migrant Women (ENoMW)
María José Rodríguez Becedas. European Women Lawyers' Association (EWLA)
Teresa Nevado. Secretary General, Spanish Women's Lobby, LEM España
Paloma Favieres. Policy and Campaigns Director, CEAR
Begoña Carrera Ríos. Lawyer, Provivienda NGO

During the event the speakers highlighted the unacceptable treatment of women and girls by the Taliban including their denial of basic human rights such as access to education, work and free movement. It was emphasised that many professional and activist women in Afghanistan remain under a great risk and are in hiding since August 2021. Violence against women is rising rapidly: women are being persecuted in the name of tradition and religion, including corporal punishment and torture, while young girls are being sold into slavery by the families facing poverty and starvation.

“For the last 20 years, many women were busy in developing vital projects and occupying positions of power and leadership in their societies - today, they have been displaced and have to continue these vital projects under international protection in other countries.” (Meritxell Batet Lamaña, President of Congress)

“I belong to a generation of young Afghan women, who have seen their rights taken away from them, I come from a country that is suffering the worst humanitarian crisis, I come from a country where words like women's human rights, education and freedom have no meaning. I am happy that despite all difficulties there are many Afghan girls and women who still resist with a strong force in and outside of Afghanistan. I am happy there is a strong network of migrant women who stand with the women in Afghanistan” (17 years old Nigin Sana Torabi)

“Repression, murder, imprisonment, flogging, shooting of former soldiers, killing of male and female civil activists, closing the doors of schools and universities, beating and capturing protesting women, poverty, selling girls from infants up to ten and fifteen years old is the dark and bitter reality of people in my land.” (Gita Saeed, a poet and civil activist)

The speakers pleaded to the Spanish government to continue issuing visas/travel permissions to Afghan women and children at risk, including those who had already received the Spanish Certificates in August but were unable to travel to Spain. Many of them are stranded in the third countries such as Pakistan, Iran, Emirates (Abu Dhabi), as well as inside Afghanistan.

“We propose a possible reinforcement of the Spanish embassies to speed up the procedures to seek asylum, as well as to conclude the family extensions process initiated from Spain, and we recall the importance of taking into account the gender perspective in asylum interviews.” (Begoña Carrera Ríos. Lawyer, Provivienda NGO)

“Spain should focus on finding legal and safe channels, which in the case of Afghanistan pass through humanitarian corridors, continue activating the possibility of Article 38 of the Law 12/2009, of October 30, on the right to Asylum and Subsidiary Protection -reinforcing the embassies of border countries-, and insisting on the resettlement processes. The fight against human trafficking must be a priority for all the States, knowing that when a visa is denied,

sometimes a client is handed over to the mafias". (Paloma Favieres. Policy and Campaigns Director, CEAR)

"We can complete the evacuation processes that have begun. There is a commitment from the state to the families who have put their trust in our country: you, the members of Parliament, have the means to make Spain reciprocate." (María José Rodríguez Becedas. European Women Lawyers Association - EWLA)

Concerning the Afghan women and children who have been or are in the process of being resettled in Spain, the European Network of Migrant Women and the Spanish Women's Lobby urged the Spanish government to exercise the fair treatment of all refugees regardless of their ethnic origin or religion, and, to review and harmonise its integration policies with the EU and International human rights law and to uphold its commitment to the fundamental rights: to privacy & family life, freedom of movement, right to a life free from all kinds of violence.

"It should be remembered that Afghan women in Spain are free women with all their rights in force. They have the right to ask for family reunification. They are also free to move around, free to visit whoever they want, they do not need any special permission for it. This is a reminder, not only to the government, but also to the many NGOs that help refugees." (Teresa Nevado, Secretary-General of the Spanish Women's Lobby, LEM España)

Recommendations:

- Monitor the humanitarian cooperation in Afghanistan and ensuring its delivery to the people in need through the international organisations and women-led grassroots NGOs operating on the ground.
- Look for collaboration channels that do not imply recognition of the Taliban.
- Facilitate the visa application process for the women and girls at risk inside Afghanistan.
- Continue and speed up the visa issuing process to women and their families in third countries and facilitating their safe and fast passage to Spain.
- Strengthen the embassies in the countries bordering with and close to Afghanistan (in particular, Spanish embassies in Islamabad, Tehran and Abu Dhabi, or the Spanish Consulate in Istanbul).
- Ensure fair and equal treatment of all migrants and refugees without discrimination based on nationality, ethnicity or religion.
- Ensure that the integration policies in Spain, in particular in relation to privacy and freedom of movement, do not infringe on the fundamental rights and are in line with the Spanish, EU and international human rights Law.
- Ensure that the *Protocol of the Secretary of State of Migration on Violence against Women in the International Protection System*, is applied to all Afghan women and girls seeking protection in Spain.
- Facilitate effective integration and access to education and employment of Afghan women and girls in Spain.

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