



Afghan Landmine Survivors Organization (ALSO)

Involvement of Persons with Disabilities and War Victims in the Peace Process of Afghanistan



We want the meaningful inclusion of survivors & persons with disabilities in peace talks of Afghanistan

Kabul 2021

Involvement of Persons with Disabilities and War Victims in the Peace Process in Afghanistan

Report specifications

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Lead by	Nasem Khan Aliyar, Mohammad Hussain Ahmadi, Amina Azimi and Shoshannah
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Website	www.Afghanlandminesurvivors.org
Email	info@afghanlandminesurvivors.org
Facebook	Afghan Landmine Survivor Organization (ALSO)
Twitter	@ALSO_AFG
Phone	+93792 82 27 79

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About ALSO

Afghan Landmine Survivors' Organization (ALSO) was established in July 2007 as a non-profit, non-religious, non-political and non-governmental organization registered with the Ministry of Economy of Islamic Republic of Afghanistan. ALSO is a local organization, founded by persons with and without disabilities. The objective of ALSO is to promote and protect the rights of persons with disabilities based on national and international laws.

ALSO pioneered peer support or psychosocial programs for the first time in Afghanistan for persons with disabilities who need psychological support at hospitals and homes to improve their self-reliance and confidence towards inclusion in society.

For inclusion and empowerment of persons with disabilities, ALSO has been able to implement many projects on psychosocial support, education, public awareness, vocational trainings, physical accessibilities and advocacy in Kabul, Herat, Bamiyan, Balkh, and other provinces in collaboration with other civil society organizations and the government.

ALSO is committed to continue its mission to promote the rights of persons with disabilities based on national and international law, the Convention on the Rights of Persons with Disabilities (CRPD), and National Law on the Rights and Benefits of Persons with Disabilities (NLRBPD) in order to create the opportunity for persons with disabilities to enjoy their basic rights and obtain equality in the Afghan society.

Acknowledgement

The completion of this opinion poll on inclusion of persons with disabilities in peace process would not have been possible without the steadfast efforts of ALSO research team and financial support of NDI under the Equal Rights Fund in Afghanistan.

ALSO would like to thank all those who conducted interviews, the persons with disabilities who participated in the opinion poll and the Advocacy Committee for the Rights of Persons with Disabilities' members, who provided technical comments and suggestions for improvement of the report. Without contribution of the above people, it would not happen easily.

Executive Summary

The political rights of persons with disabilities are enshrined by the Constitution of Afghanistan and the Convention on the Rights of Persons with Disabilities. As a State Party to the Convention, the Afghan government has the obligation to promote and protect the political rights of persons with disabilities accordingly.

To promote and protect the political rights of persons with disabilities, ALSO as a disability rights organization has been advocating for the rights of persons with disabilities based on the Convention and the national laws on the rights of persons with disabilities. For this purpose, ALSO conducted this opinion poll with 140 men and women with disabilities in the provinces of Kabul, Balk, Herat, Bamiyan, Daikondy and Kandahar. The objective of the opinion poll is to raise the voices of war victim and persons with disabilities in the peace process of Afghanistan.

This report shows that 51% of the respondents want involvement of persons with disabilities in all peace authorizes - the State Ministry for Peace, the High Peace Council and Reconciliation and Peace Talk Delegation. 35% of the respondents expect that the representatives of persons with disabilities and war victims must be in the peace delegation in order for the involvement of persons with disabilities to have a positive impact on peace-making processes. Persons with disabilities are the main victims of war and conflict in the country and they have suffered greatly.

Moreover, persons with disabilities have high concern over their future in the upcoming government. 90% of the respondents expressed their concern over their rights in the government of post-conflict. They expect that the rights of persons with disabilities will be respected based on the Convention on the Rights of Persons with Disabilities in any agreement between the Taliban and the Government.

The main recommendations of this report are as following:

1. The High Peace Council and Reconciliation should include representatives of persons with disabilities in the peace talk delegation.
2. The State Ministry for Peace should hire persons with disabilities in this ministry to follow up disabilities inclusion in the peace process.
3. The Convention on the Rights of Persons with Disabilities should be kept and respected by any agreement or government policy coming out of peace process;
4. The rights of persons with disabilities, especially rights of women with disabilities, should be respected by any government coming into existence out of the peace process.
5. If any agreement is made for the government post-conflict, the Convention on the Rights of Persons with Disabilities should be respected to promote and protect the rights of persons with disabilities and war victims.
6. All the achievements made thus far on the promotion of persons with disabilities' rights should be protected and respected by the government following the peace process in the country.

Chapter One

Introduction

Afghanistan has been experiencing conflict and war for more than four decades. As a result of the conflicts and war, many people became disabled or lost their lives and fled the country. Unfortunately, the conflict is ongoing and causing more disabilities daily adding to the total number of persons with disabilities in the Afghan community. Furthermore, those disabled require immediate support and rehabilitation services in order to provide inclusion in the community for a better livelihood with peace and welfare.

The United States of America, as one component of the conflict, signed a peace agreement with the Taliban on Feb 20, 2019, in Doha to leave Afghanistan. Additionally, talks of peace between the government of Afghanistan and the Taliban in Doha began afterwards. The Afghan delegation continued their talks with the peace delegation of the Taliban. However, the peace talk delegation is not disability inclusive and the participation of persons with disabilities has not been considered in the peace process by the government of Afghanistan. Persons with disabilities are the most affected group in the country in addition to being the main victims of the war and conflicts in the country. The report indicates that 4.8% of the Afghan population represents persons with disabilities (NDSA 2005). Also, the annual report of Afghanistan Independent Human Rights on disability shows that 41.7% of the respondents' disability causes constituted war and conflict (2021).

Persons with disabilities are worried about their rights. If the rights of persons with disabilities are not considered during any agreement coming out of the peace talk, persons with disabilities will face more challenges and problems in the future, especially amongst women and girls. Their participation in the peace process is essential and gives them the opportunity to address their concerns during the peace process. Certainly, their involvement in the peace process will demonstrate an inclusive peace process.

Afghan Landmine Survivors Organization (ALSO) as a disability rights organization believe that persons with disabilities must be involved in the peace process at different levels in accordance to their political rights enshrined by the Article 53 of the Constitution, Article 1 of the Law on the Rights and Benefits of Persons with Disability, and Article 29 of the Convention on the Rights of Persons with Disabilities. The government of Afghanistan has the obligation to

create opportunities for the full participation of persons with disabilities in political processes, including the peace process. Thus, they should have the opportunity to promote their rights.

Persons with disabilities and war victims raised their voice about their participation in the peace process; however, it has not been considered by the government yet. ALSO, as a disability focused organization, supports persons with disabilities' participation in the peace process and believes that those who face disability should have role and full presence in the peace process. For this purpose, ALSO decided to conduct an opinion poll with 140 persons with disabilities in different provinces to collect their opinion and reflection about participation in the peace process.

The goal of the opinion poll is to collect evidence for stronger advocacy about inclusion of persons with disabilities in the peace process. The findings of the opinion poll will be shared with different media and peace authorities, including the Ministry for Peace and the High Peace Council, to encourage them about the inclusion of persons with disabilities in the peace process.

Persons with disabilities' participation in the political decision-making process will provide them with the opportunity to advocate for their rights in light of CRPD and the national laws; especially, concerning the rights of women with disabilities who face anxiety about their future if their rights are not considered by the government in place after the peace process. The rights of persons with disabilities are often ignored by the authorities and opportunity for their participation was is rarely considered.

Chapter Two

Methodology

Coverage area

This opinion poll was conducted amongst persons with disabilities in provinces of Kabul, Kandahar, Bamiyan, Daikondy, Herat and Balkh face to face, by phone call and through email. These provinces were selected where more persons with disabilities are living and prevalent. Interviews with people in these provinces could help to reflect the opinion of persons with disabilities and war victims for their inclusion in peace processes of Afghanistan. In the provinces, the volunteers of ALSO conducted face to face interviews with persons with disabilities to collect their opinion. The persons who conducted the interviews were persons with disabilities themselves.

Number of persons with disabilities who participated in the opinion poll.

In this opinion poll, 140 males and females with disabilities were interviewed on participation of persons with disabilities in peace process. The effort was made to include persons with disabilities with different categories of disabilities in the opinion poll. The categories of disability were mainly physical, sensorial, visual and auditory disabilities. Furthermore, the effort was made to include persons with disabilities working with other civil society organizations as well in Kabul in order to reflect their opinion and wants in the opinion poll.

Limitation

The main problem was limited resources for coverage of more areas and number of persons with disabilities for stronger generalization. However, since conflict affected groups in the community relatively, the responses of participants can reflect the real wants and expectation of persons with disabilities. Therefore, the results obtained provided powerful insight about the thoughts and suggestions of persons with disabilities about their inclusion in the peace process.

Chapter Three

Results

The data collected from persons with disabilities through interviews are analyzed in Chapter Three through graphs and charts to present further clarity in communication and comprehension about the expectations of persons with disabilities from the government in the peace process.

Figure 1: Persons with disabilities who participated in the opinion poll per province.

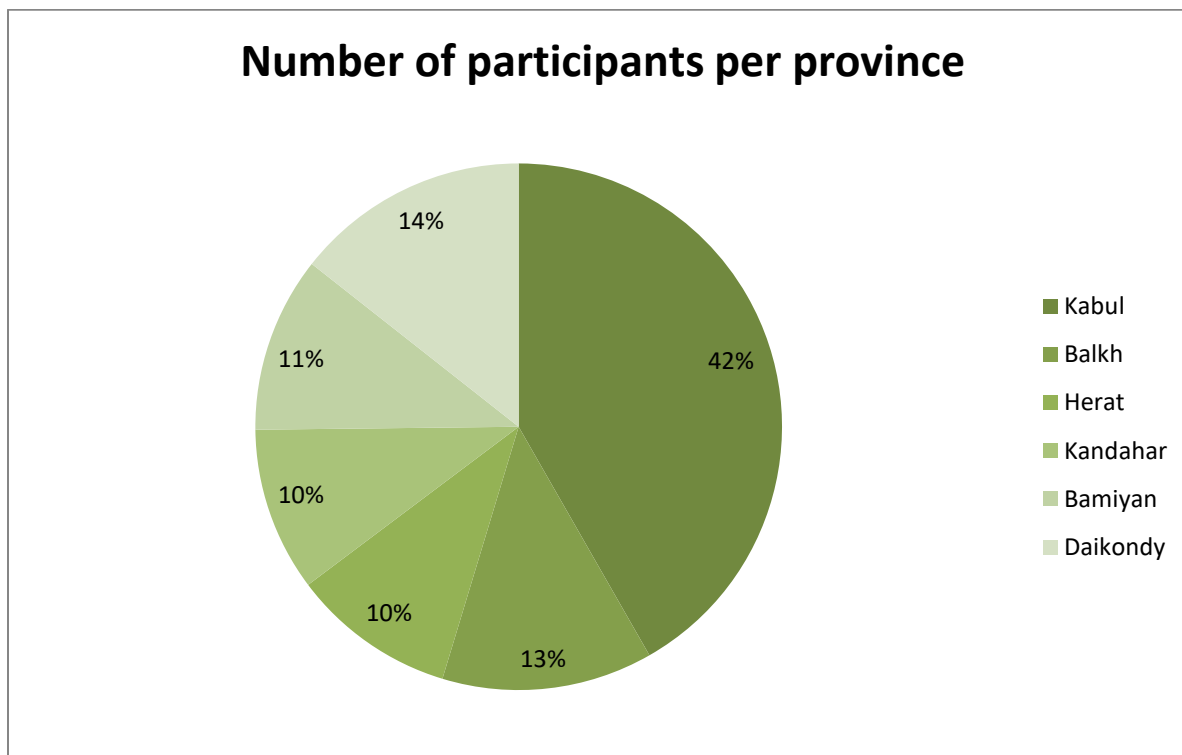


Figure 1 indicates that most (42%) of the respondents who participated in the poll are from Kabul and the second highest percentage (14%) are from Daikondy province. It should be noted this does not mean that the number of persons with disabilities in other provinces are less than Kabul and Daikondy. It only represents the respondents who participated in the opinion poll in these provinces to share their views on participation and inclusion of persons with disabilities in the peace process. Certainly, the selection of the provinces can relatively represent the status of persons with disabilities concerning their participation in the peace process; it is one of the reasons for selection of these provinces in this opinion poll where prevalence of disabilities is high in Kabul and some other the provinces according to NDSA 2005 report.

Figure 2: Number of men and women who participated in the opinion poll

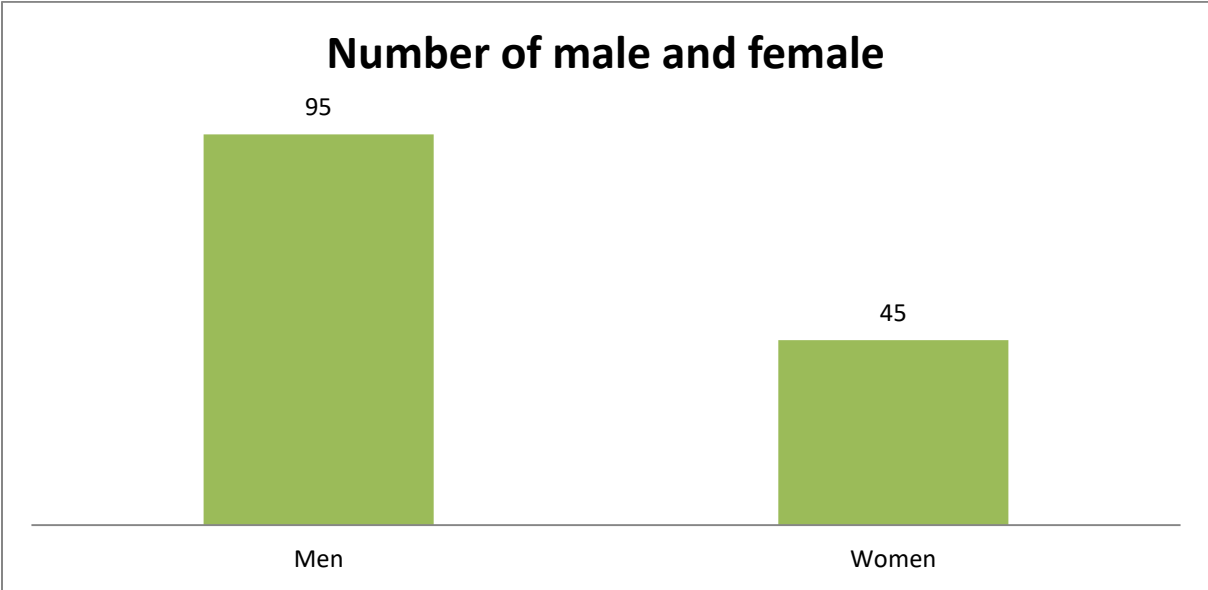


Figure 2 shows that the majority (67.7%) of the respondents who participated in the opinion poll on the participation of persons with disabilities in the peace process are men with disabilities and the rest (32.3%) are women and girls with disabilities. The effort was made to balance the gender of respondents in the opinion poll; however, the number of women respondents were less.

Figure 3: Disability type of the respondents who participated in the opinion poll

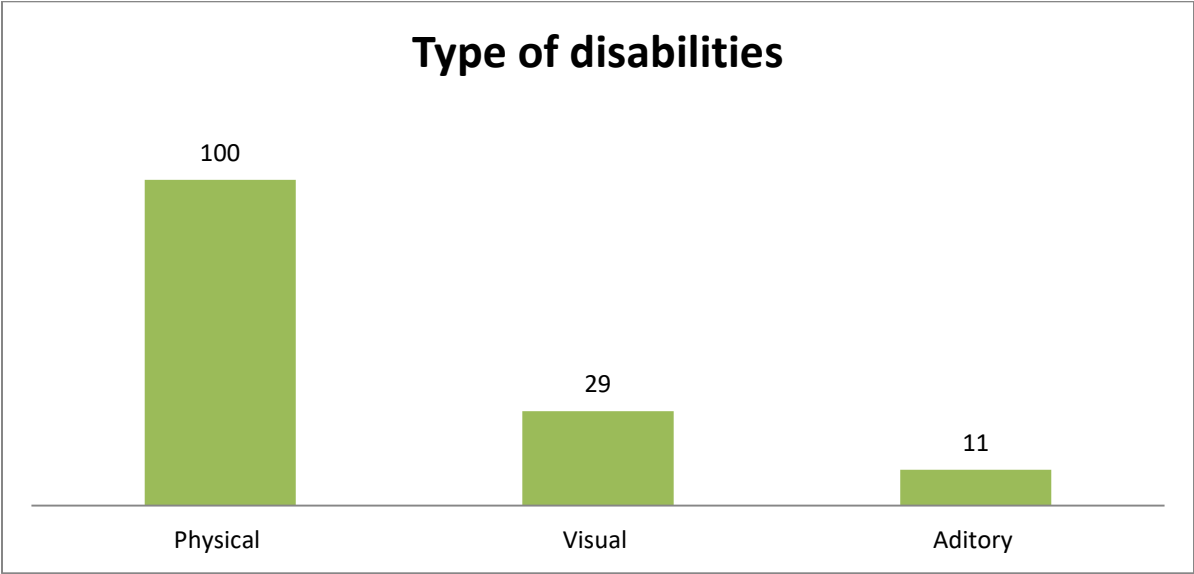


Figure 3 shows that 71.3% of the respondents who participated in the opinion poll were persons with physical disabilities, 20.9% were visual disabilities, and 8% were persons with auditory disabilities. The effort was made to include persons with various types of disability in order for the report to be representative of comprehensive disability categories.

Figure 3: The causes of disabilities amongst respondents in this opinion poll

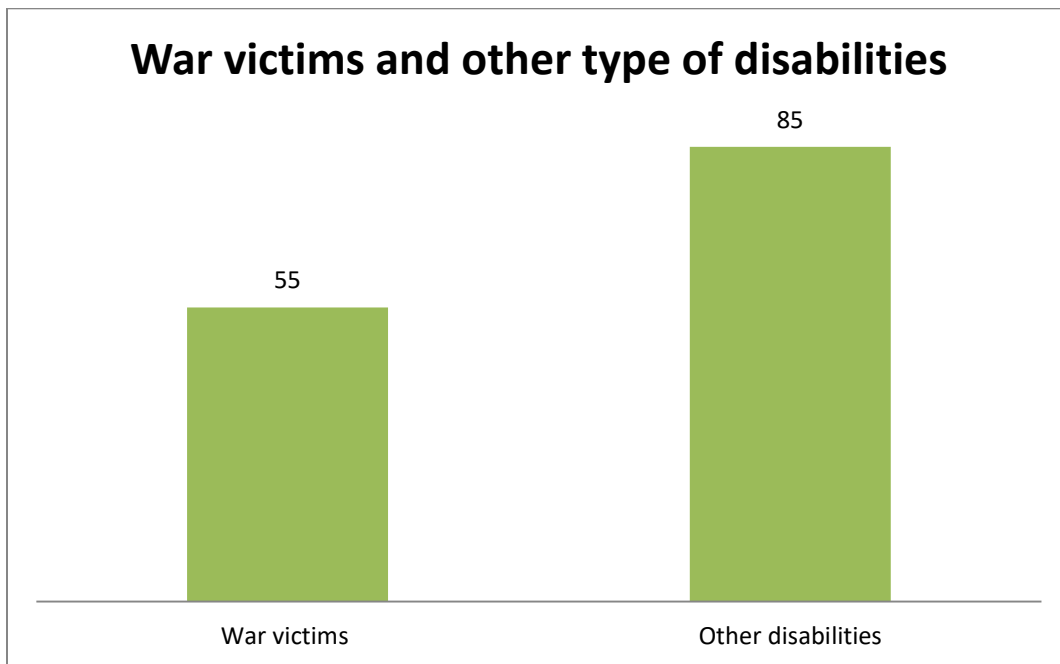


Figure 3 shows that (38.9%) of the respondents are victims of mines and conflict and the rest (61.1%) are other causes of disabilities. It should be reminded that conflict and war in the country have impacted Afghan citizens indiscriminately in all aspects. It is apparent to say that everyone in Afghanistan has been disturbed by conflict in some manner. For example, some have fled the country, some have become disabled, and some have lost lives and/or their assets in the conflict. There are many families who lost their beloved ones in the conflicts and explosions. The impact of war and conflicts is huge and impossible to measure in number or percentage easily. The people of Afghanistan are paying the price directly and indirectly daily at any corner of the country due to ongoing conflict and war.

Figure 4: Inclusion of persons with disabilities in the peace process of Afghanistan

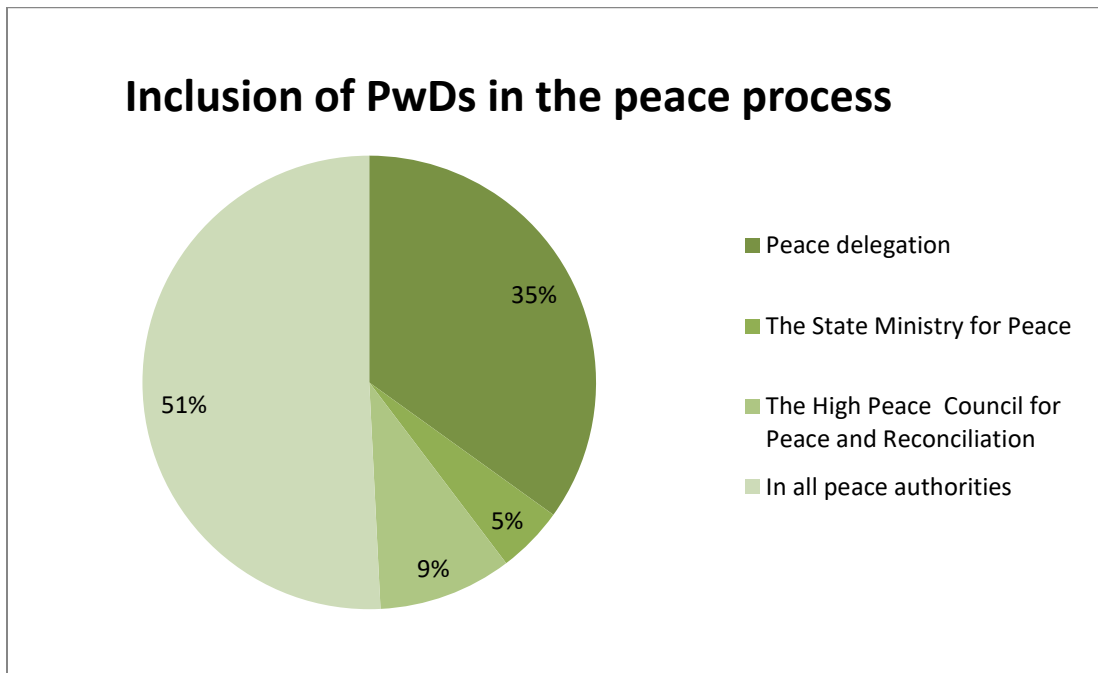


Figure 4 indicates that the majority (51%) of the respondents of the opinion poll desire inclusion of persons with disabilities in all three organizations, including the Ministry for Peace, the High Peace and Reconciliation, and the Peace Talk Delegation. Furthermore, over one third (35%) of respondents want the representation of persons with disabilities in the Peace Delegation. The inclusion of persons with disabilities can become possible when persons with disabilities are integrated as authorities on all levels of decision-making. Otherwise, it will not be possible.

Lack of participation of persons with disabilities and war victims in the peace process authorities will lead to ignorance of the rights of persons with disabilities in the process. The government should give the chance to persons with disabilities and war victims to be involved in the peace process to raise their voice and advocate for their rights in any upcoming decisions and agreement of the peace process. The presence of persons with disabilities and war victim should be meaningful and significant in the peace process organizations.

Figure 5: Concerns of persons with disabilities and war victims about peace talks

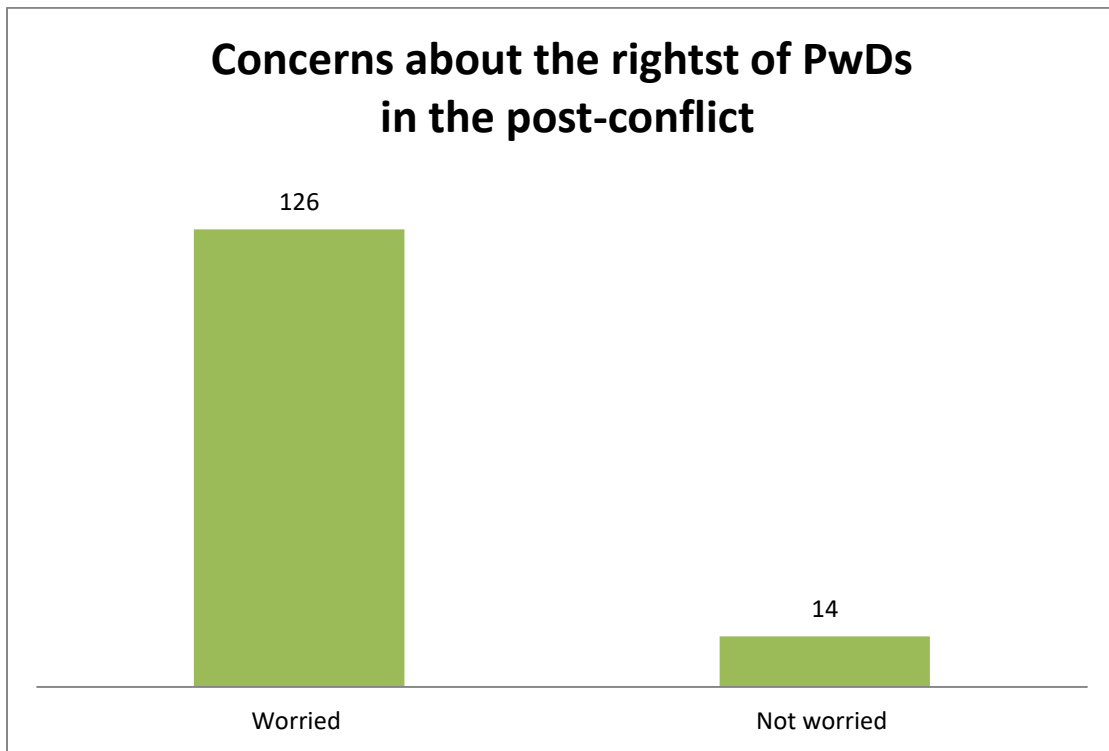


Figure 5 indicates that 90% of persons with disabilities are worried about their rights post-conflict and 10% did not show any concern about the rights of persons with disabilities in the established government following the peace talks with the Taliban. This implies that persons with disabilities have high levels of worry and concern about their rights in the near future.

Persons with disabilities are worried about their participation, freedom, women rights, and the recent achievements on the rights of persons with disabilities in the community. Fatima from Kabul said, “I am worried about my future. I am afraid of staying at home again like in the past”. Amina from Balkh said, “I am worried because there is no guarantee to protect the role and rights of women with disabilities in society in the government of post-conflicts”. Also, another respondent with auditory disability said, “I am a painter. I reflect the problems of society through my paintings. I am worried about coming a new government to power that would not let me to continue my career as a painter. If am not allowed to do painting, I would face problems”. In addition, Mr. Sajim who is a person with visual disability said, “We are not aware what type of government will come into existence from the peace talk process. Persons with disabilities are worried about their freedom and participation in society”.

Moreover, some of the respondents are worried about the cancellation of the United Nations Conventions on the Rights of Persons with disabilities and other human rights conventions to which Afghanistan is the State Party. Most of the respondents emphasized that the Convention on the rights of persons disabilities should be respected by any government coming into power following the peace talks. They also raised concern about the fact that persons with disabilities' representatives are not in the peace process delegation to promote and protect the rights of persons with disabilities. Certainly, the representative of persons with disabilities should be in peace authorities and delegation.

Protecting the rights of women with disabilities

Most of the respondents in this opinion poll emphasized that the rights of women with disabilities should be protected and considered in the peace process and in any agreement or government following the peace process in Afghanistan. The rights of persons with disabilities should be respected in light of the Convention on the Rights of Persons with Disabilities (CRPD) and the Law on Rights and Benefits of the Disabled. Women with disabilities should participate actively in all social activities and should have access to their basic human rights, such as education, employment, healthcare and political participation in the community.

The participants of the opinion poll expressed the following suggestions:

1. The representation of persons with disabilities and war victims should be in the peace talk delegation in order to promote and protect the rights of persons with disabilities and war victims.
2. Persons with auditory disabilities requested to have access to news about the peace process talks through sign Language, print and media.
3. Persons with disabilities should be employed in the State Ministry for Peace and High Peace Council and Reconciliation. By doing so, they would be able to give voice to persons with disabilities.
4. The post-conflict government should respect and protect the rights of persons with disabilities and take into consideration the Convention on the Rights of Persons with Disabilities.
5. The achievements made thus far in the disability sector should be protected and respected by any government following the peace process in the country.

6. The representation of women with disabilities should be in the peace process delegation in order to promote and protect the rights of women with disabilities. Especially considering that women and girls with disabilities are not presently active in the political processes.

Chapter Four

Conclusion and recommendations

Peace talk delegation

The results of this opinion poll demonstrate that most people with disabilities have concern about all achievements in disabilities. The respondents strongly suggest that the rights of persons with disabilities should be respected and protected based on the Convention on the Rights of Persons with Disabilities (CRPD). Any agreement or government coming into existence following the peace talk between the government of Afghanistan and the Taliban should respect the rights of persons with disabilities without discrimination. The government of Afghanistan ratified the Convention in 2012 and has the obligation to consider its provisions in any agreement made with the Taliban. Additionally, Article 53 of the Constitution has enshrined the political rights of persons with disabilities, which compels authorities to protect the rights of persons with disabilities accordingly.

Participation of persons with disabilities in the peace talks delegation

Most of the respondents of this opinion poll believe that the representation of persons with disabilities should be included in the peace delegation because persons with disabilities and war victims are the first victims of the conflict in Afghanistan. Persons with disabilities believe that their participation in the peace process will have a positive impact and influence in the peace process. Persons with disabilities are the largest and most vulnerably affected group in society; thus, their involvement in the peace process is a fundamental right.

Participation and employment of persons with disabilities

One finding of this report indicates that persons with disabilities expect the government to employ their representatives in the State Ministry for Peace and the High Council for Peace and Reconciliation. The participation of persons with disabilities in authority and decision-making levels helps to promote the rights of persons with disabilities. According to the law on Rights and Benefits of Persons with Disabilities, the government of Afghanistan has the obligation to employ 3% of its staff as persons with disabilities. Participation of persons with disabilities in any level or sector creates the opportunity and support for inclusion of persons with disabilities.

Recommendations

Based on the results and conclusion of this report, the following recommendations are made for applicable authorities to consider inclusion of persons with disabilities in the peace process of Afghanistan.

7. The High Peace Council and Reconciliation should include representation of persons with disabilities in the peace talk delegation.
8. The State Ministry for Peace should employ persons with disabilities in its ministry.
9. The Convention on the Rights of Persons with Disabilities should be kept and respected by any agreement or government following the peace process.
10. The rights of persons with disabilities, especially women with disabilities, should be respected by any government coming into existence following the peace process.
11. Persons with disabilities should be employed by the State Ministry for Peace and the High Peace Council and Reconciliation.
12. In any agreement and/or government of post-conflict, the Convention on the Rights of Persons with Disabilities should be valued in order to promote and protect the rights of persons with disabilities.
13. All of the achievements made thus far on promotion of PWDs should be protected and respected by any government following the peace process in Afghanistan.