

112TH CONGRESS
2D SESSION

S. 3646

To require the Department of Defense to develop a strategy to promote the security of Afghan women and girls during the security transition process.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2012

Mr. CASEY (for himself, Mrs. HUTCHISON, Ms. MIKULSKI, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. MURKOWSKI, Ms. SNOWE, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the Department of Defense to develop a strategy to promote the security of Afghan women and girls during the security transition process.

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 “Afghan Women and
5 Girls Security Promotion Act of 2012”.

1 **SEC. 2. STRATEGY FOR PROMOTING THE SECURITY OF AF-**
2 **GHAN WOMEN AND GIRLS DURING THE SECU-**
3 **RITY TRANSITION PROCESS.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) According to the Department of Defense’s
7 April 2012 Report on Progress Toward Security and
8 Stability in Afghanistan:

9 (A) “U.S. and coalition forces will continue
10 to degrade the Taliban-led insurgency in order
11 to provide time and space to increase the capac-
12 ity of the Afghan National Security Forces and
13 the Afghan Government so they can assume full
14 responsibility for Afghanistan’s security by the
15 end of 2014.”.

16 (B) “Transition to Afghan security lead
17 began in July 2011 and transition to full Af-
18 ghan security responsibility will be complete
19 country-wide by the end of 2014.”.

20 (C) “The security of the Afghan people
21 and the stability of the government are used to
22 judge provincial readiness to move to each suc-
23 cessive stage of transition implementation.”.

24 (D) For each area designated for transi-
25 tion, a transition implementation plan is devel-
26 oped by the Government of Afghanistan,

1 NATO, and ISAF and approved by the Joint
2 Afghan-NATO Inteqal Board (JANIB). JANIB
3 is also responsible for recommending areas to
4 enter and exit the transition process.

5 (2) According to a 2002 study on Women,
6 Peace and Security submitted by the Secretary-Gen-
7 eral of the United Nations pursuant to Security
8 Council resolution 1325 (2000), “the suspension of
9 or restriction on women’s enjoyment of their human
10 rights” can act as an early-warning indicator of im-
11 pending or renewed conflict. In Afghanistan, restric-
12 tions on women’s mobility and rights can signal the
13 presence of extremist or insurgent elements in a
14 community.

15 (3) The security of Afghan women and girls in
16 areas undergoing security transitions will be an im-
17 portant gauge of the transition strategy’s success.
18 Indicators by which to measure women’s security in-
19 clude the mobility of women and girls, the participa-
20 tion of women in local government bodies, the rate
21 of school attendance for girls, women’s access to
22 government services, and the prevalence of violence
23 against women.

24 (4) Maintaining and improving physical security
25 for Afghan women and girls throughout the country

1 is critical in order for women and girls to take ad-
2 vantage of opportunities in education, commerce,
3 politics, and other areas of public life, which in turn
4 is essential for the future stability and prosperity of
5 Afghanistan.

6 (5) Women who serve as public officials at all
7 levels of the Government of Afghanistan face serious
8 threats to their personal security and that of their
9 families. Many female officials have been the victims
10 of violent crimes, but they are generally not afforded
11 official protection by the Government of Afghanistan
12 or security forces.

13 (6) Protecting the security and human rights of
14 Afghan women and girls requires the involvement of
15 Afghan men and boys through education about the
16 important benefits of women's full participation in
17 social, economic, and political life. Male officials and
18 security personnel can play a particularly important
19 role in supporting and protecting women and girls.

20 (7) The Chicago Summit Declaration issued by
21 NATO in May 2012 states: "As the Afghan Na-
22 tional Police further develop and professionalize,
23 they will evolve towards a sustainable, credible, and
24 accountable civilian law enforcement force that will
25 shoulder the main responsibility for domestic secu-

1 rity. This force should be capable of providing polic-
2 ing services to the Afghan population as part of the
3 broader Afghan rule of law system.”.

4 (8) Women face significant barriers to full par-
5 ticipation in the ANA and ANP, including a dis-
6 criminatory or hostile work environment and the
7 lack of separate facilities designed for female per-
8 sonnel.

9 (9) As of September 2012, female recruitment
10 and retention rates for the Afghan National Security
11 Forces are far below published targets, as follows:

12 (A) Approximately 1,700 women serve in
13 the Afghan National Security Forces, or less
14 than half of one percent of the total force.

15 (B) In 2010, President Hamid Karzai an-
16 nounced plans to recruit and train 5,000
17 women in the Afghan National Police, or ap-
18 proximately 3 percent of the force, by 2014.
19 Currently, there are approximately 1,370
20 women in the ANP, or 0.87 percent of the po-
21 lice force.

22 (C) Approximately 350 women currently
23 serve in the Afghan National Army, rep-
24 resenting only 0.17 percent of the force. The
25 Government of Afghanistan has said that its

1 goal is to achieve a force that is 10 percent fe-
2 male. As of May 2012, approximately 3 percent
3 of new ANA recruits were women.

4 (10) Male security personnel often do not re-
5 spond to threats or incidences of violence against
6 women, particularly at the local level. They largely
7 lack the training and understanding needed to re-
8 spond appropriately and effectively to situations in-
9 volving women. According to the Department of De-
10 fense's April 2012 Report on Progress Toward Secu-
11 rity and Stability in Afghanistan:

12 (A) The Afghan Ministry of Defense
13 "lacks the combination of policies, procedures,
14 and execution to promote opportunity and fair
15 and respectful treatment of women in the
16 force".

17 (B) The Afghan Ministry of Interior "faces
18 significant challenges in fully integrating and
19 protecting women in the ANP workforce, espe-
20 cially among operational units at the provincial
21 and district levels".

22 (C) In the Afghan National Police, "Many
23 Provincial Headquarters Commanders do not
24 accept policewomen, as they prefer male can-

1 didates and lack adequate facilities to support
2 females.”.

3 (D) “While women are greatly needed to
4 support police operations, a combination of cul-
5 tural impediments, weak recruitment, and un-
6 even application of policies hinder significant
7 progress.”.

8 (E) “Although stronger documentation,
9 implementation, and enforcement of policies,
10 procedures, and guidance to better integrate
11 women will help, time will be needed to change
12 the cultural mores that form the basis of many
13 of the current impediments.”.

14 (11) The United States, the North American
15 Treaty Organization, and United States coalition
16 partners have made firm commitments to support
17 the human rights of the women and girls of Afghani-
18 stan, as evidenced by the following actions:

19 (A) According to the United States Na-
20 tional Action Plan on Women, Peace and Secu-
21 rity, “integrating women and gender consider-
22 ations into peace-building processes helps pro-
23 mote democratic governance and long-term sta-
24 bility,” which are key United States strategic
25 goals in Afghanistan.

1 (B) The National Action Plan also states
2 that “the engagement and protection of women
3 as agents of peace and stability will be central
4 to United States efforts to promote security,
5 prevent, respond to, and resolve conflict, and
6 rebuild societies.” This policy applies to United
7 States Government efforts in Afghanistan,
8 where addressing the security vulnerabilities of
9 Afghan women and girls during the period of
10 security transition is an essential step toward
11 long-term stability.

12 (C) The Chicago Summit Declaration
13 issued by NATO in May 2012 states: “We em-
14 phasize the importance of full participation of
15 all Afghan women in the reconstruction, polit-
16 ical, peace and reconciliation processes in Af-
17 ghanistan and the need to respect the institu-
18 tional arrangements protecting their rights. We
19 remain committed to the implementation of
20 United Nations Security Council Resolution
21 (UNSCR) 1325 on women, peace and security.
22 We recognize also the need for the protection of
23 children from the damaging effects of armed
24 conflict as required in relevant UNSCRs.”.

1 (12) The Strategic Partnership Agreement
2 signed between the United States and Afghanistan
3 by President Obama and President Karzai in June
4 2012 states, “Consistent with its Constitution and
5 international obligations, Afghanistan shall ensure
6 and advance the essential role of women in society,
7 so that they may fully enjoy their economic, social,
8 political, civil and cultural rights.”.

9 (b) STRATEGY TO PROMOTE SECURITY OF AFGHAN
10 WOMEN.—

11 (1) IN GENERAL.—Not later than 60 days after
12 the date of the enactment of this Act, the Secretary
13 of Defense, in concurrence with the Secretary of
14 State, shall submit to the appropriate congressional
15 committees a strategy to be implemented by the De-
16 partment of Defense, working with the NATO
17 Training Mission Afghanistan (NTM-A) and Afghan
18 partners, to promote the security of Afghan women
19 during the security transition process.

20 (2) ELEMENTS.—The strategy required under
21 paragraph (1) shall include the following elements:

22 (A) A strategy to monitor and respond to
23 changes in women’s security conditions in areas
24 undergoing transition, including the following
25 actions:

1 (i) Seeking to designate a Civilian Im-
 2 pact Advisor on the Joint Afghan-NATO
 3 Inteqal Board (JANIB) to assess the im-
 4 pact of transition on male and female civil-
 5 ians and ensure that efforts to protect
 6 women's rights and security are included
 7 in each area's transition implementation
 8 plan.

9 (ii) Reviewing existing indicators
 10 against which sex-disaggregated data is
 11 collected and, if necessary, developing addi-
 12 tional indicators, to ensure the availability
 13 of data that can be used to measure wom-
 14 en's security, such as—

15 (I) the mobility of women and
 16 girls;

17 (II) the participation of women
 18 in local government bodies;

19 (III) the rate of school attend-
 20 ance for girls;

21 (IV) women's access to govern-
 22 ment services; and

23 (V) the prevalence of violence
 24 against women; and incorporating
 25 those indicators into ongoing efforts

1 to assess overall security conditions
2 during the transition period.

3 (iii) Integrating assessments of wom-
4 en's security into current procedures used
5 to determine an area's readiness to proceed
6 through the transition process.

7 (iv) Working with Afghan partners,
8 coalition partners, and relevant United
9 States Government departments and agen-
10 cies to take concrete action to support
11 women's rights and security in cases of de-
12 terioration in women's security conditions
13 during the transition period.

14 (B) A strategy to increase gender aware-
15 ness and responsiveness among Afghan Na-
16 tional Army and Afghan National Police per-
17 sonnel, including the following actions:

18 (i) Working with Afghan and coalition
19 partners to utilize training curricula and
20 programming that addresses the human
21 rights of women and girls, appropriate re-
22 sponses to threats against women and
23 girls, and appropriate behavior toward fe-
24 male colleagues and members of the com-
25 munity; assessing the quality and consist-

1 ency of this training across regional com-
 2 mands; and assessing the impact of this
 3 training on trainee behavior.

4 (ii) Working with national and local
 5 ANA and ANP leaders to develop and uti-
 6 lize enforcement and accountability mecha-
 7 nisms for ANA and ANP personnel who
 8 violate codes of conduct related to the
 9 human rights of women and girls.

10 (iii) Working with Afghan and coal-
 11 ition partners to implement the above tools
 12 and develop uniform methods and stand-
 13 ards for training and enforcement among
 14 coalition partners and across regions.

15 (C) A strategy to increase the number of
 16 female members of the ANA and ANP, includ-
 17 ing the following actions:

18 (i) Providing, through consultation
 19 with Afghan partners, realistic and achiev-
 20 able objectives for the recruitment and re-
 21 tention of women to the ANA and ANP by
 22 the end of the security transition period in
 23 2014.

24 (ii) Working with national and local
 25 ANA and ANP leaders and coalition part-

1 ners to address physical and cultural chal-
2 lenges to the recruitment and retention of
3 female ANA and ANP personnel, including
4 through targeted recruitment campaigns,
5 expanded training and mentorship oppor-
6 tunities, parity in pay and promotion rates
7 with male counterparts, and availability of
8 facilities for female personnel.

9 (iii) Working with national and local
10 ANA and ANP leaders to increase under-
11 standing about the unique ways in which
12 women members of the security forces im-
13 prove the force's overall effectiveness.

14 (iv) Working with national and local
15 ANA and ANP leaders to develop a plan
16 for maintaining and increasing the recruit-
17 ment and retention of women in the ANA
18 and ANP following the completion of the
19 security transition.

20 (3) REPORT.—The Secretary of Defense shall
21 include in each report on progress toward security
22 and stability in Afghanistan that is submitted to
23 Congress under sections 1230 and 1231 of the Na-
24 tional Defense Authorization Act for Fiscal Year
25 2008 (Public Law 110–181; 122 Stat. 385, 390) a

1 section describing actions taken to implement the
2 strategy required under this subsection.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this section, the term “appropriate congres-
5 sional committees” means—

6 (1) the Committee on Armed Services and the
7 Committee on Foreign Relations of the Senate; and

8 (2) the Committee on Armed Services and the
9 Committee on Foreign Affairs of the House of Rep-
10 resentatives.

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