

108TH CONGRESS  
2D SESSION

# S. 2032

To provide assistance and security for women and children in Afghanistan,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2004

Mrs. BOXER introduced the following bill; which was read twice and referred  
to the Committee on Foreign Relations

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## A BILL

To provide assistance and security for women and children  
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 “Afghan Women Secu-  
5 rity and Freedom Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Taliban regime denied women in Af-  
9 ghanistan the most basic human rights, including

1 the rights to work, to an education, to health care,  
2 and to move freely.

3 (2) The Taliban regime subjected any women  
4 who attempted to exercise her human rights to beat-  
5 ings and imprisonment and women in Afghanistan  
6 who lived under the Taliban regime suffer from  
7 long-term consequences of such oppression.

8 (3) According to the Afghan Ministry of Wom-  
9 en's Affairs, as a result of 23 years of war and the  
10 restrictions imposed by the Taliban after the war  
11 ended, most women in Afghanistan do not have ade-  
12 quate food, access to health care, or opportunities  
13 for education, employment, or economic livelihood,  
14 and such women have experienced violence to them-  
15 selves or their families.

16 (4) Women in Afghanistan have one of the  
17 highest mortality rates in the world, with an esti-  
18 mated 16,000 maternal deaths annually.

19 (5) The strengthening of institutions and non-  
20 governmental organizations that are led by women in  
21 Afghanistan is essential to building civil society and  
22 holding the Government of Afghanistan accountable  
23 for protecting women's rights and human rights.

24 (6) It is necessary for significant numbers of  
25 women to hold positions within the Government of

1 Afghanistan, including in the cabinet, the Loya  
2 Jirga, government commissions, and other key posts,  
3 and to hold official positions within United Nations  
4 agencies working in Afghanistan to foster democracy  
5 and protect the rights of women in Afghanistan.

6 (7) Despite the collapse of the Taliban regime  
7 in Afghanistan in 2001, warlords and the Taliban  
8 are reorganizing and reemerging in Afghanistan, im-  
9 periling the stability of the central government, the  
10 security of the people, and the exercise of human  
11 rights by women.

12 (8) The United Nations Secretary-General's  
13 Special Representative to Afghanistan said that the  
14 deteriorating security situation in Afghanistan may  
15 force a delay in elections in Afghanistan and that  
16 expansion of international peacekeeping forces is  
17 necessary to make fair, democratic voter registration  
18 and elections possible.

19 (9) In January 2004, the Government of Af-  
20 ghanistan adopted a new constitution that includes  
21 basic rights for women, but enforcement of the pro-  
22 visions of the constitution will be difficult unless se-  
23 curity in Afghanistan is dramatically improved.

24 (10) Despite the fact that violations of human  
25 rights and women's rights continue with impunity in

1       Afghanistan, Provincial Reconstruction Teams com-  
2       posed of United States military forces, Department  
3       of Defense civil affairs officers, representatives of  
4       United States agencies and allied personnel do not  
5       have the authority needed to intervene to stop such  
6       violations.

7       **SEC. 3. SENSE OF CONGRESS.**

8       It is the sense of Congress that—

9               (1) the protection of the rights of women, the  
10       reestablishment of democracy, and the elimination of  
11       terrorism are essential to the reconstruction of a sta-  
12       ble Afghanistan and to achieve such a reconstruction  
13       the international community should commit substan-  
14       tial resources, including the expansion of inter-  
15       national peacekeeping forces inside and outside of  
16       the city of Kabul;

17              (2) the United States should provide strong  
18       support for the Afghan Ministry of Women’s Affairs  
19       and the Afghan Independent Human Rights Com-  
20       mission, both of which were created by the Bonn  
21       Agreement to remedy past violations of women’s  
22       rights and human rights and to establish institutions  
23       and programs to advance such rights;

24              (3) the mandate of international peacekeeping  
25       forces and Provincial Reconstruction Teams com-

1 posed of United States military forces, Department  
2 of Defense civil affairs officers, representatives of  
3 United States agencies and allied personnel should  
4 be authorized to intervene to stop violations of  
5 human rights and women’s rights;

6 (4) United States foreign policy should ensure  
7 that the rights of women and girls are restored in  
8 Afghanistan, assist in the recovery of women and  
9 girls from the repression of the Taliban and 23  
10 years of war, and strengthen Afghan institutions  
11 that are led by women; and

12 (5) grants and assistance provided to Afghani-  
13 stan should be conditioned upon the Government of  
14 Afghanistan adhering to international standards for  
15 women’s rights and human rights.

16 **SEC. 4. AUTHORIZATION FOR ASSISTANCE.**

17 (a) **AUTHORITY.**—The President is authorized to pro-  
18 vide assistance for women and children in Afghanistan.

19 (b) **PROVISION OF ASSISTANCE.**—Assistance under  
20 this section may be provided directly to the Afghan Min-  
21 istry of Women’s Affairs, other Afghan Government min-  
22 istries, the Afghan Independent Human Rights Commis-  
23 sion, local and international nonprofit organizations, and  
24 United Nations agencies.

1           (c) CATEGORIES OF ASSISTANCE.—The assistance  
2 under this section may be provide as grants, technical as-  
3 sistance, training, or in any other form that the President  
4 determines is appropriate.

5           (d) PURPOSES.—Assistance under this section may  
6 be used for the following purposes:

7           (1) POLITICAL AND HUMAN RIGHTS.—Assist-  
8 ance under this section is authorized to be used to  
9 promote women’s rights and human rights in Af-  
10 ghanistan, including women’s political participation  
11 and legal rights, including for the following pur-  
12 poses:

13                   (A) To provide assistance to the Afghan  
14 Ministry of Women’s Affairs, other ministries of  
15 the Government of Afghanistan, and the Af-  
16 ghan Independent Human Rights Commission  
17 for programs to advance the status of women.

18                   (B) To disseminate information through-  
19 out Afghanistan on the rights of women and on  
20 international standards for human rights.

21                   (C) To provide information and assistance  
22 to enable women to exercise property, inherit-  
23 ance, and voting rights, and to participate in  
24 relief programs.

1           (D) To provide, monitor, and investigate  
2 violations of women’s rights and to provide  
3 legal assistance to women who have suffered  
4 violations of their rights.

5           (E) To provide training related to women’s  
6 rights and human rights to military, police, and  
7 legal personnel.

8           (F) To build the infrastructure of the Af-  
9 ghan Independent Human Rights Commission  
10 through the construction of provincial and dis-  
11 trict offices.

12           (G) To enforce the provisions of the Af-  
13 ghan constitution that ensure equal rights for  
14 women.

15           (H) To operate programs to encourage and  
16 facilitate the registration of women voters.

17           (2) HEALTH CARE.—Assistance under this sec-  
18 tion is authorized to be used to provide health care  
19 for the people of Afghanistan, including for the fol-  
20 lowing purposes:

21           (A) To provide equipment, medical sup-  
22 plies, and other assistance to health care facili-  
23 ties for the purpose of reducing maternal and  
24 infant mortality and morbidity.

1           (B) To train nurses, midwives, and tradi-  
2           tional birth attendants for the purposes of im-  
3           proving staffing at clinics and hospitals, and ex-  
4           panding networks of community health edu-  
5           cators.

6           (C) To promote awareness about the  
7           health and nutrition of women, and programs  
8           related to hygiene, sanitation, and immuniza-  
9           tion.

10          (D) To develop, establish, and expand pro-  
11          grams to provide services to women and girls  
12          suffering from post-traumatic stress, depres-  
13          sion, and mental illness.

14          (E) To provide mobile health units that in-  
15          clude reproductive health programs and that  
16          are accessible to women and girls who have  
17          been disabled due to landmines or war-related  
18          injuries, including such women and girls who  
19          are in wheelchairs.

20          (3) EDUCATION AND TRAINING.—Assistance  
21          under this section is authorized to be used to provide  
22          education and training to the people of Afghanistan,  
23          including for the following purposes:

24                 (A) To establish, maintain, and expand  
25                 primary and secondary schools for girls that in-

1           clude mathematics, science, and languages in  
2           their primary curriculum.

3           (B) To develop and expand technical and  
4           vocational training programs for women to en-  
5           able women who participate in such programs  
6           to provide support for themselves and their  
7           families.

8           (C) To develop, maintain, and expand lit-  
9           eracy programs, including economic literacy  
10          programs that promote the well-being of women  
11          and their families.

12          (D) To provide special educational oppor-  
13          tunities for girls whose schooling was ended by  
14          the Taliban and who now face obstacles to par-  
15          ticipating in the normal education system, such  
16          as girls who are now married and girls who are  
17          older than the normal age for their classes.

18          (4) SECURITY, PROTECTION, AND SHELTER.—  
19          Assistance under this section is authorized to be  
20          used to provide security, protection, and shelter for  
21          the people of Afghanistan, including for the fol-  
22          lowing purposes:

23                 (A) To develop and implement programs to  
24                 protect women and girls against sexual and  
25                 physical abuse, abduction, trafficking, exploi-

1           tation, and sex discrimination in the delivery of  
2           humanitarian supplies and services.

3           (B) To direct humanitarian assistance to  
4           the large population of widows and their chil-  
5           dren who are in need in war-torn Afghanistan.

6           (C) To provide emergency shelters, food,  
7           sanitation, health care, and other relief services  
8           to internally displaced women and their fami-  
9           lies.

10          (D) To support the return of refugees and  
11          internally displaced persons, the majority of  
12          whom are women and children, to their home  
13          areas.

14          (E) To provide security measures, such as  
15          building improvements and staffing, for the  
16          purpose of preventing violent attacks to schools  
17          that educate girls and to repair or replace  
18          equipment and facilities of a school that is sub-  
19          ject to such an attack.

20          (F) To improve security for women in the  
21          Loya Jirga and for women who exercise their  
22          right to register to vote and to participate in  
23          elections.

24          (G) To provide security for women's cen-  
25          ters for the purpose of enabling women to par-

1            participate in meetings, discussions, and programs  
2            regarding the constitution, elections, and wom-  
3            en's rights.

4 **SEC. 5. SENSE OF CONGRESS ON THE PROVISIONS OF AS-**  
5 **SISTANCE.**

6            It is the sense of Congress that, in providing assist-  
7            ance under this Act, the President should—

8            (1) condition the provision such assistance on  
9            the recipient adhering to international standards for  
10           women's rights and human rights;

11           (2) place a high priority on the provision of  
12           such assistance to the Afghan Ministry of Women's  
13           Affairs, the Afghan Independent Human Rights  
14           Commission, and other agencies of the Government  
15           of Afghanistan that are able to implement programs  
16           to improve the lives and advance the rights of  
17           women;

18           (3) place a high priority on the provision of  
19           such assistance that will be used to provide to train-  
20           ing and capacity-building programs in Afghanistan;

21           (4) ensure that such assistance is distributed  
22           throughout different regions of Afghanistan on the  
23           basis of need;

24           (5) place a high priority on the provision of  
25           such assistance to non-governmental organizations

1 in Afghanistan that have demonstrated experience in  
2 delivering services to Afghan women and children  
3 and that are—

4 (A) led by women; or

5 (B) located in Afghanistan; and

6 (6) ensure that of the assistance made available  
7 under this Act in each fiscal year not less than 25  
8 percent of such assistance is provided to non-govern-  
9 mental organizations that are—

10 (A) led by women; and

11 (B) located in Afghanistan.

12 **SEC. 6. REPORTING REQUIREMENT.**

13 (a) REQUIREMENT FOR REPORT.—Not less than once  
14 every 6 months, the Secretary of State and the Adminis-  
15 trator of the United States Agency for International De-  
16 velopment shall submit a report to the appropriate con-  
17 gressional committees on the activities carried out under  
18 this Act. Such report shall include the amount of assist-  
19 ance provided under this Act to—

20 (1) the Afghan Ministry of Women’s Affairs;

21 (2) other ministries of the Government of Af-  
22 ghanistan;

23 (3) the Afghan Independent Human Rights  
24 Commission;

25 (4) Afghan nonprofit organizations;

1 (5) international nonprofit organizations; and  
2 (6) United Nations agencies.

3 (b) INITIAL REPORT.—The initial report required  
4 under subsection (a) shall be submitted not later than 60  
5 days after the date of enactment of this Act.

6 (c) TERMINATION OF REQUIREMENT.—Subsection  
7 (a) shall be effective during the 3 year period beginning  
8 on the date of enactment of this Act.

9 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
10 In this section the term “appropriate congressional com-  
11 mittees” means the Committee on Appropriations and the  
12 Committee on Foreign Relations of the Senate and the  
13 Committee on Appropriations and the Committee on  
14 International Relations of the House of Representatives.

15 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) AUTHORIZATION.—There is authorized to be ap-  
17 propriated to the President \$300,000,000 for each of the  
18 fiscal years 2005, 2006, and 2007 to carry out the provi-  
19 sions of this Act, of which—

20 (1) \$20,000,000 is authorized to be available to  
21 the Afghan Ministry of Women’s Affairs for each  
22 such fiscal year; and

23 (2) \$10,000,000 is authorized to be available to  
24 the Afghan Independent Human Rights Commission  
25 for each such fiscal year.

1       (b) AVAILABILITY OF FUNDS.—Amounts appro-  
2   priated pursuant to paragraph (1) are authorized to re-  
3   main available until expended.

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