



HUMAN
RIGHTS
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“I Won’t Be A Doctor, and One Day You’ll Be Sick”

Girls’ Access to Education in Afghanistan

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Map

■ Provinces where Human Rights Watch conducted research for this report



A Note on the Title

In Afghanistan, there is a form of verse known as a *landay* or *landai*. *Landays* are short poems, written by women, and passed on from woman to woman orally. The authors are typically anonymous, and the oral tradition allows them to be shared regardless of whether those sharing them know how to read and write. The title of this report echoes a *landay* attributed to 15-year-old Lima Niazi:

You won't allow me to go to school.
I won't become a doctor.
Remember this:
One day you will be sick.¹

¹ See Pulitzer Center, "The Poetry of Afghanistan's Women," June 7, 2012, <http://pulitzercenter.org/reporting/afghanistan-women-poetry-kabul-helmand-writing-suicide-seamus-murphy> (accessed October 20, 2016).

SUMMARY AND KEY RECOMMENDATIONS

SUMMARY

Sixteen years after the US-led military intervention that ousted the Taliban government, an estimated two-thirds of Afghan girls do not go to school. And as security in the country has worsened, the progress that had been made toward the goal of getting all girls into school may be heading in reverse—a decline in girls' education in Afghanistan.

Forty-one percent of all schools in Afghanistan do not have buildings. Many children live too far from the nearest school to be able to attend, which particularly affects girls. Girls are often kept at home due to harmful gender norms that do not value or permit their education



Girls gather to go home from school. Their classes take place in the tents behind them. Overcrowding, lack of infrastructure and supplies, poorly qualified teachers, and weak oversight mean that children who do go to school may study in a tent or in the open air, with no textbook, for only three hours a day, with widely varying quality of instruction.





Birds fly over Afghanistan's capital, Kabul. The security situation in the country has grown steadily worse in recent years. Fighting in the country has escalated, with the Taliban now controlling or contesting over 40 percent of Afghanistan's districts.



At this Kabul government school, the tents in the vacant lot are a girls' school where over 600 girls study. The buildings in the lot beyond the tents were paid for by international donors; they house a boys' school. Some girls are permitted to study in the buildings during the third shift of classes, after the boys have finished their studies for the day.

Among the Taliban's most systematic and destructive abuses against women was the denial of education. Before the Taliban came to power in 1996, Afghanistan's education system had already been severely damaged during the country's armed conflicts in the 1980s and 1990s. During their five-year rule, the Taliban prohibited almost all education for girls and women. So when Taliban rule collapsed in late 2001, the new government and the countries that had joined the US-led coalition faced two critical challenges: how to re-establish an education system for half the school-age population in a desperately poor country, and how to help girls and women who had been kept from getting an education during Taliban rule catch up on what they had been deprived.

The new Afghan government under then-President Hamid Karzai and its international donors approached these tasks with energy and resources. The government and nongovernmental organizations (NGOs), with donor support, built schools, hired and trained teachers, and reached out to girls and their families to encourage them to attend school. The actual number of girls who, over time, went to school is disputed, but there is broad agreement that since 2001 millions of girls who would not have received any education under the Taliban now have had some schooling.

But this achievement is partial and fragile. Even according to the most optimistic figures regarding girls' participation in education, there are millions of girls who never went to school, and many more who went to school only briefly.



Girls receive lessons in a tent at a government school in Kabul, Afghanistan. Even according to the most optimistic statistics, only slightly more than half of Afghan girls are in school; by the time they reach 15, only a third remain.



The impressive progress the government and its donors have made in getting girls to attend school was a good beginning, not a completed task.

This report examines the major barriers that remain in the quest to get all girls into school, and keep them there through secondary school. These include: discriminatory attitudes toward girls by both government officials and community members; child marriage; insecurity and violence stemming from both the escalating conflict and from general lawlessness, including attacks on education, military use of schools, abduction and kidnapping, acid attacks, and sexual harassment; poverty and child labor; a lack of schools in many areas; poor infrastructure and lack of supplies in schools; poor quality of instruction in schools; costs associated with education; lack of teachers, especially female teachers; administrative barriers including requirements for identification and transfer letters, and restrictions on when children can enroll; a failure to institutionalize and make sustainable community-based education; and corruption.

Numbers

Statistics on the number of children in—and out of—school in Afghanistan vary significantly and are contested. Statistics of all kinds—even basic population data—are often difficult to obtain in Afghanistan and of questionable accuracy. A 2015 Afghan government report stated that more than 8 million children were in school, 39 percent of whom were girls. In December 2016, the minister of education announced that the real number of children in school was 6 million. In April 2017, a Ministry of Education official told Human Rights Watch that there are 9.3 million children in school, 39 percent of whom are girls. All of these figures are inflated by the government’s practice of counting a child as attending school until she or he has not attended for up to three years.

According to even the most optimistic statistics, the proportion of Afghan girls who are in school has never gone much above 50 percent. In January 2016 the United Nations Children’s Fund (UNICEF) estimated that 40 percent of all school-age children in Afghanistan do not attend school. Relying on Afghan government data from 2010-2011, UNICEF said that 66 percent of Afghan girls of lower secondary school age—12 to 15 years old—are out of school, compared to 40 percent of boys that age. In 2016, the US special inspector general for Afghanistan reconstruction wrote: “The MoE [Afghan Ministry of Education] acknowledged a large number of children are out of school, but is unaware of how many, who or where they are, or their backgrounds.” Donors eager to claim the



Boys study in the library of their government school in Kabul, Afghanistan. Girls are not allowed to use the boys' library at this school—instead they have a separate and much smaller library, with no table and chairs, few books, and it is not open for general study and reading but instead remains locked.

success of their efforts may not be as skeptical about education statistics as they should be.

An accurate accounting of the number of girls in school matters, in part because high but inaccurate figures have given the impression that there is a continued positive trajectory when in fact deterioration is happening in at least some parts of the country. According to government statistics, while the number of children in school continued to increase through 2015, the increase has leveled off and become minimal since 2011, with only a 1 percent increase in 2015 over 2014. The World Bank reported that from 2011-

12 to 2013-2014, attendance rates in lower primary school fell from 56 to 54 percent, with girls in rural areas most likely to be out of school. Government statistics indicate that in some provinces, the percentage of students who are girls is as low as 15 percent.

Analysis by the World Bank shows wide variation from province to province in the ratio of girls versus boys attending school, with the proportion of students who are girls falling in some provinces, such as Kandahar and Paktia. These disparities are mirrored in literacy statistics. In Afghanistan, only 37 percent of adolescent girls are literate, compared to 66 percent of adolescent boys. Among adult women, 19 percent are literate compared to 49 percent of adult men. Currently, as the overall security situation in the country worsens, schools close, and donors disengage, there are indications that access to education for girls in some parts of Afghanistan is in decline.

Despite the overall progress, Afghanistan's provision of education still discriminates against women by providing



fewer schools accessible to girls, and by failing to take adequate measures to remedy the disparity in educational participation between girls and boys.

Schooling in Afghanistan

The Afghan government has not taken meaningful steps toward implementing national legislation that makes education compulsory. Although by law all children are required to complete class nine, the government has neither the capacity to provide this level of education to all children nor a system to ensure that all children attend school. In practice, many children do not have any access to education, or, if they do have access to education, it does not extend through class nine.

Even when education is accessible, it is entirely up to parents to decide whether to send their children to school or not. The government has failed to make clear to families that school is important for all of their children and to

Girls cover their faces to protect themselves from the stench of a filthy and malfunctioning restroom in their school. At this school, girls have no toilets of their own and their only option is to use the ones on the far side of the buildings where the boys study. They do not have locking doors and are several minutes' walk from a water point.

ensure that the education system accommodates all students. The government's failure to ensure that education is compulsory violates Afghanistan's obligations under international law and is contrary to its international development commitments under the UN Sustainable Development Goals.

Afghanistan's primary and secondary education system consists of four main types of schools. Government schools are operated and staffed by the government, often with assistance from donors, much of which flows through the Ministry of Education. Community-based education (CBE) is



Girls at a government school in Kabul study outside in a drainage area to avoid the sun. Many girls study in tents, but others lack even that protection. They struggle with frequent class cancellations and difficult conditions due to Afghanistan's harsh climate of heat, cold, wind, dust, snow, and rain.





Boys raise their hands during lessons at a government school in Kabul, Afghanistan. Only 37 percent of adolescent girls are literate, compared to 66 percent of adolescent boys. Among adult women, 19 percent are literate compared to 49 percent of adult men.

a model that has been used to successfully reach many Afghan girls who would otherwise be denied education; it remains entirely outside the government education system and is wholly dependent on donor funding. Madrasas, schools devoted primarily to religious instruction, teach many children but often exclude core subjects in the government’s curriculum. Private schools exist as well, providing an option for some families that can afford fees, believe they will offer a higher quality of instruction, or are in a location where there is no government school.

Barriers to Girls Education Outside of the School System

Harmful gender norms mean that, in many families, boys’ education is prioritized over girls’, or girls’ education is seen as wholly undesirable or acceptable only for a few years before puberty. In a country where a third of girls marry before age 18, child marriage forces many girls out of education. Under Afghan law, the minimum age of marriage for girls is 16, or 15 with the permission of the girl’s father or a judge. In practice, the law is rarely enforced, so even earlier marriages occur. The consequences of child marriage are deeply harmful, and they include girls dropping out or being excluded from education. Other harms from child marriage include serious health risks—including death—to girls and their babies due to early pregnancy. Girls who marry as children are also more likely to be victims of domestic violence than women who marry later.



Poverty drives many children into paid or informal labor before they are even old enough to go to school. At least a quarter of Afghan children between ages 5 and 14 work for a living or to help their families, including 27 percent of 5 to 11-year-olds. Girls are most likely to work in carpet weaving or tailoring, but a significant number also engage in street work such as begging or selling small items on the street. Many more do house work in their family's home. Many children, including girls, are employed in jobs that can result in illness, injury, or even death due to hazardous working conditions and poor enforcement of safety and health standards. Children in Afghanistan generally work long hours for little—or sometimes no—pay. Work forces children to combine the burdens of a job with education or forces them out of school altogether. Only half of Afghanistan's child laborers attend school.

These challenges have been compounded by a security situation that has grown steadily worse in recent years. Armed conflict is escalating, with the Taliban now

Two classes take place back-to-back with only a cloth partition separating them. Even if girls can attend school, whether they stay often depends on the quality of the education.

controlling or contesting over 40 percent of the country's districts. The conflict affects every aspect of the lives of civilians, particularly those living in embattled areas. The United Nations Assistance Mission in Afghanistan (UNAMA) has documented the rising impact of the war on civilians, including thousands of children who have been killed or injured.

For every child killed or injured in the conflict, there are many more deprived of education. Rising insecurity discourages families from letting their children leave home—and families usually have less tolerance for sending



وزكي

ورقية ناغمة
بل مذبوح ابيض

علبة

kiss



Two sisters, ages 9 and 5, work on the streets of Kabul selling chewing gum, earning about US\$2 per day. At least a quarter of Afghan children between ages 5 and 14 work for a living or to help their families.





(above) A girl begs on the streets of Kabul, Afghanistan. Girls are most likely to work in carpet weaving or tailoring, but significant numbers also engage in street work, such as begging or selling items on the street.

(left) A 10-year-old girl sorts through rubbish to salvage plastic containers that she can sell. She leaves home at 6 a.m. and returns at 5 p.m. She does not go to school and works to help support her large family that includes nine brothers and four sisters. None of her siblings attend school.

girls to school in insecure conditions than boys. The school that might previously have been seen as within walking distance becomes off-limits when parents fear that going there has become more dangerous.

The Taliban and other armed groups sometimes target girls' schools, female students and their teachers for attack. Attacks on schools destroy precious school infrastructure. Interviewees told Human Rights Watch about bombings of schools, acid attacks against female students, and threats toward teachers—and a single attack can frighten hundreds of girls' parents out of sending them for years to come. Both government security forces and Taliban fighters sometimes occupy schools, driving students away and making the school a military target.

Beyond the war, there is lawlessness, which means that on their way to school girls may also face unchecked crime and abuse including kidnapping and sexual harassment. There are increased reports of kidnapping—including of children—by criminal gangs. Like acid attacks, kidnappings have a broad impact, with a single kidnapping prompting many families in a community to keep children—especially girls—home.

Sexual harassment also presents a serious barrier to school attendance, as it is unchecked, difficult to prevent, and because of harmful gender norms can have damaging consequences for a girl's reputation. Even when the distance to school is short, sexual harassment by boys and



A photograph showing the interior of a makeshift classroom. The room is constructed from a large, light-colored, heavily worn and torn fabric that serves as the walls and ceiling. The fabric is frayed at the edges and has a prominent vertical tear. The floor is covered with a patterned rug. In the foreground, a pair of red sneakers with white laces and soles sits on the rug. To the right, a blue garment is draped over a surface. The lighting is dim, highlighting the textures of the fabric and the worn state of the environment.

A student sits inside a torn tent used as a classroom in a government school in Kabul, Afghanistan. Students face many challenges in accessing high quality education, including short school shifts, poor infrastructure, lack of supplies, and insecurity.



A concrete blast wall in Kabul. In recent years, security has steadily worsened across the country, including in the capital, which has repeatedly endured attacks targeting civilians. Many families struggling to educate their children face dangers such as gun battles, targeted attacks against girls' education, bombings, kidnapping, harassment, and common crime.

men along the way may force girls out of school. Families that were unsure about whether girls should study or not are easily swayed by rising insecurity into deciding it is better for girls to stay home and, often, to work instead of study.

Barriers to Girls' Education Within the School System

A lack of schools and teachers, especially female teachers, means many girls simply do not have access to a school. Boys also face a lack of schools, but fewer schools accepting girls and greater restrictions on girls' freedom of movement mean that girls are more deeply affected. Community-based education has allowed many girls who could not reach a school to have access to education, but without government support, this system is patchy and unsustainable.



Although government schools do not charge tuition, there are still costs for sending a child to school. Families of students at government schools are expected to provide supplies, which can include pens, pencils, notebooks, uniforms, and school bags. Many children also have to pay for at least some government textbooks. The government is responsible for supplying textbooks, but often books do not arrive on time, or there are shortages, perhaps in some cases due to theft or corruption. In these cases, children need to buy the books from a bookstore to keep up with their studies. These indirect costs are enough to keep many children from poor families out of school, especially girls, as families that can afford to send only some of their children often give preference to boys.

Overcrowding, lack of infrastructure and supplies, and weak oversight mean that children who do go to school may study in a tent with no textbook for only three hours a day. Even when schools have buildings, they are often overcrowded, with some children forced to study outside.

Razor-wire surrounds a public school in Kabul, Afghanistan. Rising insecurity discourages families from letting their children leave home—and families are usually more reluctant to send girls to school in insecure conditions than boys.

Conditions are often poor, with buildings damaged and decrepit, and lacking furniture and supplies. Overcrowding—compounded by the demand for gender segregation—means that schools divide their days into two or three shifts, resulting in a school day too short to cover the full curriculum.

Thirty percent of Afghan government schools lack safe drinking water, and 60 percent do not have toilets. Girls who have commenced menstruation are particularly affected by poor toilet facilities. Without private gender-segregated toilets with running water, they face difficulties



Children peek through a gate at an informal settlement for internally displaced people in Kabul, Afghanistan. The country has well over a million internally displaced people, with displacements ongoing. Displaced families often face insurmountable barriers in obtaining the documentation they need to get their children into school in their new location.

managing menstrual hygiene at school and are likely to stay home during menstruation, leading to gaps in their attendance that undermine academic achievement, and increase the risk of them dropping out of school entirely.

Many parents and students expressed dissatisfaction with the quality of teaching, and some students graduate with low literacy. Teachers face many challenges in delivering high quality education, including short school shifts, gaps in staffing, low salaries, and the impact that poor infrastructure, lack of supplies, and insecurity have on their own effectiveness. Teaching, which often pays under US\$100 per month, is not necessarily seen as a desirable job, and people with limited education and training are often recruited as teachers. A lack of accountability can mean that teachers are frequently absent, and absent teachers may not be replaced.

There is a shortage of teachers overall, and the difficulty of getting teachers, especially female teachers, to go to rural areas has undermined efforts to expand access to school in rural areas, especially for girls. While the number of teaching positions grew annually in the years preceding 2013, it is now frozen. Seven out of 34 provinces have less than 10 percent female teachers, and in 17 provinces, less than 20 percent of the teachers are women. The shortage of female teachers has direct consequences for many girls who are kept out of school because their families will not accept their daughters being taught by a man. There is particular resistance to older girls being taught by male teachers.



Children play along the dirt roads at an informal settlement for internally displaced people (IDPs) in Kabul. IDPs and returning refugees often struggle to get their children into school as they try to settle into a new location, often having endured trauma and loss of possessions and livelihood through flight or deportation.







Some government policies undermine the effort to get girls in school. Government schools typically have a number of documentation requirements, including government-issued identification, and official transfer letters for children moving from one school to another. While these requirements might seem routine, for families fleeing war, or surviving from one meal to the next, they can present an insurmountable obstacle that keeps children out of school. Restrictions on when children can register can drive families away, and policies excluding children who are late starting school constitute a de facto denial of education to many children. These barriers can be particularly harmful for girls, as discriminatory gender roles may mean that girls are more likely to lack identification, and to seek to enroll late and thus be affected by age restrictions and restrictions on enrolling mid-year. When families face difficulty obtaining the documentation necessary for a child to register or transfer, they may be less likely to go to great efforts to secure these documents for girls.

Afghanistan has well over a million internally displaced people, with more people being displaced all the time. Internally displaced families often face insurmountable barriers in obtaining the documentation they need to get their children into school in their new location. Families returning from other countries—often because of deportation—face similar challenges.

Community-based education programs (CBEs) are often an Afghan girl's only chance at education. The opening of a nearby CBE can mean access to education for girls who would otherwise miss school, and research has demonstrated the effectiveness of CBEs at increasing enrollment and test scores, especially for girls. CBEs can be an effective strategy to tackle many of the systemic barriers to girls' education, including the long distances to school, insecurity on the route to school, and the lack of female teachers, among others. However, to date CBEs are exclusively operated by NGOs and entirely funded by foreign donors. The absence of long-term strategic thinking by government and donors exposes CBE programs—and students—to unpredictable closures, which can compromise students' educational future.

A class at a community-based education program in Kabul, Afghanistan. Community-based education programs are funded through and operated by nongovernmental organizations with the expectation that the government provides oversight. These programs—often referred to as “classes” rather than schools, as they are often based in homes—frequently consist of a single class of 25 or 30 students. They are designed to provide access to education in communities where there is no nearby school.

As Afghanistan’s school system struggles—and often fails—to meet the needs of students, there is very little extra support or access to education for children who have disabilities.

Regular government schools typically have no institutionalized capacity to provide inclusive education or assist children with disabilities. Children with disabilities who attend regular schools are unlikely to receive any special assistance. Only a few specialized schools for children with disabilities exist, and they are of limited scope. With no system to identify, assess, and meet the particular needs of children with disabilities, they often instead are kept home or simply fall out of education.

The corruption present in most Afghan institutions undermines the education sector as well, most markedly in the large bribes demanded of people seeking to become teachers. Afghanistan is ranked as one of the most corrupt countries in the world, and Afghans asked to name the three most corrupt institutions in Afghanistan listed the Ministry of Education third, out of 13 institutions. Corruption takes many forms in the education sector, including: corruption in the contracting and delivery of construction and renovation contracts; theft of supplies and equipment; theft of salaries; demand for bribes in return for teaching and other positions; demands for bribes in return for grades, registration of students, provision of documents, among other things; and “ghost school” and “ghost teachers”—schools and teachers that are funded but do not actually exist.

Students at a community-based education program in Kabul, Afghanistan. These programs are often an Afghan girl’s only chance at education and provide a temporary solution to some of the systemic barriers to girls’ education, including long distances and insecurity on the way to school, and the lack of female teachers.









“When a [school] building is made for boys, it should be made for the girls as well. the rights of girls and boys are equal.”

Donor Support to Education in Afghanistan

While Afghanistan has in recent years been one of the largest recipients in the world of donor funding, only between 2 and 6 percent of overseas development assistance has gone to the education sector. Bureaucratic hurdles, low capacity, corruption, and insecurity have contributed to even these funds often going unspent by the Afghan government. The government spends less on education than certain international standards recommend, as measured against gross domestic product (GDP) and the total national budget, reflecting in part how donors have allocated their funding.

In November 2016, donors and the Afghan government convened for the Brussels Conference on Afghanistan, where donors pledged US\$15.2 billion in aid for Afghanistan over the next four years. The goal of the conference organizers was to sustain aid at or near current levels, and this figure was seen as representing an achievement of that goal.

Despite the large pledges made at the Brussels Conference, the overall outlook for aid in Afghanistan is downward. NGOs report that they are feeling the effects of reductions in funding, and this is already having an impact on the many girls studying outside the government’s education system. The impact on girls’ education could be even greater in the future, as government fixed costs—especially for security forces—take up a growing proportion of a declining aid budget.

Another change in donor funding that has affected girls occurred as international troops withdrew from many provinces in 2014, taking their funding with them. Under the system previously in place through the NATO military command, specific troop-contributing countries had security responsibility for each province, through a system of Provincial Reconstruction Teams. These countries typically invested in development aid, including for education, in the same province. As the troops drew down, the aid funding typically did as well. The result was that some provinces, particularly those that had been recipients of higher levels of aid funding, have already seen a steep decline in funds.

A 12-year-old student stands up during lessons at a government school in Kabul, Afghanistan. The class takes place in a tent.

Legal Obligations

Education is a basic right enshrined in various international treaties ratified by Afghanistan, including the Convention on the Rights of the Child (CRC), and the International Covenant on Economic, Social and Cultural Rights.

Afghanistan has also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which includes an obligation to ensure women equal rights with men, including in the field of education.

Under international human rights law, everyone has a right to free, compulsory, primary education, free from discrimination. International law also provides that secondary education shall be generally available and accessible to all.

Governments should guarantee equality in access to education as well as education free from discrimination. The Afghan government has a positive obligation to remedy abuses that emanate from social and cultural practices. Human rights law also calls upon governments to address the legal and social subordination women and girls face in their families, provisions violated by Afghanistan's tolerance of a disproportionate number of girls being excluded from school.

International law obligates governments to protect children from child marriage, and from performing work that is hazardous, interferes with a child's education, or is harmful to the child's health or physical, mental, spiritual, moral, or social development. Children with disabilities have a right to access to inclusive education, and to be able to access education on an equal basis with others in their communities.

In implementing their obligations on education, governments should be guided by four essential criteria: availability, accessibility, acceptability, and adaptability. Education should be available throughout the country, including by guaranteeing adequate and quality school infrastructure, and accessible to everyone on an equal basis. Moreover, the form and substance of education should be of acceptable quality and meet minimum educational standards, and the education provided should adapt to the needs of students with diverse social and cultural settings.

Governments should ensure functioning educational institutions and programs are available in sufficient quantity within their jurisdiction. Functioning education institutions should include buildings, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and, where possible, facilities such as a library, computer facilities and information technology. It is widely understood that any meaningful effort to realize the right to

education should make the quality of such education a core priority.

The Afghan government also has a legal obligation to take all appropriate legislative, administrative, social, and educational measures to protect children from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, and maltreatment. Permitting the use of corporal punishment is inconsistent with this obligation.

In the past 16 years, the Afghan government and its international backers have made significant progress in getting girls into school. But serious obstacles are still keeping large numbers of girls out of school and there is a real risk that recent gains will be reversed.

It is therefore urgent that the Afghan government and international donors redouble their efforts to remove or mitigate the barriers to girls' education enumerated in this report in order to guarantee girls' right to primary and secondary education in Afghanistan.



A 12-year-old lives with her family in an informal settlement of internally displaced people in Kabul. She attended school when she was 9 years old for only 10 days before returning to her work collecting cartons to help support her family. Although government schools do not charge tuition, there are still costs for sending a child to school, including pens, pencils, notebooks, uniforms, and school bags.





Girls play in the courtyard of their government school in Kabul, Afghanistan.

KEY RECOMMENDATIONS

TO THE AFGHAN GOVERNMENT

- Take concrete steps, with international assistance, to realize the right to primary and secondary education and achieve Sustainable Development Goal target 4.1, to ensure that all girls and boys complete free, equitable, and quality primary and secondary education by 2030.
- Gradually roll out compulsory education across the country, including through expanding access to education, public awareness strategies, plans for engaging community leaders, and systems for identifying and engaging out-of-school children and their families. Develop, and ensure compliance with, guidelines that require government schools to ensure that all children of compulsory school age enroll and complete at least lower secondary school.
- Promptly implement the National Action Plan to end child marriage, with the goal of ending all child marriage by 2030, as aimed for in Sustainable Development Goal target 5.3.
- Strengthen the role of the province-level Child Protection Action Networks (CPANs) and give them responsibility for assisting all out-of-school children. Ensure that educators, communities and local government officials work with the local CPAN to protect the most vulnerable children, including out-of-school children, and children at risk of child marriage and child labor, and provide them with access to child protection services, where available.
- Ensure teachers are provided domestically competitive salaries, commensurate with their roles, and provide financial incentives to encourage teachers, especially female teachers, to work in remote or under-served areas of the country.
- Ensure that all newly constructed schools have adequate boundary walls, toilets, and access to safe water, and work promptly to install these in existing schools without them.
- Ensure universal access to free primary and secondary education, by providing all needed school supplies, abolishing uniform requirements, reforming the system for providing textbooks, hiring and deploying more female teachers, and rehabilitating and building new schools.
- Issue orders to all Afghan security forces, including the Afghan military, police, and pro-government militias to avoid use of schools for military purposes.

Methodology

This report is primarily based on research conducted in Afghanistan in May and July 2016. Human Rights Watch researchers carried out a total of 249 individual and group interviews, mainly in Balkh, Kabul, Kandahar, and Nangarhar provinces.

Most of the interviewees—a total of 134—were girls who had missed all or significant portions of their primary and secondary education. The majority of these girls were 11 to 18 years old. We also interviewed 31 boys who had missed significant portions of their education. In addition to interviewing children, we also interviewed parents, sometimes as part of an interview with a family group. The remainder of the interviews were with Afghan government officials, community leaders, donors, educators, and education experts. All research was conducted in Afghanistan except for three interviews with education experts outside the country.

Interviews with children were conducted at community-based education and vocational program sites, at schools, and in their homes. Whenever possible, interviews were conducted privately with only the interviewee, a Human Rights Watch researcher, and, where necessary, an interpreter present. Interviews were conducted in Dari, Pashtu, and, with some experts and officials, in English.

All interviewees were advised of the purpose of the research and how the information would be used. We explained the voluntary nature of the interview and that they could refuse to be interviewed, refuse to answer any question, and terminate the interview at any point. Some interviews were recorded, for later reference; all interviewees who were recorded were given the choice to refuse to have the interview recorded. Interviewees did not receive any compensation. The names of children and family members have been changed to pseudonyms to protect their privacy. The names of other interviewees have sometimes been withheld at their request.

We selected research sites in Kabul, Kandahar, Balkh, and Nangarhar with the goal of getting a sample of different experiences, including from internally displaced people, and hearing from people dealing with various levels of insecurity related to the war. Security challenges and transportation challenges also affected our choice of provinces and our

ability to move within those provinces, and sometimes sharply limiting the amount of time we could spend at interview sites. Despite this, we were able to visit multiple sites in each province, including a number of rural areas outside city centers.

In this report, the terms “child” and “children” are used to refer to anyone under the age of 18, consistent with usage under international law.

At the time of the research for this report, the exchange rate was approximately 69 Afghanis=US\$1. We have used this rate for conversions in the text. Afghanis are often referred to, including in quotes, as “Afs.”

I. Background

This is the era of education, so you should study. Illiteracy won't cure anything—illiteracy is useless.

—A guardian to eight siblings seeking an education, Mazar-i Sharif, July 2016

The 2001 invasion of Afghanistan by the United States and its allies following the September 11 attacks on the US was presented as a war in part to advance women's rights. US and other leaders repeatedly cited the dire situation of Afghan women under Taliban rule as a justification for intervention.

Since taking power in Afghanistan in 1996, the Taliban had almost entirely shut girls out of education. After the defeat of the Taliban government in late 2001, rebuilding the education system for girls became a priority for the new government and its donors. Hundreds of millions of dollars were invested in getting girls into school, and ambitious plans were put forward to help women who had missed out on education to catch up.

A great deal was accomplished toward achieving these goals. Millions of girls who would have been denied education under the Taliban began going to school.²

Number of Girls in School

The actual number of girls in school in Afghanistan has always been a loose estimate.³ Statistics of all kinds—even basic population data—are often difficult to obtain in Afghanistan and of questionable accuracy. A 2015 Afghan government report stated that more than 8 million children were in school, 39 percent of whom were girls.⁴ In December 2016, the minister of education announced that the number of children in school was 6

² Anisa Shaheed, "Minister Sets Record Straight, Only Six Million In School," *Tolo News*, December 18, 2016, <http://www.tolonews.com/afghanistan/education-minister-sets-record-straight-only-six-million-scho> (accessed February 20, 2017).

³ Ali Yawar Adili, Afghanistan Analysts Network, "A Success Story Marred by Ghost Numbers: Afghanistan's inconsistent education statistics," March 13, 2017, <https://www.afghanistan-analysts.org/a-success-story-marred-by-ghost-numbers-afghanistans-inconsistent-education-statistics/> (accessed May 16, 2017).

⁴ Ministry of Education, "Afghanistan Education for All 2015 National Review," 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p. 2.

million.⁵ At times the Ministry of Education appears to have included in its count refugee children studying in Pakistan and Iran.⁶ In April 2017 an education ministry official told Human Rights Watch that 9.3 million children were in school, 39 percent of whom are girls.⁷ He also said that about 3.5 million children are out of school, about 85 percent of whom are girls.⁸

However, some have found the government numbers of children in school to be suspect. In January 2016, the United Nations children’s agency, UNICEF, estimated that 40 percent of children in Afghanistan do not attend school.⁹ Relying on Afghan government data from 2010-2011, UNICEF also reported that 66 percent of Afghan girls of lower secondary school age—12 to 15 years old—are out of school, compared to 40 percent of boys that age.¹⁰ In 2016, the US Special Inspector General for Afghanistan Reconstruction wrote: “The MoE [Ministry of Education] acknowledged a large number of children are out of school, but is unaware of how many, who or where they are, or their backgrounds.”¹¹

There are good reasons to be skeptical about the government’s numbers. The government does not stop counting children as being in school until they have not attended for three years because “they might return to school.”¹² A 2015 investigation of 50 US-funded schools in seven provinces heavily affected by the conflict found not only that over 10 percent of the schools were not functioning, but that in those that were functioning, the number of students present was far smaller than the number the Ministry of Education listed as being enrolled—including a 40 percent over-counting of girls.¹³ The deputy

⁵ Anisa Shaheed, “Minister Sets Record Straight, Only Six Million in School,” *Tolo News*, December 18, 2016, <http://www.tolonews.com/afghanistan/education-minister-sets-record-straight-only-six-million-scho> (accessed February 20, 2017).

⁶ Ali Yawar Adili, Afghanistan Analysts Network, “A Success Story Marred by Ghost Numbers: Afghanistan’s inconsistent education statistics,” March 13, 2017, <https://www.afghanistan-analysts.org/a-success-story-marred-by-ghost-numbers-afghanistans-inconsistent-education-statistics/> (accessed May 16, 2017).

⁷ Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, April 26, 2017.

⁸ *Ibid.*

⁹ “One in four children in conflict zones are out of school,” UNICEF press release, January 12, 2016, https://www.unicef.org/media/media_89782.html (accessed February 23, 2016).

¹⁰ United Nations Children’s Fund (UNICEF), “State of the World’s Children 2016,” <https://www.unicef.org/sowc2016/> (accessed February 23, 2016).

¹¹ Special Inspector General for Afghanistan Reconstruction (SIGAR), “Quarterly Report to the United States Congress,” July 30, 2016, <https://www.sigar.mil/pdf/quarterlyreports/2016-07-30qr.pdf> (accessed February 23, 2016), p. 185.

¹² *Ibid.*

¹³ Azmat Khan, “Ghost students, ghost teachers, ghost schools,” *Buzzfeed News*, July 9, 2015, https://www.buzzfeed.com/azmatkhan/the-big-lie-that-helped-justify-americas-war-in-afghanistan?utm_term=.phvmPNO4V#.otBBMY9Go (accessed February 21, 2016).

minister of general education confirmed to Human Rights Watch that children continue to be counted as being in school for several years after they have dropped out; he asserted that this reflects the “need to give them the opportunity to come back” but also said that the government is looking at ways to improve data to “show who is not attending.”¹⁴

Donor governments and inter-governmental organizations eager to claim the success of their support for education have not been as skeptical about government figures as they should have been, and now face significant challenges tracking how education funds were used. For example, in 2016, the US Special Inspector General for Afghanistan Reconstruction (SIGAR) issued a report reviewing US government spending between 2002 and 2014 on education in Afghanistan.¹⁵ The report called for better assessments of whether US government efforts “have led to improvements in education or increased stability in Afghanistan.” SIGAR also called on the United States Agency for International Development (USAID) “to acknowledge the source and reliability of data ... and clearly explain whether there is a causal connection between USAID efforts and documented progress.”¹⁶

A more accurate assessment of the number of girls in school matters, in part because overstated high numbers have helped give the impression that there is a continued positive trajectory, when in fact numbers are actually decreasing in some parts of the country. Even according to the most optimistic statistics, only slightly more than half of Afghan girls are in school. According to government statistics, while the number of children in school continued to increase through 2015, the rate of increase has leveled off and become minimal since 2011, with only a 1 percent increase in 2015 over 2014.¹⁷ When the number of children enrolled in school increases over time, a decline in the annual rate of increase in enrollment is understandable. However, with over 3.5 million children not attending school, a 1 percent rate of increase is insufficient to ensure that children are accessing their right to education.

¹⁴ Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, May 7, 2016.

¹⁵ SIGAR, “SIGAR 16-32 Audit Report: Primary and Secondary Education in Afghanistan: Comprehensive Assessments Needed to Determine the Progress and Effectiveness of Over \$759 Million in DOD, State, and USAID Programs,” April 2016, <https://www.sigar.mil/pdf/audits/SIGAR-16-32-AR.pdf> (accessed February 22, 2017).

¹⁶ *Ibid.*

¹⁷ Ministry of Education, “Education Joint Review: General Education Review Report,” March 2016, p. 28 (pages unnumbered), on file with Human Rights Watch.

The World Bank reported that between 2011 and 2013, attendance rates in lower primary school fell from 56 to 54 percent, with girls in rural areas most likely to be out of school.¹⁸ Government statistics indicate that in some provinces, the percentage of students who are girls is as low as 15 percent.¹⁹

Throughout Afghanistan, only 37 percent of female youths and 19 percent of adult women are literate, compared to 66 percent of male youth and 49 percent of adult men.²⁰ Analysis by the World Bank shows wide variation from province to province in the ratio of girls versus boys attending school, with the proportion of students who are girls falling in some provinces including Kandahar and Paktia.²¹ As the overall security situation worsens, schools close, and donors disengage, there are signs that access to education for girls in at least some parts of Afghanistan is in decline.

Government expenditure on education has fluctuated significantly in recent years, and remains low. According to certain international standards, the government should spend at least 15 to 20 percent of total national budget, and 4 to 6 percent of GDP, on education.²² As the United Nations noted, “[l]east developed countries need to reach or exceed the upper end of these benchmarks” if they are to achieve Sustainable Development Goal 4 to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” by the target date of 2030.²³ As of 2016, 13 percent of Afghanistan’s public expenditure, and 4 percent of GDP, was spent on education.²⁴

¹⁸ World Bank, “Afghanistan: Poverty Gaining Ground,” undated, <http://documents.worldbank.org/curated/en/300161493795316212/pdf/114741-WP-v2-P159553-PUBLIC-2-5-2017-10-59-52-AfghanistanInfographicDec.pdf> (accessed May 12, 2017).

¹⁹ “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), p. 105.

²⁰ United States Agency for International Development (USAID) and European Commission, “Afghanistan Gender Country Profile—final report: short version,” September 21, 2016, p. 9, on file with Human Rights Watch.

²¹ Christina Wieser and Walker Bradley, “Who goes to school? Here’s what Afghanistan’s Provincial Briefs tell us about primary school attendance,” post to World Bank blogs, April 6, 2017, <http://blogs.worldbank.org/endpovertyinsouthasia/who-goes-school-here-s-what-afghanistan-s-provincial-briefs-tell-us-about-primary-school-attendance> (accessed May 11, 2017).

²² United Nations Educational, Scientific and Cultural Organization (UNESCO) et al., “Education 2030: Framework for Action,” December 2015, <http://unesdoc.unesco.org/images/0024/002456/245656E.pdf> (accessed June 14, 2017), art. 105.

²³ Ibid.

²⁴ Islamic Republic of Afghanistan, “Fiscal Year 1396 Budget,” http://www.budgetmof.gov.af/images/stories/DGB/BPRD/National%20Budget/1396_Budget/1396%20National%20Budget%20-%20Approved%20-%20English%20dated%2025Feb2017.pdf (accessed June 14, 2017), p. 12.

Compulsory Education in Afghanistan

The government should make all girls go to school.

—Feroza, 14, in her second year at a community-based education program, Mazar-i Sharif, July 2016

Under Afghan law, intermediate (basic) education is compulsory, which means that students must attend until the end of class nine.²⁵ However, the authorities have neither the capacity to provide this level of education to all children, nor a mechanism to enforce the requirement that all children attend school. They do not tell parents that they must send their children to school. In practice, many children do not have access to education or, if they do have access, it does not extend through class nine. Even when education is available, there is no government mechanism to seek out out-of-school children and enroll them, or to do outreach to children who drop out of school and their families. There are no consequences for families that do not send their children to school.

Armed conflict and lack of resources create real obstacles for the Afghan government in providing universal access to education. Deeply rooted, harmful gender norms mean that any efforts by the government to compel parents to send girls to school would be controversial, could lead to violence, and could have an impact on the government's efforts to win support away from the Taliban. More importantly, the government has failed to send families the message that school is important for all of their children and to ensure that the education system accommodates all students.

Choice of Schools

There are four main types of school for children in Afghanistan: government schools, community-based education programs (commonly referred to as CBEs), religious schools or *madrasas*, and private schools. Families send children to different types of schools depending on the circumstances of the individual child, or the changing circumstances of the family, sometimes driven by changes in the family's location, the impact of the conflict, and restrictions on girls' education.

²⁵Education Law, Decree No. 56, *Official Gazette*, No. 955, 2008, (31/4/1387), art. 4; Human Rights Watch interview with director general of general education, Ministry of Education, Kabul, May 8, 2016.

Government Schools

Afghan government data states that there are 14,658 government general education schools in the country.²⁶ These schools use a government curriculum that is intended to be consistent across the country.

Most of Afghanistan’s schools, including government schools, are segregated by gender, with boys and girls studying separately, and virtually all studies from class ten on are separated by gender.²⁷ Even when girls and boys study separately, however, the shortage of schools often result in girls and boys attending separate shifts at the same school. Only 16 percent of schools in Afghanistan are exclusively for girls.²⁸

Community-Based Education Programs

One of the major donor initiatives to try to get more children, especially girls, into school was the creation of community-based education programs (CBEs), which are funded through and operated by NGOs, with the expectation that the government provides oversight. These programs—often referred to as “classes” rather than schools, as they are often based in homes—frequently consist of a single class of 25 or 30 students. They are designed to provide access to education in communities where there is no school nearby. They are also intended to assist children who are behind in their studies, by accepting children who are too old to be admitted to government schools. Many CBEs offer an accelerated program of study, condensing two years’ worth of material into a single year, with the goal of helping children catch up so that they can go to a government school after completing a CBE.

CBE classes use the same curriculum as government schools, including the same textbooks.²⁹ There is variety in the number of classes covered by these programs with

²⁶ “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), p. 88. The Ministry of Education says that there are 17,500 schools in total, presumably including private schools. Ministry of Education, “Education in Afghanistan: At a Glance, From 2001 to 2016 and beyond,” undated, provided to Human Rights Watch in April 2017 by Deputy Minister of General Education Dr. Ibrahim Shinwari, on file with Human Rights Watch.

²⁷ Human Rights Watch interview with director general of general education, Ministry of Education, Kabul, May 8, 2016.

²⁸ Ministry of Education, “Afghanistan Education for All 2015 National Review,” 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p. 25.

²⁹ Human Rights Watch interview with CBE administrator [name withheld], Kabul, July 16, 2016.

some going through class six, but others ending after class three, four or five. Many CBEs give priority to holding classes for girls, and these classes are typically for girls only, and taught solely by female teachers.

Religious Education

Madrasas, which have limited oversight by government, provide a range of programs, from brief one-hour sessions focused solely on religious teaching to centers offering a school day as long that of a government school or a CBE, and covering religion plus secular educational subjects such as reading, writing, math, and science.

According to government statistics, there are 805 *madrasas* in the country, but this likely reflects only schools registered with and recognized by the government.³⁰ Some educators believe the number of unregistered *madrasas* is much higher.³¹

Few Afghan schools are fully secular. Afghanistan is an Islamic republic, not a secular state, and the official government curriculum used in both government schools and CBEs includes Islamic studies. But because many *madrasas* are unregistered and operate outside the government education system, they may not use the government curriculum, and children cannot necessarily easily transfer from a *madrasa* to a government school.

Private Schools

Afghanistan has a wide variety of private schools, from primary to the university level. Government statistics indicate that there are 1,051 general education private schools from primary through high school levels across the country.³² Some families who can afford it choose private schools that they believe are of better quality than government schools. Others choose private education because they live in areas where there is a private school but no government school.

³⁰ “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), p. 118.

³¹ Human Rights Watch interview with government university professor [name withheld], Mazar-i Sharif, July 22, 2016.

³² “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), p. 114.

The government is responsible for monitoring private schools, but this is complicated by some private schools not being formally registered.³³

Demand for Girls' Education

If you are illiterate, you're worthless.

–Asif, 62, father of five children, whose educations have been disrupted by being refugees, Mazar-i Sharif, July 2016

When the US-led coalition ousted the Taliban in late 2001, some families were ready to send their daughters to school the next day. Some girls' desire for an education was so strong that they went to multiple schools at the same time. Others needed more convincing.

“Even when the Taliban fell, people didn't want to send their girls to school,” a long-time educator in Kandahar said. “We started CBE classes, and girls came slowly, but after [they completed the classes] families let them go to government schools.”³⁴

Educators said they have seen a change in the level of demand for education over time since 2001. “Fifteen years ago, no one wanted to send girls to school, but now especially in the north that has really ... changed,” the director of an organization in Balkh said.³⁵

In Kandahar, the director of a training program said: “In general, the population's attitude has completely changed.... They want the future to be better—they want education. They see that opportunities are available and they are interested.”³⁶

With increased demand has come the beginnings of stigma associated with not sending children to school. “There was a time when people would say it is better for a child to carry wood than to go to school,” said an Afghanistan Independent Human Rights Commission (AIHRC) official. “Now a man will carry wood to pay fees for his child at school.”³⁷

³³ Maiwand Safi and Mina Habib, “Afghan Private Schools Under Scrutiny: Education ministry closes ten schools and warns many others to raise standards,” *Institute for War & Peace Reporting*, October 31, 2011, <https://iwpr.net/global-voices/afghan-private-schools-under-scrutiny> (accessed May 12, 2017).

³⁴ Human Rights Watch interview with CBE staff member [name withheld], Kandahar, July 19, 2016.

³⁵ Human Rights Watch interview with the head of an NGO [name withheld], Mazar-i Sharif, July 22, 2016.

³⁶ Human Rights Watch interview with the director of a training program [name withheld], Kandahar, July 17, 2016.

³⁷ Human Rights Watch interview with AIHRC official [name withheld], July 2016.

Numerous education experts and government officials described a divide between urban and rural areas, with higher demand and greater access to education in urban areas.³⁸ “Public awareness is succeeding,” one government education official said. “People are interested in enrolling their children, especially boys. For girls, we still have a problem. Parents send girls in cities.”³⁹

This divide is exacerbated by security problems related to the conflict, which are often worse outside cities, and by a related lack of government presence in and outreach to rural areas. Provincial education departments vary in the extent to which they have a presence in rural districts, and the central ministry may be even more insular.

For many families, moving from a village to a city changes their views on girls’ education. Gulpari, 14, moved from a village to Mazar-i Sharif when she was 10 years old, after her father got a job in the city. She is the oldest of six children; in the village, she did not attend school, and after the family moved to the city, her younger brothers were sent to school while she stayed home. When Gulpari was 12, however, a CBE opened nearby and her parents let her attend. Now they also pay for her to attend math classes at a private school and they support her dream of becoming a doctor. “When they came to the city they realized it’s good to get an education,” Gulpari said. “When they saw other girls going to school, they thought it was good. [In the village] there was a school at a far distance, but girls were not allowed to go—only boys were allowed. The government should make a lot of schools all around villages—people will come.”⁴⁰

Some families go to great lengths to obtain education for their children. Families interviewed for this report described moving from one neighborhood to another, from rural areas to the city, or even across several provinces, in search of access to a school.

Some families choose to separate when that is the only option to educate their children. Mujahida, 13, and her five sisters and two brothers all moved from Samangan to Mazar-i Sharif without their parents so that they could go to school, because the nearest school in

³⁸ For example: Human Rights Watch interview with CBE administrator, Kabul, July 16, 2016; Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

³⁹ Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

⁴⁰ Human Rights Watch interview with Gulpari, Mazar-i Sharif, July 21, 2016.

Samangan was five or six villages away. They are looked after by a young cousin who is a high school student.⁴¹

For families displaced from their homes, if their children can access education in the location to which they have been displaced, this may be a strong reason not to go home. “If the situation remains bad in our village, we will not leave Jalalabad,” a woman displaced from an ISIS-controlled area said. “We like it here because our girls can continue school easily.”⁴²

Rising insecurity and poverty may be eroding support for girls’ education. A survey conducted annually since 2006 found that the percentage of Afghans who agree or strongly agree with the statement “Women should have equal opportunities like men in education,” has declined from 91 percent in 2006 to 81 percent in 2016.⁴³

⁴¹ Human Rights Watch interview with Mujahida, Mazar-i Sharif, July 21, 2016.

⁴² Human Rights Watch group interview with women displaced from ISIS-controlled areas on Nangarhar, Jalalabad, July 26, 2016.

⁴³ Asia Foundation, “Survey of the Afghan People,” data available at <http://asiafoundation.org/where-we-work/afghanistan/survey/> (accessed February 23, 2017).

II. Barriers to Girls' Education Outside the School System

Social Barriers, including Harmful Gender Norms

Communities think education makes girls immodest.

—International expert who had delivered education services in Afghanistan, London, May 2016

In spite of the demand for girls' education, harmful gender norms still keep many girls out of school. Harmful gender norms also account for many of the barriers to education having a disproportionate impact on girls. For example, security concerns or distance are more likely to result in girls being kept out of school, families struggling to meet education costs may prioritize boys, it is often harder for girls to overcome administrative barriers, and lack of female teachers and infrastructure affect girls more.

Gender discrimination is deeply entrenched in Afghanistan, and some families simply do not believe that girls should go to school. Zahra, 15, was never allowed to go to school, even though her father is a teacher in a government school for boys. "The men in [this area] don't like their daughters to go to school," she said. "They think women are only for home chores, so they don't let us go outside—we just stay home." She added that there is often malicious gossip directed at girls who go to school and their families. "Relatives talk badly about you if you go to school," she said. "They say it's shameful that they let their daughter get an education."⁴⁴

CBE programs, which often go door-to-door recruiting students, often experience this resistance. One CBE teacher in Kabul described a family living next door to the program; the father allowed his 16 and 17-year-old daughters to attend, but only if they climbed a ladder over the wall, so that none of the neighbors would know they were studying.⁴⁵

"Some parents say, 'You can stay either in the house or in the grave,'" the manager of a CBE program in Jalalabad said.⁴⁶

⁴⁴ Human Rights Watch interview with Zahra, Kandahar, July 18, 2016.

⁴⁵ Human Rights Watch interview with community-based education teacher [name withheld], Kabul, May 11, 2016.

⁴⁶ Human Rights Watch interview with CBE manager [name withheld], Jalalabad, July 24, 2016.

In rural areas, where schools often remain inaccessible, attitudes are less likely to have changed. An official from the AIHRC said:

In most districts of provinces we work in, there is still a mentality that education of girls, especially after class nine, is unnecessary. There are many reasons for this. First, we are still burning in the flames of war, which prevents both boys and girls from going to school. We're a society where many are denied the blessing of literacy. There is still a large number of mullahs who oppose the education of girls and create hurdles.... In the districts, there is still a large number of people who think that girls shouldn't study or work—they should stay home.⁴⁷

While girls in rural areas face particular challenges, Human Rights Watch also interviewed dozens of girls kept home from school in major cities, including Kabul. The reasons given for this included the idea that girls should not go to school at all, or should go only until they begin to physically mature. “My parents didn’t get an education, so they don’t want us to get it either,” said Kamella, 18, who attended school for five years in Kandahar city, but was forced by her family to quit at age 12.⁴⁸

There is often stigma attached to girls studying, and gossip contributed to many girls interviewed for this report leaving school. Fariba, 11, was the first girl in her family allowed to go to school. “I was crying a lot. I was asking my father and brothers to let me go and they decided to let me go,” she said. “I studied to class three. I got my class four books, but then I left because my parents said [people in] houses in the street are talking and saying, ‘Why does she go to school?’ I was 10,” Fariba said. “They took me out because our people are very bad people and they talked.”⁴⁹

“My younger daughter was very smart, but our people have a backwards mentality and kept passing remarks at me about sending my daughter to school,” said Asif, a 62-year-old father of five. “After a while, my daughter couldn’t bear to see me taunted like that, and quit school.”⁵⁰

⁴⁷ Human Rights Watch interview with AIHRC official [name withheld], July 2016.

⁴⁸ Human Rights Watch interview with Kamella, Kandahar, July 18, 2016.

⁴⁹ Human Rights Watch interview with Fariba, Kabul, May 12, 2016.

⁵⁰ Human Rights Watch interview with Asif, Mazar-i Sharif, July 22, 2016.

Often a single family member has the power to decide whether girls will study. Nazira, 15, said her older sister was never allowed to go to school at all, and it was only luck that allowed her to get five years of schooling. “My elder uncle was alive then and he wouldn’t allow anyone to study. But he died, so I could go.” She was only allowed to go to class five, when she was 12, however, before her parents made her drop out.⁵¹

Girls often described increasing family pressure to leave school as they grew older, due to discriminatory gender norms and greater restrictions on their movement as they approach puberty. Government statistics suggest this, with 2013 data showing that girls made up 41, 36, and 35 percent of students in lower primary, upper primary and lower secondary school, respectively.⁵² In Afghanistan’s universities, as of 2009, only 25 percent of students were women.⁵³ “The higher you go, the more dropouts and the fewer girls,” an education official in Nangarhar said.⁵⁴

“My father said, ‘You are getting older—class eight is enough. You can just read letters and numbers—it’s enough for you,’” said Mary, 10, a CBE student in class three, explaining why she will have to leave school after class eight. “I want to finish class 12 and be a doctor,” she said. “But unfortunately, my parents won’t let me continue.”⁵⁵

A government official gave several reasons for the high dropout rates in the higher classes: a shortage of girls-only schools, parents’ reluctance to send girls to coed school, and a lack of female teachers.⁵⁶

Zarifa, 17, began her studies at a CBE in Kabul at age 7. After four years, she graduated from the CBE with 30 to 35 female classmates. She said that 20 to 25 out of the group transferred together to the closest government school, which is a 20 to 25-minute walk from her home; the CBE was five minutes away. For the girls who did not transfer, she said

⁵¹ Human Rights Watch interview with Nazira, Kandahar, July 17, 2016.

⁵² Ministry of Education, “Afghanistan Education for All 2015 National Review,” 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p. 100.

⁵³ Afifa Kosha et al., “The Resilience of Women in Higher Education in Afghanistan: Obstacles and Opportunities in Women’s Enrollment and Graduation,” Education Resilience Approaches Program/World Bank, 2014, <http://documents.worldbank.org/curated/en/761251467996722866/pdf/939060WPoBox380BLICooRRoAfghanistan.pdf>, p. 9.

⁵⁴ Human Rights Watch interview with Nangarhar province education official [name withheld], Jalalabad, July 26, 2016

⁵⁵ Human Rights Watch interview with Mary, Kandahar, July 18, 2016.

⁵⁶ Human Rights Watch interview with provincial government official [name withheld], July 2016.

the distance was the main factor. She and her classmates found that they were academically well prepared when they started at the government school, but they faced other challenges. “Very few stayed,” Zarifa said. “Some married, some families didn’t allow them to continue, some had security problems.” She said the environment at the school was also difficult. “There are too many students—it is hard to manage them. There is a lack of chairs, of teachers, of classrooms. It is too crowded—some study in tents. There is a lack of books. At one time, I had no books.” Six years later, of the 20 to 25 classmates who transferred to the government school with Zarifa, only 8 to 10 remain. “I didn’t allow myself to be taken out,” Zarifa said. “I had promised to stay and finish.”⁵⁷

When girls are permitted to go to school, there is often a moment when their family decides that they are “too old” to continue. Gul Chehrah, 16, is a student in class four at a CBE. “I am supposed to go to class five, but my father is objecting,” she said. “First through class four was okay, but for five he says I am too old now. I would like to continue, but my father does not accept it.”⁵⁸

For some girls, the moment when their families deem them “too old” for school comes early. Roya, 15, was only 8 when her brothers made her leave school after she had attended for two years. “My brothers said, ‘You are grown up—leave the school.... Girls should not get education—it’s not necessary for girls,’” Roya said.⁵⁹

Some interviewees linked this moment when girls are forced to leave school to physical appearance or “becoming a woman.” Zahra, 15, whose father is a schoolteacher in a government school for boys, never went to school, but her younger sisters were allowed to attend before puberty. “My father said, ‘[w]e won’t let them grow up in school,’” she said. “When they reach the moment they become a woman my father won’t let them go. You become a woman at maybe 12 or 13.” Zahra’s 13-year-old sister has already been removed from school; Zahra thinks the 11-year-old has another year or two.⁶⁰

⁵⁷ Human Rights Watch interview with Zarifa, Kabul, July 16, 2016.

⁵⁸ Human Rights Watch interview with Gul Chehrah, Kandahar, July 19, 2016.

⁵⁹ Human Rights Watch interview with Roya, Kabul, May 12, 2016.

⁶⁰ Human Rights Watch interview with Zahra, Kandahar, July 18, 2016.

Others drew an explicit link with the onset of menstruation. “When you get your period, your family won’t let them go to school, because they are afraid they could be kidnapped or do something,” said Kamella, 18, who was forced to leave school at age 12.⁶¹

Slower physical development may buy girls a bit longer in school. Freshta, 15, the oldest daughter in her family, was forced to leave school at age 13, but her 13-year-old sister is still studying. “They will let her continue even when she becomes an adult,” Freshta said. “They think she will not become an adult because she is not tall. I became tall and then was not allowed to continue school. Whenever one neighbor talks about us that we are grown and why is she going to school, we have to stop.” Freshta’s mother chimed in: “I agree with this rule, because when you are an adult you should take care of the house and your siblings.”⁶²

The view that girls should leave school at a certain age is sometimes linked to fears that if they are outside the home they may engage in romantic or sexual behavior. “There was a case of a girl running away with a teacher,” a journalist said. “As a result, a hundred girls were removed from school.”⁶³

Delara, 17, and her three older sisters were never allowed to go to school. She said her brothers fear that, “[w]e may be in love with a boy, and escape with someone. Our brothers also won’t allow us to use a phone, or wear *hijab* [with their face showing] instead of *burqa* [covering the whole face and body]. My brothers just think like this; we never did anything wrong.” She added: “It’s not for me to decide about my life.”⁶⁴

Parents typically expect to arrange their children’s marriages, so the possibility of a romance is seen as not only an issue of morality, but also a threat to parental control. Kamella, 18, said that she knew of three or four girls in her area who had eloped, and that this is a great fear of parents, “[b]ecause other people will use bad words for your family [if your daughter elopes] and in Kandahar girls are not allowed to select a husband for themselves. It is not changing—still girls marry whomever parents decide.”⁶⁵

⁶¹ Human Rights Watch interview with Kamella, Kandahar, July 18, 2016.

⁶² Human Rights Watch interview with Freshta and her mother, Mazar-i Sharif, 2016.

⁶³ Human Rights Watch interview with journalist [name withheld], July 2016.

⁶⁴ Human Rights Watch interview with Delara, Kandahar, July 18, 2016.

⁶⁵ Human Rights Watch interview with Kamella, Kandahar, July 18, 2016.

Some family members, facing resistance from within the family, go to extraordinary lengths to send girls to school secretly. The mother and older brother of Lailuma, 12, wanted her to study, but her shopkeeper father refused. Three years ago, when a CBE opened nearby, the mother and brother secretly enrolled Lailuma without her father's knowledge, and since then the whole family has worked together to keep it a secret from him that she spends half her day at a CBE. "It's not possible for my sisters to go to school," said Lailuma. "The oldest one, who is about 17, is engaged, and the younger one, about 9, cannot be trusted not to tell father." Lailuma is now in class three, her last year at the CBE. "I'd like to go to class twelve," Lailuma said, "But this is not possible because of my father."⁶⁶

Hamida, 18, is the only girl in a family with five brothers. Her father, an auto mechanic, is so opposed to girls' education that even when, at age 18, Hamida heard about a three-month sewing training program for women, she was able to attend only by hiding her participation from her father. "I cannot come when he is at home—only when he is working. I missed two days for that reason," she said.⁶⁷

Child and Forced Marriage

In Afghanistan, 33 percent of girls marry before the age of 18.⁶⁸ There is no data available on the percentage of girls who marry before the age of 15. Forced marriage of adult women also occurs with some frequency in Afghanistan.⁶⁹ Under Afghan law, the minimum age of marriage for girls is 16, or 15 with the permission of the girl's father or a judge, while boys must wait until they are 18 to marry.⁷⁰ The law's different treatment of males and females violates international law on child marriage. In practice the law is rarely enforced, so even earlier marriages are likely.

Yalda married one year after she began menstruating; she estimates that she was about age 13. Her husband was 75; she was his second wife. She is unsure of her current age, but has six children, the oldest an 8-year-old. She never went to school.⁷¹

⁶⁶ Human Rights Watch interview with Lailuma, Kandahar, July 18, 2016.

⁶⁷ Human Rights Watch interview with Hamida, Kandahar, July 18, 2016.

⁶⁸ UNICEF, "State of the World's Children 2016," <https://data.unicef.org/topic/child-protection/child-marriage/> (accessed February 21, 2016).

⁶⁹ Human Rights Watch, *I had to run away: the imprisonment of women and girls for "moral crimes" in Afghanistan*, March 2012, https://www.hrw.org/sites/default/files/reports/afghanistano312webwcover_o.pdf (accessed February 21, 2016).

⁷⁰ Civil Law of the Republic of Afghanistan (Civil Code), *Official Gazette*, No. 353, January 5, 1977, arts. 70-71.

⁷¹ Human Rights Watch interview with Yalda, Jalalabad, July 26, 2016.

The consequences of child marriage are deeply harmful, and they include girls dropping out or being excluded from education.⁷² Other harms from child marriage include serious health risks—including death—to girls and their babies due to early pregnancy. Girls who marry as children are also more likely to be victims of domestic violence than women who marry later.

Zubaida, 13, has three older sisters, none of whom went to school. “My sisters were very young when they got married—that’s why they didn’t go to school,” Zubaida said. The eldest sister married at 14. Zubaida is unsure what the ages of marriage were for her second and third oldest sisters, but she said her third sister was particularly young. “When she was pregnant we took her to the doctor and he complained: ‘How could parents get a girl married this young?’” Zubaida is in class three and says she hopes to be able to delay marriage and become a doctor. “When someone comes to ask to marry me, my father says, ‘No, I don’t want to marry her—she’s too young. I married my other daughters early, and they faced a lot of problems during pregnancy, so I don’t want to get my two remaining daughters married early.’”⁷³

Being out of school puts girls at heightened risk of child marriage. Afghan government data indicates that girls who did not study are three times as likely to marry before age 18 as girls who completed secondary education or higher. And that lack of access to education is a major driver of child marriage.⁷⁴ Masooma said she was never allowed to go to school because of security problems—instead she married young. It was unclear how old she was when she married, but when Human Rights Watch interviewed her, she said she was 22 years old and the mother of five children.⁷⁵

While there is no legal prohibition on married girls attending school, in reality they are rarely able to do so.⁷⁶ Domestic work, pregnancy and childrearing, and restrictions on the movement of women and girls mean that few in-laws are prepared to have married girls continue studying. “About 10 girls a year marry,” a high school teacher told Human Rights

⁷² Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, May 7, 2016; Human Rights Watch interview with Nangarhar province education official [name withheld], Jalalabad, July 26, 2016.

⁷³ Human Rights Watch interview with Zubaida, Kandahar, July 18, 2016.

⁷⁴ Government of Afghanistan and United Nations Population Fund (UNFPA), “National Action Plan to End Early and Child Marriage in Afghanistan: 2017–2021,” July 2016, on file with Human Rights Watch, p.10.

⁷⁵ Human Rights Watch interview with Masooma, Kandahar, July 18, 2016.

⁷⁶ Human Rights Watch interview with director general of general education, Ministry of Education, Kabul, May 8, 2016.

Watch, referring to his school where there were 800 students in classes one through twelve. “When they get married they are not allowed to go to school.”⁷⁷

Palwasha, 16, was a student in class three at a CBE program in Mazar-i Sharif when she spoke to Human Rights Watch. “When I finish class four, I want to go to a government school. At least that’s my plan. But I am engaged and I don’t know if I will be allowed by my in-laws to go to school,” she said. Her engagement was three months before Human Rights Watch interviewed her in July 2016, and she expected the wedding to be in the following month or two. “My husband said he will allow me to continue my education, but I’m afraid my in-laws might not allow me. They said, ‘Nobody in our family went to school, so you shouldn’t study either.’ I told them, ‘No problem, I will do what you say.’ I told them that, but I am very interested in continuing my education. My husband supports my education, but he can never disobey his parents.”⁷⁸

Poverty both keeps many girls out of school and encourages child marriage. Tarana, 18, is the oldest girl in her family. She was never able to go to school, in part because her father was killed in a bombing when she was 15. After his death, the family faced financial problems, and Tarana was married to her cousin at age 15. She was pregnant when Human Rights Watch interviewed her. Her sister, however, just a year younger, started studying at age 13 or 14 and is still studying at a government school at age 17. Their 12-year-old sister also goes to government school. “I had expected to go to school,” Tarana said. “But because of financial difficulties after my father was killed, I couldn’t. Now my sisters are getting an education.”⁷⁹

Monira, 40, lost both her husband and her son in an accident, and she is now in the uncomfortable position of living with and being financially dependent on her dead husband’s family. She said she was unable to send her two daughters, ages 13 and 15, to school “because we have no money.” The 15-year-old is married, and the 13-year-old is engaged. Both girls and their mother are now in a class to learn sewing skills, in hopes of finding a way to provide for themselves.⁸⁰

⁷⁷ Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

⁷⁸ Human Rights Watch interview with Palwasha, Mazar-i Sharif, July 21, 2016.

⁷⁹ Human Rights Watch interview with Tarana, Kandahar, July 18, 2016.

⁸⁰ Human Rights Watch interview with Monira, Kandahar, July 17, 2016.

A child marriage by one girl in a family can result in another girl having to leave school to take over the married girl's work. Chehrah's sister was engaged at birth to a cousin. At age 16, the marriage took place. Chehrah, then 12, had been studying but her father made her leave school as her mother now needed her to replace her sister doing housework.⁸¹

Even when the marriage itself is deferred, an engagement is often enough to force a girl out of school. Gulnaz's sister's wedding won't take place for five more years, but her sister had to leave school as soon as she was engaged at age 16.⁸² "My second oldest sister went to school until class six before she got engaged and had to stop," said Samira, 11.⁸³

One form of arranged marriage practiced in Afghanistan, which often involves child marriage, is an exchange of brides called "*badal*." Several girls told Human Rights Watch that they had sisters who had been engaged at young ages through *badal* arrangements—for example, one girl was engaged at age 2, and married at age 9; another was engaged at 8 and married at 11. These early engagements may lead to girls being kept out of school even while their sisters study.⁸⁴

Even the anticipation of marriage in the future is sometimes an excuse to end a girl's education. Chehrah is 16 years old. Her 18-year-old brother is the person who decided that Chehrah should leave school after class four and her older sister should never go to school. "You're girls, and I am a boy," Chehrah said he told them. "Tomorrow you will get married and bear children, so what are you doing with school?"⁸⁵

It is common—and, in some families, considered desirable—for relatives, including first cousins to marry. The desire to arrange such a marriage can affect the age at which girls marry. Naiema married her cousin when she was 15. "My father decided to get me married to him because he was the only boy in our family," Naiema said. "My father wanted me to marry in the family. He forced it on me." She was widowed at age 16, after her husband suffered what she said was a neurological problem as he journeyed to Iran to seek work. When Human Rights Watch interviewed Naiema, she was 19, and in class three at a CBE. "I

⁸¹ Human Rights Watch interview with Chehrah, Kandahar, July 17, 2016.

⁸² Human Rights Watch interview with Gulnaz, Kandahar, July 18, 2016.

⁸³ Human Rights Watch interview with Samira, Kandahar, July 18, 2016.

⁸⁴ For example, Human Rights Watch interviews with Zohra, Nangarhar, July 24, 2016, and Razia, Nangarhar, July 24, 2016.

⁸⁵ Human Rights Watch interview with Chehrah, Kandahar, July 17, 2016.

was very interested to study when I was very young, and after my husband died my father moved us to Mazar so I could get an education—so I got my dream.”⁸⁶

Many of the girls interviewed for this report had moved or been displaced, sometimes leading to changes in the family’s practices regarding child marriage. Nasrin grew up in rural Helmand province, but her family fled worsening security and came to Kandahar. Nasrin’s older sisters all married at ages 16 or 17, but at 18 Nasrin was still unmarried. “Before, we were in Helmand, and now we are in Kandahar, and the situation is different,” she explained. “The people who live in villages do their marriage early, but now we live in the city. In Kandahar city, girls get married later.” Nasrin and her older sisters never studied in Helmand, but in Kandahar one of their younger sisters is studying.⁸⁷

For some girls, the possibility that a forced marriage could threaten their education is a source of anxiety. Homa was only able to begin her studies when she was 12 years old, because as the oldest daughter she had to work to pay the education costs for her younger siblings. At age 14, she is excited about her studies and dreams of going from CBE to government school, to university and becoming a doctor. But she is afraid marriage will put an end to her education. “I am so interested to get an education—I am struggling,” she said. “But I can’t say anything about my father—he might engage me to someone and I might get married. I am trying to reach 19, but I think my father will have me married at 18.”⁸⁸

Ministry of Education officials said they were concerned about child marriage, and an official in Nangarhar said that the government is trying to develop a pilot education program for girls in three districts in that province that they have identified as having both low girls’ education participation and high rates of child marriage.⁸⁹ In April 2017, the Afghan government launched a national plan to end child marriage.⁹⁰ But given the government’s poor track record of implementing laws and policies designed to protect

⁸⁶ Human Rights Watch interview with Naiema, Mazar-i Sharif, July 23, 2016.

⁸⁷ Human Rights Watch interview with Nasrin, Kandahar, July 18, 2016.

⁸⁸ Human Rights Watch interview with Homa, Kabul, May 12, 2016.

⁸⁹ Human Rights Watch interview with Nangarhar province education official [name withheld], Jalalabad, July 26, 2016.

⁹⁰ Government of Afghanistan and UNFPA, “National Action Plan to End Early and Child Marriage in Afghanistan: 2017–2021,” July 2016, on file with Human Rights Watch, p.10.

the rights of women and girls, there is reason for skepticism about the likely impact of these efforts.⁹¹

Poverty

Poverty is a major barrier to education in Afghanistan. The World Bank reports that in Afghanistan 62 percent of non-poor children go to school, but only 48 percent of poor children do.⁹² Between 2011-12 and 2013-14, the percentage of non-poor children attending school rose by 1.8 percent, but the percentage of poor children studying fell by 6 percent.⁹³ This is a crucial barrier, as Afghanistan remains one of the poorest countries in the world, and poverty is increasing.⁹⁴

Some families told Human Rights Watch that they cannot afford even the most basic school supplies. Others keep their children out of school so that they can work, because the family is financially dependent on children's earnings. Some children do not go to school because their families are barely surviving and they are too hungry to study.

A community leader from an informal settlement in Kabul of Kuchi people, who were formerly nomadic, explained why in his community few children go to school:

We sell fruit for 20-30 Afs [US 29-43 cents]. The kids here run around the market and eat peels from the ground. We are destitute. All the kids are

⁹¹ Heather Barr, "Will Afghanistan Follow Through on Promise to End Child Marriage?" Human Rights Watch dispatch, April 20, 2017, <https://www.hrw.org/news/2017/04/20/will-afghanistan-follow-through-promise-end-child-marriage> (accessed May 15, 2017).

⁹² World Bank, "Afghanistan: Poverty Gaining Ground," undated, <http://documents.worldbank.org/curated/en/300161493795316212/pdf/114741-WP-v2-P159553-PUBLIC-2-5-2017-10-59-52-AfghanistanInfographicDec.pdf> (accessed May 12, 2017).

⁹³ World Bank, "Afghanistan: Poverty Gaining Ground," undated, <http://documents.worldbank.org/curated/en/300161493795316212/pdf/114741-WP-v2-P159553-PUBLIC-2-5-2017-10-59-52-AfghanistanInfographicDec.pdf> (accessed May 12, 2017).

⁹⁴ According to the World Bank, Afghanistan's per capita income is US\$633, and the country ranked at 171 out of 188 countries in the UN Human Development Index. World Bank, "GDP per capita (current US\$)," <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries/AF?display=graph> (accessed December 18, 2015). See also: UNDP, "Human Development Report 2015: Afghanistan," <http://hdr.undp.org/en/countries/profiles/AFG> (accessed December 18, 2015); United Nations Assistance Mission to Afghanistan, Human Rights Dimension of Poverty in Afghanistan, March 2010, <http://www.refworld.org/pdfid/4bbc313d2.pdf> (accessed January 20, 2016); World Bank, "Afghanistan: Poverty Gaining Ground," undated, <http://documents.worldbank.org/curated/en/300161493795316212/pdf/114741-WP-v2-P159553-PUBLIC-2-5-2017-10-59-52-AfghanistanInfographicDec.pdf> (accessed May 12, 2017).

illiterate.... Should they take care of food, or education?... If your stomach is empty, you can't go to school.

He has five or six grandchildren living in the settlement, none of whom go to school.⁹⁵

Displacement can compound poverty, leaving parents in such crisis as they try to survive day-to-day that they feel unable to cope with trying to get their children to school. Ahmad and his extended family, including his six children, arrived in Mazar-i Sharif in 2013, after fleeing an area of Balkh province where he said the Taliban had killed people and there was fighting between the Taliban and government forces. His oldest children, now ages 15 and 13, went to school there, but all of the children have been out of school since they fled their home.⁹⁶

Aside from meeting the essential costs of sending children to school, stigma and shame also contribute to keeping poor children out of school. “Poor people face mental problems during study, because their clothes are not new and they don't have new bags and they will feel ashamed to go to school,” said Fawzia, who missed school until she was 14.⁹⁷

Girls are often the first to be pushed out of school by poverty. Families that struggle to scrape together enough money for only some of their children to attend school are likely to send boys, not girls. When economic circumstances require that mothers work, daughters—not sons—are the ones likely to be kept home to do housework.

When children are put to work for wages because of economic desperation, girls can do carpet weaving, tailoring or embroidery in the home and their education is seen as more expendable than boys'. In addition to harmful gender norms, there are also economic reasons for prioritizing boys' education; daughters who marry normally go to live with, and contribute to, their husband's family, while sons often remain with their parents, so sending them to school is an investment in the family's economic future in a way that educating a girl is not.

⁹⁵ Human Rights Watch interview with Mezghan, Kabul, July 15, 2016.

⁹⁶ Human Rights Watch interview with Ahmad, Mazar-i Sharif, July 22, 2016.

⁹⁷ Human Rights Watch interview with Fawzia, Mazar-i Sharif, July 19, 2016.

Child Labor

Afghanistan's deep poverty results in widespread child labor. At least a quarter of Afghan children between ages 5 and 14 work for a living or to help their families, including 27 percent of 5 to 11-year-olds.⁹⁸ Many are employed in jobs that can result in illness, injury, or even death due to hazardous working conditions and poor enforcement of safety and health standards.⁹⁹

Children in Afghanistan generally work long hours for little—or sometimes no—pay. Paid jobs done by children include: home-based carpet-making, embroidery, or tailoring; bonded labor in brick kilns; in the metal industry as tinsmiths and welders; in mines; in agriculture; and on the streets as vendors, shoe shiners, and beggars. Other children work doing housework or work on their families' land. Work forces children to combine the burdens of a job with education or forces them out of school altogether. Only half of Afghanistan's child laborers attend school.¹⁰⁰

Among 5 to 11-year-olds, similar numbers of girls and boys work (25 percent versus 29 percent).¹⁰¹ At ages 12 to 14, this gap widens to 18 percent versus 26 percent, because girls' ability to work outside the home is often restricted as they approach puberty.¹⁰² Girls are most likely to work in carpet weaving or tailoring, but a significant number also engage in street work, such as begging or selling items on the street.¹⁰³

Afghanistan has laws to prevent harmful child labor but they are rarely enforced. Under Afghanistan's Labor Law, 18 is the minimum age for employment. Children between the ages of 15-17 are allowed to work only if the work is not harmful to them, requires less than

⁹⁸ Government of Afghanistan, Central Statistics Organization, "Afghanistan Multiple Indicator Cluster Survey," <http://cso.gov.af/Content/files/AMICS.pdf> (accessed January 17, 2016), p. 125.

⁹⁹ US Department of Labor, "Child Labor in Afghanistan: A Four-Province Study in Kabul, Kandahar, Nangarhar, and Balkh," May 30, 2008, http://www.dol.gov/ilab/ICLRE/Downloads/Research/Report/Afghanistan_Research_Report.pdf (accessed March 2, 2016), pp. 9-11.

¹⁰⁰ "Afghanistan Multiple Indicator Cluster Survey," <http://cso.gov.af/Content/files/AMICS.pdf> (accessed January 17, 2016), p. vi.

¹⁰¹ Government of Afghanistan, Central Statistics Organization, "Afghanistan Multiple Indicator Cluster Survey," <http://cso.gov.af/Content/files/AMICS.pdf> (accessed January 17, 2016), p. 124-5.

¹⁰² *Ibid.*, p. 125; Altai Consulting, "A rapid assessment on child labour in Kabul: Research Commissioned by the ILO International Programme on the Elimination of Child Labour (ILO-IPEC), draft document," January 2008, staging.ilo.org/public/libdoc/ilo/2010/463937.pdf (accessed June 16, 2017), p. 14.

¹⁰³ Altai Consulting, "A rapid assessment on child labour in Kabul: Research Commissioned by the ILO International Programme on the Elimination of Child Labour (ILO-IPEC), draft document," January 2008, staging.ilo.org/public/libdoc/ilo/2010/463937.pdf (accessed June 16, 2017), p. 14.

35 hours a week, and represents a form of vocational training. Children 14 and younger are not allowed to work at all.¹⁰⁴

“Some parents want to schedule school so that their kids can work,” a CBE provider in Kabul said. She said that at her CBE, working children are especially common among internally displaced and returnee families, due to the desperate economic situation of many of these families. She estimated that five or six years ago, about 85 percent of the children in the school worked, but she said the local community’s economic situation had improved over time, as displaced families have found their bearings, and that number was now down to about 30 to 35 percent.¹⁰⁵

Paid Labor

Many girls said that they began working, usually making carpets, embroidering or sewing, around age 7. “I’ve been making carpets for six years,” said Zainab, 13, who makes carpets with her three sisters. Their father initially refused to let them study because he wanted them to work full-time. He was convinced to let them study when a CBE opened near their house, but they weave carpets in the morning before school and in the evenings after they come home. “We get paid 2,200 Afs per meter [US\$32],” Zainab said.¹⁰⁶

Some girls are the sole wage earner for their families. Wahida, 16, has four older sisters. Their father is mostly blind after being injured in a mine explosion and their mother is ill. Wahida was never sent to school. Wahida’s 17-year-old sister became the fourth to marry last year, leaving a household consisting of Wahida, her parents and four younger siblings. Wahida works as a seamstress, earning 600 to 900 Afghanis a month [\$9-\$13] stitching sets of traditional clothing. “I am the only one earning,” she said.¹⁰⁷

Being the family’s wage earner can put children under enormous pressure. Shakila, 14, fought to go to CBE, where she is in class three, but she has missed many classes. “My father is sick and cannot work anymore,” she said. “He wants me to work.” She said her father arranged for her and her 11-year-old brother to weave carpets at home.

¹⁰⁴ Labor Law of Afghanistan, *Official Gazette*, No. 790, November 11, 1999, http://moj.gov.af/content/files/OfficialGazette/0901/OG_0966.pdf (accessed June 16, 2017), arts. 13 and 120.

¹⁰⁵ Human Rights Watch interview with CBE provider, Kabul, July 16, 2016.

¹⁰⁶ Human Rights Watch interview with Zainab, Kabul, May 11, 2016.

¹⁰⁷ Human Rights Watch interview with Wahida, Kandahar, July 18, 2016.

When we wove carpets, there was too much pressure. I got sick. I had headaches and my arms and legs felt limp. When we finished our first carpet, my part of the weaving was done well, but my brother's was not done well enough, so we didn't get paid for our work.¹⁰⁸

Many children combine work and school, often resulting in a grueling schedule. Bibi Gul, 16, cleans three kilograms of peas for a shopkeeper for three hours every morning before she goes to school at a CBE. She and her younger brother and sister came to live with their older brother and his two wives and one child after their parents died. "I help with the economy," Bibi Gul said. "I do it to help my younger sister buy pens, and so on, for school." She is the eighth child out of 10 and the first to go to school.¹⁰⁹

Occasionally the greater ability of boys to work outside of the home leads to a girl having more opportunity than their brothers to study. Farzana, 11, is one of seven children, and the only one to go to school. Her oldest brother has a paid job and the younger ones, ages 10 and up, look after the family's sheep. "I am the youngest girl, so I am allowed to go to school," Farzana said.¹¹⁰

Domestic Work and Work for the Family

Often the oldest daughter in the family bears the brunt of domestic work, frequently missing education as a result. "I'm the oldest girl—that's why I didn't go to school," said Wazhma, 13. She has five brothers and two sisters, all younger except one brother. "There was no one at home," Wazhma said. "I had to prepare the food and clothes. All my siblings went to school except me. My family said they will go to school and you have to stay home to do cleaning and other chores."¹¹¹

Girls are sometimes kept home to help their mothers because the family is so large that housework requires more than one person. Other girls are kept home because their mothers are ill or have a disability. "My siblings started studying in Dast-i Barchi," said Arzo, 16, referring to a neighborhood in Kabul where the family lived for four years after

¹⁰⁸ Human Rights Watch interview with Shakila, Mazar-i Sharif, July 23, 2016.

¹⁰⁹ Human Rights Watch interview with Bibi Gul, Mazar-i Sharif, July 21, 2016.

¹¹⁰ Human Rights Watch interview with Farzana, Kabul, May 11, 2016.

¹¹¹ Human Rights Watch interview with Wazhma, Kandahar, July 17, 2016.

moving from Maidan Wardak province, where none of the six children had attended school. “I’m the oldest. I’m the only one who didn’t go to school. My mother was sick and she said I should do the house chores,” Arzo said. At age 14, Arzo finally had a chance to go school, after a CBE opened in the family’s neighborhood and the staff visited their house and convinced Arzo’s parents to send her.¹¹²

Lina’s mother has a physical disability from stepping on a mine as a child that limits her mobility. Lina said her mother is impaired by grieving for her oldest son, who fell from the roof and died as the family was building their current home. She receives little help from Lina’s father, who uses drugs. Lina, 12, and her older sister began studying in 2015, but after a year the housework became too much for their mother. Lina was allowed to continue studying but her sister left school to do the housework.¹¹³

In some families where the mother works outside the home, the eldest girl is expected to take her place doing the housework, at the cost of the daughter’s education. Safia’s father worked pushing a cart, but did not earn enough to support his five children, so Safia’s mother found work as a cook. Safia, then 7, became responsible for caring for her brothers, ages one year and three months at the time. “Our income was weak,” Safia, now 15, said. “If my father had work, my mother wouldn’t have gone to work. I wouldn’t have had to look after my brothers, and I could have gone to school.” Safia’s younger sister went to school and graduated, and her younger brothers are studying. Her older brother married and with his wife helping with the housework Safia, at 13, was given a chance to study when a CBE opened nearby.¹¹⁴

Impact of the War on Girls’ Access to Education

The Taliban is near our house. If we go to school they will kill us. If the government can provide security, we will be very interested to go to school.

—Paimanah, 12, who studied at a CBE hidden in a family home near her house, Kandahar, July 2016

Insecurity has dramatically undermined access to education for girls. UNAMA, the UN mission in Afghanistan, began tracking civilian casualties in 2009; every year since then

¹¹² Human Rights Watch interview with Arzo, May 11, 2016.

¹¹³ Human Rights Watch interview with Lina, Kabul, May 11, 2016.

¹¹⁴ Human Rights Watch interview with Safia, Kabul, May 12, 2016.

the number of casualties documented has topped the previous year. In 2016, the figure was 11,418 civilian casualties (3,498 deaths and 7,920 injured), a 3 percent increase in total civilian casualties compared to 2015. In total, since 2009, the UN has documented 24,841 civilian deaths and 45,347 civilians injured.¹¹⁵

Children make up large numbers of civilian casualties; in 2016, for example, 923 deaths and 2,589 injuries were of children, a 24 percent increase from 2015.¹¹⁶ For every child killed or injured in the conflict, many others are deprived of education. Escalating insecurity encourages families to keep their children at home—and families usually have less tolerance for sending girls to school in insecure conditions than boys. The school that previously might have been seen as within walking distance becomes off-limits when parents fear that the journey is becoming more dangerous. Alongside the war, there is a lack of rule of law stemming from the conflict, which means that girls on the way to school may also face unchecked crime and abuse including kidnapping and sexual harassment.

“Now families are very inclined to send girls to school, but there are a lot of security problems,” a CBE staff member in Kandahar said. “Even girls here [at a CBE] get threats.” She continued, “People’s attitudes [to education] have brightened up, but the security environment doesn’t always allow it.”¹¹⁷

“We studied until the war started and then school stopped,” said Raihana, age 14 or 15, whose family, including her five siblings, fled to Kabul from Maidan Wardak. She said her family’s home and land were burned by the Taliban. For the first two years after they fled, all the children were out of school, because there were no schools near the informal settlement for internally displaced people where the family lived.¹¹⁸

Despite the insecurity, many children and families are still demanding education, and make efforts to negotiate with combatants to secure that. A Ministry of Education official

¹¹⁵ The United Nations Assistance Mission in Afghanistan (UNAMA), “Afghanistan: Protection of Civilians in Armed Conflict, Annual Report 2017,” February 2017, https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_annual_report_2016_16_feb_2017_final.pdf (accessed February 20, 2017).

¹¹⁶ UNAMA, “Afghanistan: Protection of Civilians in Armed Conflict, Annual Report 2017,” February 2017, https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_annual_report_2016_16_feb_2017_final.pdf (accessed February 20, 2017), p.3.

¹¹⁷ Human Rights Watch interview with CBE staff member [name withheld], Kandahar, July 19, 2016.

¹¹⁸ Human Rights Watch interview with Raihana, Kabul, July 16, 2016.

explained: “[t]he political situation—the fighting, the insurgency—affects all of life, but people need to be supported. For example, in Wardak there is fighting, but kids go to school. The community tells the insurgents, ‘You can have whatever problems with the government, but our children need to continue their education regardless.’”¹¹⁹ The government and donors need strategies to maximize the extent to which children, including girls, can keep studying even amid war.

When security worsens, one of the first consequences is often girls losing access to education. Families often clamp down first on girls going to school, even while boys continue to attend. “In Samangan, there was fighting in our area,” said Shakila, 14. “So although boys were allowed to go to school, my father didn’t allow me to go.”¹²⁰

Mahfoozah is a 19-year-old from Kandahar. Her brothers went to school; she and her sisters did not. “My family was worried about security,” Mahfoozah said, “[b]ut they also think only boys need school. If security was not an issue, they might have let me go to school. From when I was small I wanted to go to school. I tried so many times to convince them.”¹²¹

“When there is security everything is well and families are happy to send girls to school,” the director of an education program in Kandahar said. “But without security it’s not possible. In the last two years, students are leaving schools because of security problems.” She pointed out the links between insecurity and economic hardship, both of which drive girls out of school. “Things are getting worse now....There are no jobs for people, there is insecurity in many places, the cost of materials is getting higher—but most important is no jobs.... We used to work in four districts [in Kandahar]—now we don’t feel secure even in the center of the capital.”¹²²

The arrival of Taliban forces in an area drives many girls out of school. “The Taliban came to our area,” said Amina, 16, whose family fled to Mazar-i Sharif from Baghlan province. “We fled when the fighting started and the Taliban took over our area, looted our house, and took away our cows and livestock. Even before the Taliban takeover, [our area] was insecure, so we didn’t go to school. If girls were on the way to school, Taliban would shoot

¹¹⁹ Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

¹²⁰ Human Rights Watch interview with Shakila, Mazar-i Sharif, July 23, 2016.

¹²¹ Human Rights Watch interview with Mahfoozah, Kandahar, July 17, 2016.

¹²² Human Rights Watch interview with director of education program [name withheld], Kandahar, July 17, 2016.

at them from afar. This happened for the last three years we were there, so I stayed home and wove carpets. Nobody, boys or girls, could move about freely in our area.”¹²³

Some families said that they had been able to educate their children, with difficulty, under Taliban control. When government forces sought to expel the Taliban, however, fighting erupted, driving children out of school and eventually causing families to flee. “Security was bad during the Taliban, but it was worse after the Taliban,” a mother from Kunar said. She described repeated drone strikes in their area, as well as bombs and shooting, as the government fought the Taliban. For over two years, she said, she kept her children at home. The family finally fled to Jalalabad when lack of work left them without food. There their children, girls and boys, resumed schooling.¹²⁴

For some, the insecurity that came with the Taliban made girls’ education impossible. “Even if the Taliban allows girls to study to class four, we didn’t want to send them because of bad security,” one of a group of mothers who had fled from a Taliban-occupied area of Nangarhar said. They described multiple incidents of family members being kidnapped and murdered—or arrested on suspicion of Taliban activity.¹²⁵

The presence of the Taliban may lead teachers to flee, leaving children with a school that is just an empty shell. Sitara, 13, from the province of Kapisa said that fighting often kept teachers away from the school. “Some kids did go to school, but there were no lessons and no teacher,” she said. “Kids just went and made noise and played and after a while families stopped them going. Teachers didn’t go because of the Taliban.”¹²⁶

Other families faced danger from ISIS-affiliated armed groups. A doctor from an ISIS-controlled area of Nangarhar province described moving his family to a different neighbor’s house every night for weeks on end, after the family narrowly escaped a bomb planted outside their home. “It was hard for them in the morning to go to school if they are moving from house to house and staying up much of the night to keep checking on the gate like they are the police guarding the house. So we decided to move.” The family fled

¹²³ Human Rights Watch interview with Amina, Mazar-i Sharif, July 23, 2016.

¹²⁴ Human Rights Watch group interview with women displaced from Kunar, Jalalabad, July 26, 2016.

¹²⁵ Human Rights Watch group interview with women displaced from Khugiani district in Nangarhar province, Jalalabad, July 26, 2016.

¹²⁶ Human Rights Watch interview with Sitara, Kabul, May 11, 2016.

to Jalalabad, where he was able to enroll his children in school without difficulty. “I don’t know why they targeted us,” he said. “Maybe because they want educated people out.”¹²⁷

Some displaced families were so traumatized and overwhelmed that education was no longer a priority. Homa was one of 22 family members who fled their home in Baghlan province in May 2016 and sought safety in Mazar-i Sharif. “The fighting started in the evening and we all ran with no shoes on our feet and no veils on our heads, running from this place,” she said. Because of insecurity, none of the family’s girls had attended school in Baghlan. In the last year even the boys had been driven out of school. “Rockets flew over our heads,” one boy said. “For this year, we barely went [to school] two weeks.” When asked whether the children would attend school in Mazar-i Sharif, one of the women said: “No, no, no. We can’t even find food to eat—why would we go to school?”¹²⁸

Attacks on Education

In 2016, UNAMA documented 94 incidents in which education was specifically targeted or affected, which resulted in 91 civilian casualties (24 deaths and 67 injuries). This included 13 incidents of targeted killing, and 12 incidents of abduction involving 55 students and education-related personnel. There were also 10 incidents of intentional damage to education property, and five incidents of improvised explosive devices targeting education. Among the dead was a teacher from a girls’ school who was shot, and the headmaster of a girls’ school who was abducted.¹²⁹

Both the Taliban and ISIS have opposed girls’ access to education, and have been responsible for many attacks on education, particularly girls’ education.¹³⁰

“The Taliban didn’t let girls study,” said Maliha, 14, who fled with her family from Wardak to Kabul. “They closed the girls’ schools, and then there were no girls’ schools.”¹³¹

¹²⁷ Human Rights Watch interview with Dr. Rahmat, Jalalabad, July 26, 2016.

¹²⁸ Human Rights Watch interview with internally displaced family, Mazar-i Sharif, July 22, 2016.

¹²⁹ UNAMA, “Afghanistan: Protection of Civilians in Armed Conflict, Annual Report 2017,” February 2017, https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_annual_report_2016_16_feb_2017_final.pdf (accessed February 20, 2017), p.22-23.

¹³⁰ Global Coalition to Protect Education from Attack, “Country Profile: Afghanistan,” <http://www.protectingeducation.org/country-profile/afghanistan> (accessed May 12, 2017); Heather Barr, “From the Taliban Frying Pan to the Islamic State Fire,” *Foreign Policy*, September 28, 2016, <https://www.hrw.org/news/2016/09/28/taliban-frying-pan-islamic-state-fire> (accessed May 12, 2017).

¹³¹ Human Rights Watch interview with Maliha, Kabul, May 11, 2016.

Women and girls living in areas controlled by groups affiliated with ISIS described restrictions so severe that they could not leave their homes, let alone go to school. “ISIS made women sit in the home—if you go out they will kidnap you,” said a woman who fled an area of Nangarhar infiltrated by such groups, adding that many women in her community had been kidnapped by ISIS.¹³²

Government and nongovernmental education providers as well as communities have negotiated with insurgent groups to try to protect education for girls. Najia is a mother of 10 children and is from an area of Nangarhar where the Taliban was displaced by groups affiliated with ISIS. When the Taliban were in control, she said the community was able to negotiate. She said that when the Taliban first came to the area in 2010 or 2011 they posted letters demanding that the girls’ school be closed completely, but the people of the village argued that education of girls through class eight should be permitted, and the Taliban agreed to this and honored that agreement.¹³³

In another district of the same province, however, a group of mothers said that the Taliban had agreed to girls attending school only through class four, a restriction they enforced by sending warning letters to the homes of girls in school.¹³⁴

In some cases, schools are directly attacked. “The Taliban didn’t allow girls to go to school,” said Shakila, 14, talking about her home village in Samangan province:

Maybe three or four years ago, the Taliban attacked the school. Some classes were in session. The students were unharmed, but five or six teachers were injured. Some of them now have disabilities, and two were killed. The school itself was burned. After this, our elders didn’t dare reopen the school, and it closed permanently. I had just started class one and had only been to school for a few weeks when my parents pulled me out for security reasons. Then the attack happened.¹³⁵

¹³² Human Rights Watch group interview with women displaced from ISIS-controlled areas on Nangarhar, Jalalabad, July 26, 2016.

¹³³ Human Rights Watch interview with Najia, Jalalabad, July 26, 2016

¹³⁴ Human Rights Watch group interview with women displaced from Khugiani district in Nangarhar province, Jalalabad, July 26, 2016.

¹³⁵ Human Rights Watch interview with Shakila, Mazar-i Sharif, July 23, 2016.

Insurgents sometimes directly explain that their attacks are in opposition to girls' education. "There were two bombs in the school," said 16-year-old Malalai, describing an attack in January 2016, against the girls' school near her home in Nangarhar province. She said there was a letter from the Taliban left in the yard of the school at the time of the bombing: "They said they put the bomb because you have to stop sending your girls to school." The windows of the school were blown out and there was some other minor damage, but the school reopened after 12 days. None of the girls from Malalai's family had ever been allowed to go to that school, however. "My father loves education, and he wants girls to study, but he says with this security situation it's not possible," Malalai said. She said that her cousins who attend the targeted school told her that the principal has also received several threatening "night letters."¹³⁶

Some schools face violence because of their proximity to other civilian structures frequently targeted, such as government offices. "One day we were at school and studying and there was a bomb blast in front of the school, because it was near a government office," said Kamella, 18. "All the girls and all the parents were very scared." Kamella's family forced her to quit school after the blast.¹³⁷

Insurgents often use threats to force schools to close. Najia, a mother of 10 who fled her home in Kot district in Nangarhar province, described the situation in Kot: "ISIS put letters in the mosque and inside the school at night—they said, 'We are stopping the school—not even small boys can go,'" she said. "They also put letters to the teachers saying give your salary to us. They said, 'Don't go to school and do teaching. If we hear you're going for teaching we will kill you.'" She said the local *madrassa* was also closed, and that villagers found a bomb near the school and called the police, but before the police arrived it exploded. Najia and others from her village said that groups affiliated with ISIS had also threatened teachers, ordering them not to go to school to teach, and had demanded that teachers hand over their salaries to them. Before these groups arrived in the area, it was under Taliban influence; Najia said that the Taliban permitted girls to attend school only until class eight.¹³⁸

¹³⁶ Human Rights Watch interview with Malalai, Nangarhar province, July 24, 2016.

¹³⁷ Human Rights Watch interview with Kamella, Kandahar, July 18, 2016.

¹³⁸ Human Rights Watch interview with Najia, Jalalabad, July 26, 2016.

Attacks Against Teachers and Students

Teachers are sometimes the target of attacks. “Daesh [ISIS] abducted the teachers in our village school, so students got too scared and left school,” said Abdul Hakim, 52, a farmer who fled with his five children to Jalalabad from an area of Nangarhar province controlled by groups affiliated with ISIS. “Daesh told the teachers to give them each alternate months’ salary. The teachers said they’re too poor to do that. Daesh told them, ‘You either give your salary to us or you will stop teaching.’ They freed the teachers after each of them paid ISIS 10,000 Afghani [US\$145].” Abdul Hakim said that the ISIS-affiliated groups did not specifically prohibit girls’ education, “but they announced on their FM radio, ‘What would girls do with education?’”¹³⁹

When teachers are targeted, it often means the de facto closure of a school. Wahid, 29, described why his extended family fled rural Nangarhar to Jalalabad: “Daesh took money from teachers, schools stopped working, and we became IDPs [internally displaced persons].” Wahid said the family had previously been targeted by the Taliban for being affiliated with the government, but they stayed on until ISIS-affiliated groups replaced the Taliban. The ISIS-affiliated groups abducted and beheaded people, and it became impossible for the children to go to school. In Jalalabad, the children have all re-enrolled in school.¹⁴⁰

Some girls and boys are forced out of school because insurgents regard their families as being aligned with the government. “There are a lot of threats in this area,” a community-based education worker responsible for encouraging families to send their daughters to school in Kandahar told Human Rights Watch. “Especially daughters of police or security officials face a lot of problems. They fear that if they come to [school], they could be lost, kidnapped.”¹⁴¹

Insurgent groups also sometimes operate their own schools, which may be targeted by the government. A government official in Balkh province said that the government had shut down a Taliban *madrasa*, and in retaliation the Taliban had closed two government schools.¹⁴² Insurgents often exert control over schools that continue to function in areas

¹³⁹ Human Rights Watch interview with Abdul Hakim, July 26, 2016.

¹⁴⁰ Human Rights Watch interview with Wahid, Jalalabad, July 26, 2016.

¹⁴¹ Human Rights Watch interview with CBE staff member [name withheld], Kandahar, July 19, 2016.

¹⁴² Human Rights Watch interview with Balkh government official, July 23, 2016.

that have fallen under their control or influence, dictating what can be taught and controlling other aspects of the school's operation.¹⁴³

Acid Attacks

Female students have at times been the target of acid attacks.¹⁴⁴ Bina, a 35-year-old mother of 10 children, explained why her family fled to Jalalabad in 2011. "We left Bati Kot because the Taliban put acid on girls," she said. "Seven or eight girls were injured on their way to school in the morning." She said that the girls were teenagers, and that the attacker was on a motorcycle and had his face covered. After the attack, she said the attackers left a letter in the mosque addressed to the families of the injured girls: "They said they should not go to school, because they are too old." After the attack, Bina said that about two-thirds of the school's 150 girls had stopped attending.¹⁴⁵

It can be difficult to determine whether acid attacks are related to the insurgency or not. "Boys stand in front of the school and say this is acid and I will throw it," said Chehrah, 16. She was in primary school when students at the high school next door were the target of an acid attack by men on motorcycles with their faces covered. She said that five students were hit with the acid. "I think there are two reasons this happens," Chehrah said. "First these boys don't like girls going to school. And second, they want a [romantic] connection with these girls, but the girls don't want that."¹⁴⁶

Acid attacks strike great fear among girls and their parents, and lead to large numbers of girls being taken out of school. Maliha, 17, was in class five at a government school in Kandahar when her classmates were the target of an acid attack in 2008. "I was at school that day," she said. "After a few minutes, a student whose sister was burned came in crying. It happened on the road right in front of the school." Maliha said that 15 students were injured, four seriously: "Some students lost their eyes—their faces were burned."

¹⁴³ Sune Engel Rasmussen, "Taliban teachers: how militants are infiltrating Afghan schools," *Guardian*, May 9, 2017, <https://www.theguardian.com/world/2017/may/09/taliban-teachers-militants-infiltrating-afghanistan-schools> (accessed May 12, 2017).

¹⁴⁴ See, for example, Masoud Popalzai, "Afghanistan: Men throw acid into girls' faces 'for going to school,'" CNN, July 5, 2015, <http://edition.cnn.com/2015/07/04/asia/afghanistan-schoolgirls-acid-attack/> (accessed May 16, 2017); Dexter Filkins, "Afghan Girls, Scarred by Acid, Defy Terror, Embracing School," *New York Times*, January 13, 2009, <http://www.nytimes.com/2009/01/14/world/asia/14kandahar.html> (accessed May 16, 2017).

¹⁴⁵ Human Rights Watch interview with Bina, Jalalabad, July 26, 2016.

¹⁴⁶ Human Rights Watch interview with Chehrah, Kandahar, July 17, 2016.

Maliha said that after the attack, “[a]ll the family decided no girls in our family will go to school.... But for years I fought them and continued.” Maliha managed to stay in school until she was 16, and in class 11, but then she decided to quit because her father was struggling to support his nine children, and as the oldest child Maliha felt she should help. When Human Rights Watch interviewed her, she was about to start training to become a polio vaccinator.¹⁴⁷

Military and Insurgent Use of Schools and Recruitment of Child Soldiers

Afghan government and pro-government security forces have increasingly been using schools—the only concrete-reinforced buildings in some villages—as military bases during offensive operations against Taliban-held areas. Even if the buildings remain unscathed, military occupation interrupts children’s education. But all too often, the schools become battlegrounds as the Taliban counterattack government positions, leaving the buildings damaged or in ruins.¹⁴⁸

Insurgent groups have also used schools. Any presence in schools of fighters from either side of the conflict is likely to drive away students, especially girls, immediately and indefinitely.

In 2016, Human Rights Watch documented the occupation or other use for military purposes of 12 schools in a single area of Baghlan province in northeastern Afghanistan. In 2016, UNAMA found that, “[t]he occupation or use of educational facilities for military purposes occurred throughout Afghanistan, including in Helmand, Kunduz, Logar, Maidan Wardak, Takhar, Farah, Badakshan, Ghor, Jawzjan and Paktya provinces”—10 out of the country’s 34 provinces.¹⁴⁹

One government official described a situation in Kandahar province where a newly opened school was occupied by the Taliban. Government security forces attacked the Taliban forces deployed in the school, causing major damage to the structure, damage that was

¹⁴⁷ Human Rights Watch interview with Maliha, Kandahar, July 19, 2016.

¹⁴⁸ Human Rights Watch, *Education on the Front Lines: Military Use of Schools in Afghanistan’s Baghlan Province*, August 17, 2016, <https://www.hrw.org/report/2016/08/17/education-front-lines/military-use-schools-afghanistans-baghlan-province> (accessed February 23, 2017).

¹⁴⁹ UNAMA, “Afghanistan: Protection of Civilians Annual Report, 2016,” February 2017, https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_annual_report_2016_final280317.pdf (accessed May 12, 2017), p. 23.

compounded when the Taliban blasted the building as they withdrew. “The students are now studying in a tent,” the official said.¹⁵⁰

In areas that had fallen under ISIS control, one government education official described the damage to government schools: “ISIS looted and took everything, and what they couldn’t take they burned.” He continued: “We went to one area and not even a single nail had survived—ISIS took everything.”¹⁵¹

A high school teacher said the conflict had led to increased ethnic tensions in his classes of boys, as students from one ethnic group, from class ten up, participated in the fighting on the side of the Taliban. “They carried their AK-47s,” he said. Other students were from families loyal to the government. “Teachers were confused about how to deal with the ethnic conflict in the school,” he said. Eventually the school closed, as the fighting intensified, and the teacher and his family fled.¹⁵²

Dangers and Threats on the Way to School

The road to the government school has many thieves and bad boys.

—Hakim, 13, class 3 student at a CBE, Kandahar, July 2016

The tolerance of families for distance to school is linked to their perceptions of the security situation and dangers along the way.¹⁵³ Sadia’s older sister walked one hour each way to school, and continued until she graduated from class 12 in 2011 in Nangarhar province. By the time Sadia, 11, was school age, there was a closer school, a 20-minute walk away, but Sadia was not allowed to go. “At that time the situation was good, so she [her sister] could go, and now it’s not good—that’s why I couldn’t go,” she said.¹⁵⁴

Families and girls discussed kidnapping and sexual harassment, but also worried about road safety. Marzia grew up in Kabul, but did not attend school: “In Allaludin [a Kabul

¹⁵⁰ Human Rights Watch interview with education official, Kandahar, July 19, 2016.

¹⁵¹ Human Rights Watch interview with Nangarhar province education official [name withheld], Jalalabad, July 26, 2016.

¹⁵² Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

¹⁵³ Human Rights Watch interview with Kobra, Kabul, May 11, 2016.

¹⁵⁴ Human Rights Watch interview with Sadia, Nangarhar, July 25, 2016.

neighborhood] the school was too far away, so I didn't join. [Children] were crossing four roads to get there.”¹⁵⁵

Abduction and Kidnapping

In 2016, the United Nations reported 10 incidents of abduction of children by parties to the conflict, with a total of 15 children taken.¹⁵⁶ There were also increasing reports of kidnapping, including of children, by criminal gangs.¹⁵⁷ “The husband of my aunt is a police officer,” said Zubaida, 13. “He told my parents, ‘Don’t let your children go outside—the kidnappers will take them and kill them.’ So my parents heard his advice and did not let us go to school.”¹⁵⁸

This fear is easily contagious. “In one area, if one girl is kidnapped then all the families in the area keep their girls home,” said Kamella, 18, who cited fear of kidnapping as one of the reasons she was forced to quit school at age 12.¹⁵⁹

Basir, 12, said, “We were not allowed by my parents to go to a government school because the school was too far and the way was too unsafe. There was nobody to take us to school.” He and his brother said that the 9-year-old daughter of their neighbors was kidnapped for ransom on her way to school, and held for two months, but later recovered by police.¹⁶⁰

“Schools must be built because most schools are too far away,” said Zainab, 13, who began school only when a CBE opened near her house when she was 11. “Many girls are lost or kidnapped because schools are far away. One neighbor’s daughter who was 12-years-old was lost on the way to school from [this neighborhood]. They never found her again. That was two months ago. She was going to the government school.”¹⁶¹

¹⁵⁵ Human Rights Watch interview with Marzia, Kabul, May 11, 2016.

¹⁵⁶ UNAMA, “Afghanistan: Protection of Civilians in Armed Conflict, Annual Report 2017,” February 2017, https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_annual_report_2016_16_feb_2017_final.pdf (accessed February 20, 2017), p. 20.

¹⁵⁷ “Afghan capital plagued by kidnapping and extortion of locals,” *National*, March 10, 2017, <https://www.thenational.ae/world/afghan-capital-plagued-by-kidnapping-and-extortion-of-locals-1.11053> (accessed July 24, 2017).

¹⁵⁸ Human Rights Watch interview with Zubaida, Kandahar, July 18, 2016.

¹⁵⁹ Human Rights Watch interview with Kamella, Kandahar, July 18, 2016.

¹⁶⁰ Human Rights Watch interviews with Basir and Daoud, Kabul, May 12, 2016.

¹⁶¹ Human Rights Watch interview with Zainab, Kabul, May 11, 2016.

The fear of kidnapping is intense even in communities where there have been no incidents of kidnapping, and is not limited to particularly insecure areas. “When I was in Helmand, schools were open and some girls went,” said Tarana, 18. “But because my family was afraid about the security situation—people were saying, ‘If you send your daughter she might be kidnapped’—I never went to school.”¹⁶²

In Mazar-i Sharif, one of Afghanistan’s safer major cities, Qasima, 13, was kept home because the school is an hour-and-a-half walk away and her parents feared that she might be kidnapped.¹⁶³

Sexual Harassment

Even when the distance to school is short, sexual harassment by boys and men along the way may force girls out of school. “There is a lot of harassment from boys in this area,” a CBE worker in Kandahar said. “Families can’t do much about it, and the government hasn’t paid much attention. Nothing has been done. Even white beards [respected elders] won’t be able to [help] because they’re afraid. We’ve organized several discussions on women’s rights, but they say they can’t come because it can be a security problem for them if they come.”¹⁶⁴

Chehrah lived only 100 meters from school, but said that the journey there was fraught with difficulty.

Men would disturb and threaten small girls. The men would touch us and do other actions with us, so we left. They were local men living nearby. No one tried to stop them—it happened to a lot of us. Lots of girls left school because of this—more than a hundred left. Kandahar people won’t allow their girls to go to school.

Chehrah said that the harassment led to her asking her father if she could go to another nearby school in an area she believes is safer, but instead he removed her from school permanently, at age 12.¹⁶⁵

¹⁶² Human Rights Watch interview with Tarana, Kandahar, July 18, 2016.

¹⁶³ Human Rights Watch interview with Qasima, Mazar-i Sharif, July 21, 2016.

¹⁶⁴ Human Rights Watch interview with CBE staff member [name withheld], Kandahar, July 19, 2016.

¹⁶⁵ Human Rights Watch interview with Chehrah, Kandahar, July 17, 2016.

As girls get older, the harassment—and girls’ families’ fear of harassment—worsen. Sabira, 16, said going to government school became impossible for her. “People on the street create problems, asking me where I am going,” she said.¹⁶⁶ Even just girls being seen by men can be unacceptable to some families. “My father, brothers, and uncles don’t allow us to go to school because there are boys in the road looking at us,” said Nabila, 12.¹⁶⁷

In Afghanistan, victims of sexual harassment and assault can be at risk of abuse and even violence from their own families, due to perceptions that their victimization is their fault and has brought shame on the family. “Our family doesn’t like to let us go to school,” Chehrah said. “They said, ‘If something happens to you, how can I show my face?’”¹⁶⁸

Some expressed security concerns appear little more than a cover for denying girls an education. Karima, 17, lives in Kandahar and has five sisters and four brothers. All of the children studied, but only until class three, except one brother who stayed until class five. “Our father said school is not good for girls, plus it is too insecure on the streets. So even if security was better, he would say, ‘You are girls—you don’t need to go to school.’” Karima said she can still read and tries to practice, to keep herself literate.¹⁶⁹

¹⁶⁶ Human Rights Watch interview with Sabira, Kandahar, July 18, 2016.

¹⁶⁷ Human Rights Watch interview with Nabila, Nangarhar, July 24, 2016.

¹⁶⁸ Human Rights Watch interview with Chehrah, Kandahar, July 17, 2016.

¹⁶⁹ Human Rights Watch interview with Karima, Kandahar, July 17, 2016.

III. Barriers to Girls' Education within the School System

We need peace and we need equal schools for boys and girls and equal education for boys and girls. I think boys have more rights to get education.

—Qasima, 13, CBE student, Mazar-i Sharif, July 2016

Many of the reasons girls gave for not being able to go to school related to gaps and barriers within the school system, most of which affect both girls and boys, but have a disproportionate impact on girls. The most fundamental of these is distance, but other barriers include administrative requirements, the cost of school supplies, lack of female teachers, perceptions—and realities—about the quality of the instruction being provided, poor infrastructure, and lack of services for children grappling with disability and trauma.

Lack of Schools and Distance to School

By the time we walked to school, the school day would end.

—Najiba, 15, explaining why she and her eight siblings did not go to school in their home province of Daikundi, Mazar-i Sharif, July 2016

Although there have been large donor and government investments in the education sector, the needs were so great in 2001 that huge gaps remain. In many places, there are simply no schools. This is a problem especially in rural areas, but even in urban areas students stay home because the walk to school is too far.

As demand for education rises, the education system is straining to meet it. On the one hand, the supply of schools never reached an adequate number, and expansion of the government school system has largely stopped; on the other, a growing number of schools are closing due to insecurity, threats and violence.

School Shortages

A large number of schools were created or reopened post-2001, bringing the number, according to the Ministry of Education, from 1,600 schools in 2001 to 17,500 schools in

2016.¹⁷⁰ But considerably more needs to be done, more teachers hired, more schools built, before every child in Afghanistan will live within reasonable distance of a school. This effort is enormously complicated, and at times rendered impossible, by the ongoing armed conflict in Afghanistan, and the fact that significant and increasing parts of the country are not under government control. Afghan children, however, need access to education regardless of the political situation, and the government and donors need to find new ways to overcome these problems.

A lack of education facilities for older girls and young women is also a factor pushing girls out of school. Approximately 200 out of Afghanistan's 398 districts have no higher secondary school open to girls.¹⁷¹

Construction of new schools is also slowing due to lack of funds.¹⁷²

"The problems are on the supply side," said a Ministry of Education official. "We shouldn't blame families for not sending their children when we have supply side problems."¹⁷³ A provincial education official said that he thought that the ministry's target for increasing the number of students was less than half as high as it should be, given the country's population.¹⁷⁴

In the most insecure areas of the country, schools are closing at an alarming rate due to insecurity. This is not a new development; schools were closing due to insecurity as early as 2005, but as the fighting has escalated and spread to previously secure areas, more

¹⁷⁰ Ministry of Education, "Education in Afghanistan: At a Glance, From 2001 to 2016 and beyond," undated, provided to Human Rights Watch in April 2017 by Deputy Minister of General Education Dr. Ibrahim Shinwari, on file with Human Rights Watch. The Central Statistics Office, in its 2016-2017 statistical yearbook, cites significantly lower numbers: 15,709 primary and secondary schools, including both government and private schools, of which 14,658 are government schools. The government schools break down as follows: 6,182 primary; 3,843 lower secondary; and 4,633 upper secondary. "Afghanistan Statistical Yearbook: 2016-2017," 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), p. 88.

¹⁷¹ Human Rights Watch interview with officials from the Ministry of Education, Department of Planning, Kabul, May 10, 2016.

¹⁷² Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

¹⁷³ Human Rights Watch interview with officials from Ministry of Education department of planning, Kabul, May 10, 2016.

¹⁷⁴ Human Rights Watch interview with government provincial education official [name withheld], July 2016.

schools have closed.¹⁷⁵ In January 2017, the acting education minister told the parliament that 1,000 schools were closed due to insecurity, out of the total of 16,000 schools.¹⁷⁶ This figure seems to be on the conservative side, however, given that in April 2016 the ministry said 615 schools had closed in 2015 in the 11 most volatile provinces alone, and that that figure was in addition to 600 schools in those provinces that were closed as of 2014 and have remained closed since then.¹⁷⁷

Some areas of the country are harder hit by school closures than others. One government official said that as of July 2016, 130 schools were closed in Kandahar province, out of 435 total schools in the province, a closure rate of almost one-third.¹⁷⁸

Statistics on the number of school closures are estimates, as the government officials producing the numbers have limited information. “We have systemic problems,” an official in Kandahar said. “At some schools, we have no access—we ourselves are not sure whether students go to [that] school or not. Ministry of Education statistics are not based on proof.” He cautioned that not all school closures are due to insecurity, citing other reasons: “Lack of community support, security, corruption. We can’t access the areas—it means corruption is the key problem for why schools don’t exist.”¹⁷⁹

CBEs and other non-government schools are also being forced to close due to threats. A CBE provider told Human Rights Watch that his NGO had recently been forced to close 97 classes in one district alone due to Taliban threats and extortion, and had also been forced to close dozens of other classes elsewhere. Two of their students and one of their teachers had been killed during the fighting.¹⁸⁰

¹⁷⁵ Human Rights Watch, *Lessons in Terror: Attacks on Education in Afghanistan*, July 10, 2016, <https://www.hrw.org/report/2006/07/10/lessons-terror/attacks-education-afghanistan#6efd99> (accessed February 21, 2016).

¹⁷⁶ “More Than 1,000 Schools Closed Across Afghanistan,” *Tolo News*, January 2, 2017, <http://www.tolonews.com/afghanistan/more-1000-schools-closed-across-afghanistan> (accessed February 21, 2016); Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, May 7, 2016.

¹⁷⁷ Lynne O’Donnell and Karim Sharifi, “As Afghan war escalates, schools forced to close,” Associated Press, April 5, 2016, <http://bigstory.ap.org/article/3663215e4f02404288176a82dba901d1/afghan-war-escalates-schools-forced-close> (accessed February 21, 2016).

¹⁷⁸ Human Rights Watch interview with government education official [name withheld], Kandahar, July 19, 2016.

¹⁷⁹ Human Rights Watch interview with government education official [name withheld], Kandahar, July 19, 2016.

¹⁸⁰ Human Rights Watch interview with CBE provider [name withheld], Kabul, May 7, 2016.

Distance to School

It was very far to the nearest girls' school—it was in another village.... On a donkey or horse, it would take from morning until noon.

—Khatera, 15, raised in rural Samangan province, Mazar-i Sharif, July 2016

The consequence of the shortage of schools combined with escalating school closures is that for many children the nearest school is very far away—a problem likely worsening due to closures outstripping the number of new schools opening. Many children described distances of several hours walking to the nearest school. “My sister finished the first year at school,” said Sabina, 12, who grew up in rural Balkh province. “She walked four hours each way every day. She got tired and decided to leave.”¹⁸¹

For some students, school is impossibly far and they are never able to study. For others, distance is at least a serious barrier to attendance, especially for the large proportion of families too poor to own a car or motorcycle. Schools do not provide any transportation for students.

Because of the shortage of girls' schools in many places, girls and their families said that distance to a girls' school is greater than to a boys' school. “Girls' school is much farther than boys',” said Torpekai, 13. She takes her 6-year-old brother to school in the mornings, a 15-minute journey, but said she was prevented from going to school until a CBE opened nearby, because of distance.¹⁸²

“There were schools, but they were far away and there were Taliban and our family were afraid,” said Rahela, 14, explaining why she did not attend school in her home province of Logar. “The boys' school was closer and in a secure place. The boys went in a car or bus.” Rahela said that the girls' school was open, but her family had no car, and the road to the girls' school was damaged. “All boys went to schools in Logar,” she said. “No girls went.”¹⁸³

Sometimes whether a child goes to school or not is determined simply by whether there is a sibling to walk with them. Farah's 15-year-old sister went to school, even though the

¹⁸¹ Human Rights Watch interview with Sabina, Mazar-i Sharif, July 21, 2016.

¹⁸² Human Rights Watch interview with Torpekai, Mazar-i Sharif, July 21, 2016.

¹⁸³ Human Rights Watch interview with Rahela, Kabul, May 11, 2016.

school was a one-hour walk away, because she was able to walk to school with her older brother who attended the same school. When it came time for Farah to go to school, however, there were no siblings to accompany her. “I was alone,” she said. “No neighbors going, and government school was very far.” Farah was kept home until a CBE opened in the neighborhood when she was 9 years old.¹⁸⁴

Distance to schools is one of the major reasons that there is a demand for CBEs. Human Rights Watch interviewed many girls who had been kept out of school because their families felt that the government schools were too far from their homes, but who were allowed to attend a CBE when one opened closer to their home. Nilofar, 15, was not permitted to attend a government school a half-hour walk away in Kabul, but when a CBE opened in her neighborhood when she was 13, her parents agreed to send her and her younger sister. “It is close to our house—someone could not disturb us on the way,” Nilofar said.¹⁸⁵

A CBE administrator said that when they are deciding whether to establish a CBE in a particular neighborhood they ask the fathers of out-of-school children in the community if they are interested in sending their children to a school. “Most say yes, but say that the problem is distance,” he said. “Ninety percent want school; 10 percent want their children to work instead.”¹⁸⁶

The greater restrictions girls often face on being permitted to walk to school, combined with a particular shortage of girls’ schools in some areas, mean that even when the distance is the same, the lack of schools has a disproportionate impact on girls. The government says that it is working to remedy this imbalance through prioritizing girls’ schools when allocating funds for new construction.¹⁸⁷

Saba’s father is a teacher in a government boys’ school. The family lives in Nangarhar province, in a village where the nearest schools for both boys and girls are about a 30-minute walk away. Saba’s father sent all five of his sons to school, and kept them in school through class 12 and sometimes beyond. But he kept his six daughters home

¹⁸⁴ Human Rights Watch interview with Farah, Mazar-i Sharif, July 21, 2016.

¹⁸⁵ Human Rights Watch interview with Nilofar, Kabul, May 12, 2016.

¹⁸⁶ Human Rights Watch interview with CBE provider (name withheld), Kabul, July 16, 2016.

¹⁸⁷ Human Rights Watch interview with Dr. Ibrahim Shinwari, Kabul, May 7, 2016.

because he felt it was too far for them to walk. When a CBE opened near the family home, Saba, 12, and her two sisters closest in age to her were allowed to attend. But Saba said that because of distance they will not be able to continue studying beyond CBE.¹⁸⁸

The availability of a nearby school may help to delay a girl being pulled out of education due to her age and physical maturity. Maryam, 14, was attending a government high school about a 15-minute walk from her home. She also attended afternoon supplemental English and computer classes at a CBE near her home. When she was 14, her father said she could no longer attend the government school, but allowed her to continue the CBE classes because it is very close to the family's home. "If people saw me going to the government school, it would be a shame for the family, because now I am too old," Maryam said. Before being forced to drop out she dreamed of becoming a pilot.¹⁸⁹

A number of girls said that their brothers were able to travel to schools that were relatively far away on bicycles or on foot, but that as girls, they were forbidden this option.¹⁹⁰ Gulpari, 14, has two brothers who ride their bicycles to school, but Gulpari was kept home until a CBE opened nearby because it was a two-hour walk to the school. "I know how to ride a bike," said Gulpari. "But I'm not allowed to ride at all. My brother taught me in secret."¹⁹¹

Qasima, 13, was not allowed to go to a government school an hour-and-a-half walk from her home, but her brothers attend a school even further away—a two-hour walk. "My parents say, 'They are boys and are able to defend themselves, and you are a girl and cannot defend yourself,'" she said.¹⁹²

Education Costs

I don't have money for a pencil for my son, let alone my daughter.

—A common response of fathers explaining why their daughters don't go to school, according to a CBE staff member

¹⁸⁸ Human Rights Watch interview with Saba, Nangarhar province, July 24, 2016.

¹⁸⁹ Human Rights Watch interview with Maryam, Kandahar, July 19, 2016.

¹⁹⁰ E.g. Human Rights Watch interview with Raihana, Kandahar, July 18, 2016.

¹⁹¹ Human Rights Watch interview with Gulpari, Mazar-i Sharif, July 21, 2016.

¹⁹² Human Rights Watch interview with Qasima, Mazar-i Sharif, July 21, 2016.

Although education is tuition-free in Afghanistan up to higher secondary education, there are still significant costs to families sending a child to government schools. These indirect costs are enough to keep many children from poor families out of school, especially girls, as families that can afford to send only some of their children often give preference to boys.

There was some variety in what students and their families are expected to pay for, but interviewees indicated that government schools always come with costs. At one school, students said stationery and books are provided, but they must pay 150 to 300 Afghanis for a uniform [US\$2.17-4.35]. At other schools, students usually said that they had to pay for notebooks, pens and a school bag as well as uniforms. An official from the Ministry of Education said that with assistance from donors, the ministry has been able to provide student kits, consisting of a pencil, eraser, and notebook, to a limited number of children.¹⁹³

Many children also have to pay for at least some government textbooks. The government is responsible for supplying textbooks, but often books do not arrive on time, or there are shortages, perhaps in some cases due to theft or corruption. In these cases, children need to buy the books from a bookstore to keep up with their studies.¹⁹⁴

Even minimal costs can be enough to drive poor children out of school. Laila, 15, attended school once in Kabul for eight months, when her family lived there briefly after leaving Parwan and before moving to Kandahar. But Laila said that her father lost his job as a security guard for an international organization when its office closed down, and after this the family could no longer afford the supplies Laila needed to be able to attend government school.¹⁹⁵

Some families manage to cover the extra costs for some but not all children. “We have to pay for stationery, school clothes, and lunch and snacks, and my father was not able to pay,” said Gulnaz, 13, one of seven children. She was kept home while her brothers and older sister studied. Her father works as a day laborer, but is elderly and often unable to work. Her mother works in a vaccination program.¹⁹⁶

¹⁹³ Human Rights Watch interview with director general of general education, Ministry of Education, Kabul, May 8, 2016.

¹⁹⁴ Human Rights Watch interview with government education official [name withheld], July 2016.

¹⁹⁵ Human Rights Watch interview with Laila, Kandahar, July 17, 2016.

¹⁹⁶ Human Rights Watch interview with Gulnaz, Kandahar, July 18, 2016.

Family attitudes about gender often play a role in decisions about how scarce resources are used to meet education costs. Sadiqa, 12, has five brothers and two sisters. Her brothers were able to go to school; an uncle helped out with the cost of their pens, pencils and books. Sadiqa, however, was told that she could not go to school because of costs. When a CBE program opened near her home, providing supplies for free, her family allowed her to attend, but her 16-year-old sister was kept home to do housework.¹⁹⁷

Sometimes one sibling works to buy supplies for the others. “My father pushed a cart, my mother was a cleaner at some houses,” said Homa, 14, the oldest of eight children. “My sister was in school, but they couldn’t afford even expenses for her, so I couldn’t go to school. The younger girls went to school, but I was sewing and making money to pay for study expenses for my younger sisters.... We need to buy uniforms, notebooks, pens, pencils, bags, erasers. We get some books from the government but not all—we have to buy some from the bazaar.” Homa said she started doing embroidery when she was 5 years old. Her oldest sister, 12, is in class seven and has the highest grade in her class, but is expected to pay for big sheets of paper for presentations, which the family cannot afford. “So she can’t make the presentation,” Homa said. “Classmates laugh at her and say you’re so poor you can’t pay for that paper.”¹⁹⁸

When one child works to pay for school supplies for others, it is often the oldest sister. “I sew for two hours a day,” said Khadija, 14, who also attends class three at a CBE. “I save some of this money for me to go to a private course in the future, and I spend some on stationery for my sister.” Khadija’s sister is 12, and attends a government school that is almost an hour walk away. Khadija hopes to become an engineer.¹⁹⁹

Many interviewees said that one attraction of CBEs is that they do not require parents to pay for extras such as stationery and pens, as well as sometimes providing bags and hygiene kits.

Madrasas also were often described as being free for families to attend, with no expectation that parents will pay for books or stationery.

¹⁹⁷ Human Rights Watch interview with Sadiqa, Kandahar, July 19, 2016.

¹⁹⁸ Human Rights Watch interview with Homa, Kabul, May 12, 2016.

¹⁹⁹ Human Rights Watch interview with Khadija, Mazar-i Sharif, July 21, 2016.

Challenges Providing Good Quality Education

Schools are not friendly to girls.

—Expert on education in Afghanistan, April 2016

Many parents and children who spoke to Human Rights Watch complained about the quality of government schools. Specific complaints included poor infrastructure, lack of female teachers for girl students, poor quality instruction, and corporal punishment. “My mother said one didn’t learn anything in government school,” said Dunia, 13, explaining why her family took her out of government school after third grade.²⁰⁰

Government officials acknowledged that they face difficulty providing good quality education, but said there are many challenges undermining their efforts. These include: corruption, insecurity, lack of community support, lack of buildings and poor infrastructure, lack of teachers—especially female teachers, lack of funds and bureaucratic delays in the availability of annual funds.

Poor Infrastructure, Lack of Supplies

We have 395 schools without buildings. This is a big challenge for female students because these schools don’t have a perimeter wall—they are open. In these areas, in most districts, people won’t send girls without a building and a perimeter wall.

—Provincial education official, Jalalabad, July 2016

According to the Ministry of Education, 41 percent of government schools in Afghanistan have no buildings.²⁰¹ In practice, this means that while students attend school every day in the same location, they have no building in which to study, and instead their classes are held under a tent or simply outside. Even when schools have a building, overcrowding often means that some classes are held outside the building, in tents or in the open air. Classes are also held in hallways and on stairways in overcrowded schools.

²⁰⁰ Human Rights Watch interview with Dunia, May 11, 2016.

²⁰¹ Ministry of Education, “Education in Afghanistan: At a Glance, From 2001 to 2016 and beyond,” undated, provided to Human Rights Watch in April 2017 by Deputy Minister of General Education Dr. Ibrahim Shinwari, on file with Human Rights Watch.

“The government should provide girls with educational opportunities so they don’t have to study under the sky,” said Zarifa, 17, who was soon graduating from a government high school in Kabul. “I studied in a tent. A tent is not suitable. One day it is raining and one day there is wind outside—it’s not very good.”²⁰²

“Class one through five are outside,” one mother said, describing her children’s school in southeastern Nangarhar province. She said that there is a building, and older students are inside, but younger students study in the yard under a tree: “There is no tent. They don’t go when it is raining outside.”²⁰³

Overcrowding means that most schools have at least two shifts—and sometimes three—of students each day, limiting each school day to three to four hours, too short to teach the full curriculum well.²⁰⁴ Some schools teach both girls and boys, but separate them into different shifts.

According to the Ministry of Education, 40 percent of schools also lack boundary walls, a gap that often plays a key role in girls’ families refusing to send them to school, due to concerns about gender segregation, modesty, and security for girls.²⁰⁵

Construction of schools has been plagued with difficulties, due not only to corruption but also procurement rules that require accepting the lowest bid even when that amount may not be sufficient to complete a building of adequate quality. As a result, 1,400 school buildings have been started but never completed.²⁰⁶

Where school buildings exist, many are damaged. “We didn’t have a good environment,” said Mirzai, a high school science teacher who taught in Baghlan

²⁰² Human Rights Watch interview with Zarifa, Kabul, July 16, 2016.

²⁰³ Human Rights Watch group interview with women displaced from ISIS-controlled areas of Nangarhar province, Jalalabad, July 26, 2016.

²⁰⁴ All of the schools Human Rights Watch visited during the course of this research taught several shifts per day. See also: Rod Nordland, “Despite Education Advances, a Host of Afghan School Woes,” *New York Times*, July 20, 2013, <http://www.nytimes.com/2013/07/21/world/asia/despite-education-advances-a-host-of-afghan-school-woes.html> (accessed May 16, 2017).

²⁰⁵ Ministry of Education, “Education in Afghanistan: At a Glance, From 2001 to 2016 and beyond,” undated, provided to Human Rights Watch in April 2017 by Deputy Minister of General Education Dr. Ibrahim Shinwari, on file with Human Rights Watch.

²⁰⁶ Human Rights Watch interview with officials from Ministry of Education department of planning, Kabul, May 10, 2016.

province. “The school was damaged—there were no doors, no windows. It was hard for the teachers and the students.”²⁰⁷

Much of Afghanistan has extremely hot summers, freezing cold winters, or both. There is no budget for schools to have heating, so schools in colder parts of the country are forced to close for the winter. Schools in hotter parts of the country often close for the summer. “There are fans in the classes, but none in the tents,” said Hamid, 12, who is in class five. “All of class six is in the tent.”²⁰⁸ According to the Ministry of Education, 88 percent of government schools have no electricity.²⁰⁹

One challenge for education officials is delays in disbursement of government funds. “Whatever is promised in the national budget, we receive,” a senior provincial government official said. “The problem is that the money is sent very late.... It comes so late it’s almost impossible to use.”²¹⁰

Access to Water and Toilets

Thirty percent of Afghan government schools lack safe drinking water, and 60 percent do not have toilets.²¹¹ Even new schools do not necessarily have safe water. At a newly built government school in Mazar-i Sharif for girls and boys that Human Rights Watch visited, the water from the school well tasted strongly of salt, suggesting that despite being an improved source it may be exposed to surface water intrusion or other contamination that made it unsafe to drink. “You get a stomachache if you drink it,” a student at the school said. “But we have to drink it.”²¹²

“Not having a washroom is not a problem for boys, but girls can’t go to school without one,” a Ministry of Education official told Human Rights Watch. “These are the basic preconditions [for girls’ attendance].”²¹³

²⁰⁷ Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

²⁰⁸ Human Rights Watch interview with Hamid and his grandmother, Mazar-i Sharif, July 22, 2016.

²⁰⁹ Ministry of Education, “Afghanistan Education for All 2015 National Review,” 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p. 29.

²¹⁰ Human Rights Watch interview with government official [name withheld], Kandahar, July 19, 2016.

²¹¹ Ministry of Education, “Afghanistan Education for All 2015 National Review,” 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p.25.

²¹² Human Rights Watch interview with Khabir, Mazar-i Sharif, July 22, 2016.

²¹³ Human Rights Watch interview with senior Ministry of Education official, May 7, 2016.

An expert on education in Afghanistan said that the design of many newly built schools was “not properly planned” in regard to water and sanitation facilities. He said that, for example, some international donors have built schools with no boundary wall and no toilets, both of which he said are essential for encouraging girls’ attendance.²¹⁴

“When you need the toilet, you go home,” said one mother in Nangarhar, describing the school in the village her family fled. She said the school had a water pump but no toilet.²¹⁵

Girls who have started menstruation are particularly affected by poor toilet facilities. Without private gender-segregated toilets with running water, they face difficulties managing menstrual hygiene at school and are likely to stay home during menstruation, leading to gaps in their attendance that undermine academic achievement, and increase the risk of them dropping out of school entirely.

Even when toilets are present they may be inadequate to provide dignity and privacy. At one newly built school that Human Rights Watch visited in Mazar-i Sharif, where both girls and boys study, in separate shifts, with both female and male teachers on both shifts, the sole toilet facility was a small one-room building behind the school. It contained three drop latrines with chest-high walls between them and no doors. There was no water in the building; a water point was outside, several meters away. Due to stigma and taboos around menstrual blood, the water point was too far to make washing menstrual cloths or otherwise managing menstruation feasible for girls or female teachers.

Poor Quality of Instruction

Many parents and students expressed dissatisfaction with the quality of teaching in government schools.

A university professor told Human Rights Watch that he sees some high school graduates arriving at university with low literacy.²¹⁶ A civil society activist pointed out that large

²¹⁴ Human Rights Watch interview with expert on education in Afghanistan [name withheld], phone interview, April 21, 2016. See also: Paul Watson, “Canada’s Afghan legacy: Shoddy school buildings and sagging morale,” *Toronto Star*, July 15, 2012, https://www.thestar.com/news/world/2012/07/15/canadas_afghan_legacy_shoddy_school_buildings_and_sagging_morale.html (accessed July 12, 2017).

²¹⁵ Human Rights Watch group interview with women who fled ISIS-controlled areas of Nangarhar, Jalalabad, July 26, 2016.

²¹⁶ Human Rights Watch interview with government university professor [name withheld], Mazar-i Sharif, July 22, 2016.

variations between the quality of instruction in different parts of the country privilege urban students and disadvantage those from rural or insecure areas when it comes to securing university places; this in turn breeds resentment and even extremism among those who feel excluded.²¹⁷

Teachers face many challenges in delivering high quality education, including short school shifts, gaps in staffing, low salaries, poor infrastructure, lack of supplies, and insecurity.

School shifts are short in Afghanistan. According to the government, 31 percent of schools are running in multiple shifts and therefore have reduced school hours for students (but long teaching days for teachers).²¹⁸ Students often study only three or four hours a day. In this short window, teachers struggle to teach the full curriculum, and students said that by the end of the year, they often have not finished the material in the textbook assigned for that grade level.

Teaching is not necessarily seen as a desirable job. “The problem is that no one wants to be a teacher,” the head of a civil society organization in Balkh said.

People graduate and want to go to university, not be a teacher.... The government should say that only top-level graduates can be teachers; now it’s the bottom.... The international community brought us good buildings for our schools, but not good teachers.²¹⁹

Teachers struggle to support their families on low salaries. “They pay 6,000 Afghanis a month (US\$87) for every teacher,” a high school teacher told Human Rights Watch. “They are not able to cover their problems with 6,000 Afghanis. Afghanistan’s teachers are only alive—they don’t live. They are only trying to stay alive.”²²⁰

A government provincial education official confirmed that salaries for teachers are 6,000 to 7,000 Afghanis (\$87-101) for teachers who have completed teachers training, and 8,000

²¹⁷ Human Rights Watch interview with civil society activist [name withheld], Mazar-i Sharif, July 22, 2016.

²¹⁸ Ministry of Education, “Afghanistan Education for All 2015 National Review,” 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p. 25.

²¹⁹ Human Rights Watch interview with head of a civil society organization [name withheld], Mazar-i Sharif, July 22, 2016.

²²⁰ Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

Afghanis (\$116) a month for those with a BA degree. “This year we filled 1,025 posts,” the official said. “People took these posts because they were absolutely destitute.”²²¹

Teachers struggle with the same insecurity that disrupts the lives of their students. “There were a lot of mental problems in families because of security problems,” said Mirzai, a high school science teacher with 12 years of teaching experience, describing his experience teaching in an increasingly insecure area of Baghlan province. “I was not feeling free. It was hard for me to teach. Teachers couldn’t connect well with students.”²²²

“Not all the teachers are present every day—some are present, some are not,” said Rokhshana, whose two grandsons are at a government school. “They are supposed to study five subjects a day, but there are usually only two or three teachers, so they can’t study all the subjects.”

Some teachers have limited skills or education. The minimum educational requirement for teachers in government schools is that they should have completed class 14, meaning vocational training beyond the 12th grade level. The government has established teacher training colleges to provide this specialized training.²²³ As of 2015, however, only 43 percent of teachers met the requirement, “the remaining 57% who have not completed the criteria of professional teachers are recruited as contract teachers in remote areas due to the lack of teachers.”²²⁴ This is a problem not only in government schools, but also in CBEs, where the government’s policy permits teachers to have completed as little as class six.²²⁵ “Most [CBE] teachers are students in high school, or teach in the government school,” a CBE provider in Kandahar said.²²⁶

A number of children said that they had left school, or been removed by their parents, because of the use of corporal punishment by teachers. Razia, 14, left government school

²²¹ Human Rights Watch interview with senior government provincial education official [name withheld], July 2016.

²²² Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

²²³ Ministry of Education, “Afghanistan Education for All 2015 National Review,” 2015, <http://unesdoc.unesco.org/images/0023/002327/232702e.pdf> (accessed February 23, 2016), p. 46.

²²⁴ Ibid.

²²⁵ Islamic Republic of Afghanistan, “Policy guidelines for community-based education,” February 2012, <http://www.unesco.org/education/edurights/media/docs/1b4f5b9e04664bdeec52861ccdf89c096283bc41.pdf> (accessed May 16, 2017), p. 18.

²²⁶ Human Rights Watch interview with CBE provider [name withheld], Kandahar, July 18, 2016.

when she was in class four because of corporal punishment. “One of the teachers beat me, therefore I left,” she said. “Sometimes I didn’t do my homework. A male teacher beat my hands with a stick—a tree branch.” Razia said the beatings were happening every day when she decided to quit.²²⁷

In the years after the end of Taliban rule, the government developed a new, nationwide curriculum that all schools, government and private, are required to use.²²⁸ While a detailed look at the quality of the curriculum is beyond the scope of this report, a number of experts interviewed raised concerns about problems with the curriculum, including the need for greater gender sensitivity, failure to use phonics as a teaching method, the need to incorporate content aimed at reducing conflicts in Afghan society, and lack of content regarding sexual and reproductive health. The Ministry of Education has committed to revising the curriculum in the coming years.²²⁹

Insufficient Numbers of Teachers

The difficulty of getting teachers, especially female teachers, to go to rural areas has undermined efforts to expand access to school in rural areas, especially for girls. While the number of teaching positions grew annually in the years preceding 2013, it is now frozen. “Since 2013 we haven’t had one new position,” a Ministry of Education official said. “[Ministry of Finance] said government revenue is going down and we can’t afford it. There are fewer taxes, less donor money, and no improvements in the economy. We need 27,500 new teachers per year for five years and then we should have the right number of teachers.”²³⁰

Lack of Female Teachers

In many areas, there are no female teachers.

—Provincial director of education, July 2016

Government officials acknowledge that female teachers are a key ingredient in encouraging families to send girls to school, but there has been a real shortage.

²²⁷ Human Rights Watch interview with Razia, Nangarhar, July 24, 2016.

²²⁸ Education Law, Decree No. 56, *Official Gazette* (955), 2008, (31/4/1387), art. 30.

²²⁹ Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, April 26, 2017.

²³⁰ Human Rights Watch interview with Ministry of Education official [name withheld], Kabul, May 2016.

The percentage of teachers who are women varies dramatically from province to province, from a low of just 1 percent in Paktika province to 67 percent in Kabul province.²³¹ Seven out of 34 provinces have less than 10 percent female teachers, and in 17 provinces, less than 20 percent of the teachers are women.²³² In only five out of the 34 provinces do women constitute 40 percent or more of teachers.²³³ The director of academic affairs for the Ministry of Education said, “We still need more female teachers—we need them everywhere.” He continued: “Only big cities have enough. The remaining provinces, especially the insecure ones, need more.”²³⁴

Many parents are strongly opposed to their daughters studying with a male teacher, especially as girls grow older. “The situation is different in every district,” a government education official in Kandahar explained.

For example, in Panjwai, families won’t send girls after class six, because they won’t accept male teachers. If there is a female teacher, they will send girls to class seven, eight, nine. In Spin Boldak, we have girls to class eight, because of female teachers recruited [with donor funding].... We need a female teacher in the districts, especially after class six, class seven.²³⁵

Jameela, 16, was not allowed to go to school in her home province of Samangan. “We were supposed to study with boys and girls in the same class,” she said. “Because of this, my parents would not let me go.” Jameela said that the school also had a mix of male and

²³¹ “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), p. 106.

²³² “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), pp. 106-7. Human Rights Watch interview with officials from Ministry of Education department of planning, Kabul, May 10, 2016.

²³³ “Afghanistan Statistical Yearbook: 2016-2017,” 2017, <http://cso.gov.af/Content/files/%D8%B3%D8%A7%D9%84%D9%86%D8%A7%D9%85%D9%87%20%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%DB%8C%D9%88%DB%8C%20%D8%B3%D8%A7%D9%84%201395/Education.pdf> (accessed May 12, 2017), pp. 106-7.

²³⁴ Human Rights Watch interview with director of academic affairs, Ministry of Education, Kabul, May 7, 2016.

²³⁵ Human Rights Watch interview with government provincial education official [name withheld], Kandahar, July 19, 2016.

female teachers, and the female teachers were not always present, which was also a factor in her parents' decision.²³⁶

The fact that CBEs typically have all-female teachers for girls can sometimes help overcome families favoring sons' education over daughters. Tamana's 18-year-old brother, who has been head of the family since their father was killed in an airstrike nearly eight years ago, forced Tamana's two older sisters to leave the government school three years ago, when they were 14 and 12. Tamana went to a CBE instead, though, which may allow her to continue a bit longer. "It's a Pashtun tradition for girls not to go to school," she said. "But [CBE] schools are very near, and the teachers are all female."²³⁷

Rural areas, where there is likely to be greater resistance to men teaching girls, also experience the greatest shortage of female teachers. "In [the city] there are not many problems. The main problem is in the districts—girls can't go to school after class nine, they need a female teacher," a senior government provincial education official told Human Rights Watch. "Last year 4,200 teachers went through the entrance exam, but very few [women] are willing to go to the districts. Maybe if we pay for a *maharam* [male chaperone] it is possible."²³⁸

According to an expert on education in Afghanistan, teachers, especially in districts, face demands for bribes—and threats if they do not pay—from district officials. "There are enough female university graduates, but recruitment is a problem... The system is corrupt. You need bribes to get the job." The need to pay substantial bribes to secure a teaching position disadvantages women, who are less likely to have the funds necessary, or the ability to gather funds from their family, to secure a teaching position through bribery.²³⁹

An official from a private school echoed this concern. "Women can't engage in position-buying," she said, saying that she had seen situations in which qualified female teachers

²³⁶ Human Rights Watch interview with Jameela, Mazar-i Sharif, July 13, 2016.

²³⁷ Human Rights Watch interview with Tamana, Kandahar, July 18, 2016.

²³⁸ Human Rights Watch interview with senior government provincial education official [name and location withheld], July 23, 2016.

²³⁹ Human Rights Watch interview with expert on education in Afghanistan [name withheld], phone interview, April 21, 2016.

were rejected by government education offices because they could not pay bribes to secure the position, in favor of men who could pay.²⁴⁰

Administrative Barriers

Some children, particularly children who are internally displaced persons or returnees, face significant administrative barriers to accessing education. These barriers can be particularly harmful for girls, as discriminatory gender roles may mean that girls are more likely to lack identification, and to seek to enroll late and thus be affected by age restrictions and restrictions on enrolling mid-year. Families may also be less likely to secure documents for girls.

Government schools typically require government-issued identification, and official transfer letters for children moving from one school to another. While these requirements might seem routine, for families fleeing war, or surviving from one meal to the next, they can present an insurmountable obstacle that keeps children out of school. Restrictions on when children can register can drive families away, and policies excluding children who are late starting school constitute a de facto denial of education.

Practices seemed to vary significantly from one area to the next, with some provincial education departments being flexible in allowing children, especially those internally displaced, into school even if they did not have the correct paperwork. In other places, however, the rules were strictly enforced, with the result that families fleeing in fear of their lives found that there was no educational future for their children. Overcrowding in schools creates an incentive for education officials to reduce the pressure by strictly applying rules that keep children out of school.

Restrictions on Age of Enrollment

One of the greatest administrative barriers for girls is restrictions on the age at which children are permitted to register for school. Afghan law requires that children be enrolled from age 6.²⁴¹ But this rule seems to be applied arbitrarily. Local government education officials gave Human Rights Watch conflicting information about restrictions on ages of

²⁴⁰ Human Rights Watch interview with private school official [name withheld], Nangarhar province, July 2016.

²⁴¹ Education Law, Decree No. 56, *Official Gazette* (955), 2008, (31/4/1387), art. 5.

enrollment in primary and secondary school, and a number of interviewees said that their families had faced difficulty trying to enroll children in school.

Many schools make it impossible in practice for older children who are starting late to study, by requiring that they begin in advanced grades even if they have no prior education. Mary, who moved from Badakshan to Kabul when she was 7 years old, and had only attended nursery school, said: “[My parents] were looking for a school for me and got admission to a government school. But they said I was older and I could come for fourth grade, not first. I studied for four and a half months in fourth grade, and then failed, so my parents took me out of school.”²⁴² Marzia, 11, described registering for government school: “They said you can start in fourth grade, not first grade. I was 9 years old then. My mother said no and took me to [a CBE].”²⁴³

According to the director of an education program in Kandahar, students 13 and older have to go to class six or higher.²⁴⁴ But some older children are not even offered that option. “When I came to Mazar, they accepted my brothers in grades one and three, but not me because I was too old,” said Najiba, 15, who was 12 when her family moved from a remote area of Daikundi.²⁴⁵

Children are also sometimes turned away because they are perceived to be too young, even when they are at ages that should be appropriate for enrollment. “The government says she is too small,” Orzala, 12, said, about why her 7-year-old sister is not in school. “She has ID but physically she is small they say, ‘She will go next year.’”²⁴⁶ Dina, 13, told Human Rights Watch: “We tried to [enroll] my 8-year-old sister at a government school two years ago, but they said she was too young.”²⁴⁷

“When I tried enrolling for grade one, I was too young,” said Farukh, 13. “The school made a lot of excuses to stop me from enrolling.... They said come back next year. I went back next year and they said I was too old.”²⁴⁸

²⁴² Human Rights Watch interview with Mary, Kabul, May 11, 2016.

²⁴³ Human Rights Watch interview with Marzia, Kabul, May 11, 2016.

²⁴⁴ Human Rights Watch interview with director of an education program [name withheld], Kandahar, July 17, 2016.

²⁴⁵ Human Rights Watch interview with Najiba, Mazar-i Sharif, July 23, 2016.

²⁴⁶ Human Rights Watch interview with Orzala, Kabul, May 12, 2016.

²⁴⁷ Human Rights Watch interview with Dina, Mazar-i Sharif, July 21, 2016.

²⁴⁸ Human Rights Watch interview with Farukh, Kabul, May 11, 2016.

Barriers to Education for Internally Displaced People and Returnees

About 1.3 million Afghans are internally displaced persons (IDPs).²⁴⁹ Many returning refugees and migrants, from Pakistan and Iran, but also increasingly through deportations from Europe, join the ranks of the IDPs. IDPs and returnees often struggle to get their children into school as they try to settle in to a new location, often having endured trauma and lost their possessions and livelihood through flight or deportation. Some returnees face the challenge of finding their way in a country that they have never lived in before. These difficulties are often compounded by repeated movement. All of the other obstacles girls face are exacerbated by displacement.

Identification and School Records

The government's 2013 IDP policy states: "No IDP student will be denied access to a school on the grounds that they have no school records (children can be tested to find their appropriate grade) or no *tazkira* [ID card]." ²⁵⁰

But research for this report indicated that at least some schools and provincial education departments are not complying with this policy. Human Rights Watch found that many children are blocked from registering for a government school because they lack an ID card. "I wasn't allowed to enroll at a government school because we didn't have a *tazkira*," said Sayeda, 13. "We tried a lot, but it didn't work." ²⁵¹

To obtain an ID card in Afghanistan, people must usually return to the location where they were born and request the ID card from the local government office there. Feroza, 14, was born in Mazar-i Sharif after her parents fled from an area facing Taliban attacks. "At first I didn't have an ID card, so I couldn't go to school," Feroza said. Eventually, when Feroza was 12 years old, her father returned to their home area to get ID cards, but by then Feroza was too old to be admitted to a government school. She was sent to a *madrasa* instead,

²⁴⁹ United Nations High Commissioner for Refugees (UNHCR), "UNHCR's Assistant High Commissioner for Protection visits Afghanistan, urges for sustainable solutions to displaced Afghans," April 25, 2017, <http://www.unhcr.org/afr/news/press/2017/4/5900c9174/unhcrs-assistant-high-commissioner-protection-visits-afghanistan-urges.html> (accessed June 15, 2017).

²⁵⁰ Government of the Islamic Republic of Afghanistan, Ministry of Refugees and Repatriation, "National Policy on Internally Displaced Persons," Nov 25, 2013, [http://morr.gov.af/Content/files/National%20IDP%20Policy%20-%20FINAL%20-%20English\(1\).pdf](http://morr.gov.af/Content/files/National%20IDP%20Policy%20-%20FINAL%20-%20English(1).pdf), (accessed June 15, 2017), p. 45.

²⁵¹ Human Rights Watch interview with Sayeda, Mazar-i Sharif, July 21, 2016.

where there was no ID requirement, but she studied for only two hours a day and learned only the Quran, the Arabic alphabet, and Islamic studies.²⁵²

The requirement to return to your place of birth to obtain identification presents a major obstacle to people who struggle to make the journey due to poverty, illness, or disability, or who are fleeing conflict. “I couldn’t go to the government school because all my documents were burned back in our village,” said Hashmat, 12. His family fled from Badakhshan province to Kabul after fighting erupted in their area, including the Taliban burning down the local school. Hashmat’s sister still had her documents, and was able to enroll in class one at a government school in Kabul.²⁵³

The families of children transferring from one government school to another consistently said that they were expected to provide official documentation of the transfer. “You have to go to the local department of education,” said Rokhshana, 45, who is an IDP in Mazar-i Sharif with two school-age grandchildren.

The department of education writes a paper saying this child is moving to a new city. You need a photo of the kid. You bring this paper to the department of education of [the new place] then you report to the available school near your house and you can register there.²⁵⁴

While this requirement might seem reasonable, in a context without an ongoing conflict and widespread displacement, for families fleeing war it can be impossible to comply with. Some children cannot provide documentation from their old school because it is closed. “None of us go to school now,” said Ahmad, 18, of himself and his three younger school-age siblings. The family fled from Baghlan to Mazar-i Sharif in the face of Taliban abuses and escalating fighting. The children had already missed a year of school before arriving in Mazar-i Sharif. “Our school in Baghlan is closed, so we can’t bring our transfer documents to Mazar,” Ahmad said. “We don’t know what we will do now.”²⁵⁵

²⁵² Human Rights Watch interview with Feroza, Mazar-i Sharif, July 21, 2016.

²⁵³ Human Rights Watch interview with Hashmat, Kabul, May 11, 2016.

²⁵⁴ Human Rights Watch interview with Rokhshana and Hamid, Mazar-i Sharif, July 22, 2016.

²⁵⁵ Human Rights Watch interview with Ahmad, Mazar-i Sharif, July 22, 2016.

When families flee in great haste, they have no chance to collect paperwork first. Rokshana, her husband, her daughter-in-law, three of her sons, and her nephew fled from Baghlan province to Mazar-i Sharif in May 2016. “The Taliban fired on our house,” she said. “A bomb attack lit our house on fire and we left everything in the house.” Her nephew has not been able to go to school. “We went to register to a Mazar school, but they said you have to bring a registration paper from the school in Baghlan, but we can’t go to Baghlan.... We told them [about the situation in Baghlan] but they didn’t care. We want him to go to school. We are waiting for the situation in Baghlan to become a little calm and then we will move his registration.”²⁵⁶

Even when officials showed some flexibility, the requirement to provide transfer documents can still be a significant barrier for IDPs. A group of women in Nangarhar province who had fled areas controlled by ISIS-affiliated groups told Human Rights Watch that their husbands had had to return to their home area to get documentation before their children could enroll, and this delayed the children attending school for several months. “The school was closed, but the principal or teacher signed papers—they just wrote on a simple paper, not the official form,” one woman said. “But the department of education accepted the note because they know our situation, and they know the principal.”²⁵⁷

Exclusion from Study as Internally Displaced People and Returnees, and Discrimination

In addition to the challenge of obtaining identification and transfer documents, IDP and returnee children face a host of other challenges, including barriers to refugee children studying, discrimination, and security threats specific to their status as occupants of IDP settlements.

Some children are behind on their education because their families were refugees in countries where Afghans face difficulty getting their children into school. “We returned from Pakistan four years ago and came to Mazar,” said Tooba, 16. “I never went to school in Pakistan because they never admitted me because I was a refugee.”²⁵⁸ The majority of

²⁵⁶ Human Rights Watch interview with Rokshana and Hamid, Mazar-i Sharif, July 22, 2016.

²⁵⁷ Human Rights Watch interview with a group of IDP women from Kot, Jalalabad, July 26, 2016.

²⁵⁸ Human Rights Watch interview with Tooba, Mazar-i Sharif, July 23, 2016.

Afghan refugees are in Pakistan and Iran, and Afghan children face significant barriers to education in both countries.²⁵⁹

Even when displaced children or returning refugees are able to enroll in school, they may face discrimination and harassment, as Afghanistan's ethnic tensions play themselves out in the schoolyard. Asadullah, a community leader at an informal IDP settlement in Kabul occupied by families from the southern provinces of Helmand, Uruzgan and Kandahar, told Human Rights Watch that some children from the community attended a nearby government high school, but they had all quit. "At that school, there are a lot of Panjshiri kids [from a northern province] who got in fights with our kids," he said.

The contested nature of many informal IDP and returnee settlements may also be a barrier to children attending school. Some settlements face resistance from the owners of land on which they have settled or from the government, which may block children from accessing school, or leave their families in permanent instability that undermines the ability of children to study. One leader of an IDP community in Kabul said that a year earlier, in 2015, gunmen he believes were sent by the land owner attacked the community, killing two community members.²⁶⁰ The leader of another informal IDP settlement in Kabul said that the police have tried to force his community out, including by blocking the paths in and out of the settlement.

Some NGOs have established schools specifically designed to meet the needs of IDP communities, but a huge unmet need remains. Asadullah, the IDP settlement community leader in Kabul told Human Rights Watch that an NGO had set up several schools for the community, each accepting 50 children—but there are nowhere near enough spaces. "I have seven or eight children," he said. "Only one is in school. There are too many kids and too few classrooms. Within a family, we sit and consult and talk and choose which child will be able to go to school."²⁶¹

²⁵⁹ Human Rights Watch, *Pakistan Coercion, UN Complicity: The Mass Forced Return of Afghan Refugees*, February 13, 2017 <https://www.hrw.org/report/2017/02/13/pakistan-coercion-un-complicity/mass-forced-return-afghan-refugees> (accessed February 28, 2017); *Unwelcome Guests: Iran's Violation of Afghan Refugee and Migrant Rights*, November 20, 2013, <https://www.hrw.org/report/2013/11/20/unwelcome-guests/irans-violation-afghan-refugee-and-migrant-rights> (accessed February 28, 2017).

²⁶⁰ Human Rights Watch community leader of informal IDP settlement, Kabul, July 15, 2016.

²⁶¹ *Ibid.*

Challenges with Community-Based Education Programs in Afghanistan

The most important thing is to convince fathers to let their daughters go to school.

—Manija, 17, class-three student at a CBE program, Kandahar, July 2016

Community-based education programs (CBEs) are often an Afghan girl’s only chance at education. The opening of a nearby CBE can mean access to education for girls who would otherwise miss school for a variety of reasons outlined in this report. Research has shown the effectiveness of CBEs at increasing enrollment and test scores, especially for girls. For example, one study in Ghor province found that CBEs had succeeded in eliminating the gender gap in enrollment and dramatically reducing the gender gap in test scores.²⁶²

CBEs have provided a temporary solution to tackle systemic barriers to girls’ education, including the long distances to school, insecurity on the route to school, and the lack of female teachers, among others. They have also been able to provide no-cost education to a significant number of girls who would otherwise have missed out because their families could not afford the expenses associated with government school, and they have provided education of a type approved by family and community members in some situations where concerns about the quality and safety of schools, or gender discrimination and social pressures would have otherwise kept girls home.

However, to date CBEs are exclusively operated by NGOs and entirely funded by foreign donors. The absence of long-term strategic thinking by government and donors exposes CBE programs—and students—to unpredictable closures, which can compromise students’ educational future.

A class springs up when funds are available, teaches students as long as the funding lasts—sometimes only one group of students—and then if the funding ends the CBE closes. “In August, all of our schools [in this province] will close,” said a CBE provider who operates several hundred classes for girls in one province.²⁶³

²⁶² Dana Burde and Leigh L. Linden, “Bringing Education to Afghan Girls: A Randomized Controlled Trial of Village-Based Schools,” *American Economic Journal: Applied Economics* 2013, 5(3): 27–40, https://www.povertyactionlab.org/sites/default/files/publications/119_301%20Afghanistan_Girls%20AEJ%202013.pdf (accessed June 15, 2017), p. 27.

²⁶³ Human Rights Watch interview with CBE provider [name and location withheld], July 2016.

Najiba, 15, enrolled in a CBE for the first time at age 14: “I am in class three now. They promised to teach us until class five, but now they are telling us school will end after class three, which makes us sad because all 20 to 25 girls’ only educational opportunity will go with the gusts of the wind.”²⁶⁴

Government officials generally saw value in CBEs, but felt the priority should be expanding government schools, and directing funds to that effort. “Education in any form is good—adult, child, government, CBE—we need to use all of these approaches,” one provincial government official said. “But the pressure on the MoE is for regular schools. We need CBEs too, but the priority is regular schools.”²⁶⁵

There is also skepticism among government officials about whether the government could or would further integrate CBEs into the public education system. “Ministry of Education gets money from Ministry of Finance,” the deputy minister of general education said. “There is not enough for the existing formal schools—we can’t add more.... We need to be honest.”²⁶⁶ A provincial education official was even more blunt: “There is no government plan to fund CBEs. The foreigners pay for them.”²⁶⁷

However, some government officials see CBEs as the only way to expand an education system they believe will otherwise be forced to turn away students due to overcrowding in the coming years. “We should not refuse [turn away] students from government schools, but it could happen,” one government provincial education official said.

At the beginning of CBE, I asked the NGOs to train government officials on how to start CBE. If [donor-run] CBEs are ending, the Department of Education needs to start CBEs. We should not refuse students [who wish to enroll in school] in Afghanistan in the current situation. We started two government-run CBEs.... We are looking and learning how to do it—setting up a *shura* [community liaison committee], the curriculum, etcetera.²⁶⁸

²⁶⁴ Human Rights Watch interview with Najiba, Mazar-i Sharif, July 23, 2016.

²⁶⁵ Human Rights Watch interview with government official [name withheld], Kandahar, July 19, 2016.

²⁶⁶ Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, May 7, 2016.

²⁶⁷ Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

²⁶⁸ Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

One CBE provider told Human Rights Watch: “There needs to be a long-term model for CBE. Communities are asking for these types of schools. CBE makes it easy for parents to send kids to school. It is very near; it is very easy for them to control their children. They want their children’s education to be in their community.”²⁶⁹

CBEs also need a stronger partnership with government to increase the number of students who transition successfully to government school and continue studying after CBE.²⁷⁰ But even when students are able to complete the full primary school curriculum at a CBE, the transition to a government school is far from smooth, and it was clear from Human Rights Watch’s research that many students do not make it.

Difficult Transition from Community-Based Education Programs to Government Schools

Many older girls in CBEs said that they planned to transfer from a CBE to a government school. Under the government’s CBE policy, connection with a government “hub” school is part of the process of establishing a CBE, and that hub school should accept all children who studied at the CBE.²⁷¹

In reality, however, children may find that even if they have successfully completed primary school grades in a CBE, they will still be turned away from government schools for being too old to enroll. Several government provincial education officials said that there is a maximum age of 13 or 14 for children to enroll in class six. After this age, one official said, the only options are vocational training programs and specialized schools for adult students—which are few and far between.²⁷² An official in another province said that if a child graduates from a CBE after the age of 13 or 14, they would be allowed to enroll in government school, but this seemed to be an ad hoc decision, not a national policy.²⁷³

Some girls were aware that age restrictions would prevent them from continuing to study after CBE. Gulpari is 14 years old and in class three at a CBE. “Our teachers said that this

²⁶⁹ Human Rights Watch interview with CBE administrator [name withheld], Kabul, July 16, 2016.

²⁷⁰ Human Rights Watch interview with CBE staff member, Kabul, July 16, 2016.

²⁷¹ Islamic Republic of Afghanistan, Ministry of Education, General Directorate General Education, Department of Basic & Secondary Education, “Policy Guidelines For Community-Based Education,” February 2012, <http://moe.gov.af/Content/files/CPE%20Policy-en.pdf> (accessed June 15, 2017), pp. 12-17, 22-23.

²⁷² Human Rights Watch interview with government provincial education official [name withheld], July 23, 2016; Human Rights Watch interview with Nangarhar province education official [name withheld], Jalalabad, July 26, 2016.

²⁷³ Human Rights Watch interview with provincial education official [name and location withheld], July 2016.

school goes to class four or five,” she said. “But I expect them to have more classes, because we are too old for government school, so we need these classes to continue.”²⁷⁴

One CBE provider said that in their province they had been able to link each CBE with the closest government school and sign an agreement with the school through which the school agreed to accept students who completed the CBE program, regardless of their age at the time.²⁷⁵

In many cases the same barriers that kept girls out of government school prior to their attending a CBE prevent girls from transitioning from CBE to a government school. Distance continues to be a challenge for many girls.

Security challenges also limit the number of girls who will be able to transfer from CBE to a government school. “If the situation becomes good, I will continue in government school,” said Malalai, 16, who studies in a CBE in Nangarhar. “But if it continues like this, I will not continue [my studies].”²⁷⁶

Because transitioning from CBE to government school is often impossible for girls, many pleaded for CBE programs to be extended, ideally all the way to class 12. “I want the government to help [CBE] to continue up to class 12,” said Jameela, 16, who is in class three at a CBE and dreams of a career in law or as a midwife. “It is not possible for us to be a midwife or a lawyer after just six grades. I want the government to help.”²⁷⁷

Lack of Assistance for Children with Disabilities and Trauma

As Afghanistan’s school system struggles—and often fails—to meet the needs of students, there is very little extra support or access to education for children who have disabilities. The government estimates that 2 to 3 percent of Afghans have severe disabilities, a total of

²⁷⁴ Human Rights Watch interview with Gulpari, Mazar-i Sharif, July 21, 2016.

²⁷⁵ Human Rights Watch interview with CBE provider [name and location withheld], July 2016.

²⁷⁶ Human Rights Watch interview with Malalai, Nangarhar, July 24, 2016.

²⁷⁷ Human Rights Watch interview with Jameela, Mazar-i Sharif, July 23, 2016.

596,000 to 894,000 people.²⁷⁸ One government education official said that disability is one of the major causes of children not attending school.²⁷⁹

Regular government schools typically have no institutionalized capacity to provide inclusive education or assist children with disabilities. Children with disabilities who attend regular schools are unlikely to receive any special assistance; for example, Human Rights Watch interviewed a girl with what appeared to be a serious hearing impairment who was a student in a government school, where she was receiving no special assistance.

Only a few specialized schools for children with disabilities exist, and they are of limited scope. A government education official in Nangarhar told Human Rights Watch that the province has 902 schools, one of which is for children with disabilities—and it serves only children who are deaf or have speech disabilities.²⁸⁰ In Kabul, there is a single high school for children with visual impairment.²⁸¹

Children with disabilities are often kept out of school. With no system to identify, assess, and meet the particular needs of children with disabilities, they often instead simply fall out of education.

Nooria has a 5-year-old daughter with cerebral palsy. Educated, with a university degree in business administration, Nooria managed to find the funds to take her daughter to India for treatment. “But all you can do is physical therapy,” she said. “There is none available in Mazar-i Sharif. There is no special school for children with disabilities.”²⁸²

Adults with disabilities also struggle with near total lack of support in the community, a factor that sometimes leads them to be dependent on their children, who sometimes leave school as a result. Sabina, 12, said that her family moved from a village into Mazar-i Sharif when she was age 10 so that she and her three younger brothers could study, as there was

²⁷⁸ Afghanistan Ministry of Public Health, “Guidelines on Physical Rehabilitation Services 1392-1395,” revised January 2013, <https://www.mindbank.info/item/2949> (accessed May 16, 2017), p. 7.

²⁷⁹ Human Rights Watch interview with director general of general education, Ministry of Education, Kabul, May 8, 2016.

²⁸⁰ Human Rights Watch interview with Nangarhar province education official [name withheld], Jalalabad, July 26, 2016.

²⁸¹ Rumi Consultancy, “Visually Impaired Find Light of Knowledge at School for the Blind,” World Bank, November 24, 2015, <http://www.worldbank.org/en/news/feature/2015/11/24/visually-impaired-find-light-of-knowledge-at-school-for-the-blind> (accessed June 7, 2017).

²⁸² Human Rights Watch interview with Nooria, Mazar-i Sharif, July 22, 2016.

no school in their village. Sabina has managed to study, but the family struggles financially, as Sabina’s father became blind after being thrown from a building by the Taliban. Sabina’s 10-year-old brother left school after two years to be a guide for their father.²⁸³

A large proportion of the children—and adults—interviewed for this report described traumatic experiences they had survived, often related to the war in Afghanistan. Many alluded to having experienced stress, loss, grief, and displacement, and having witnessed or been the victim of violence. Afghanistan’s schools, and its health system, have little capacity to support the mental health needs of a population deeply scarred by 35 years of war.

“Our house was hit by a rocket and damaged when I was 3 years old,” said Homa, 14. “This affected my whole life. After our house was damaged, we didn’t have any money and I was not well mentally.... When I think about the war I cannot think about my sewing or studies or anything.”²⁸⁴

Corruption and Lack of Transparency

The biggest problem [in the education system] is corruption.

—Head of a private school, Kandahar, July 2016

Corruption has long been a major problem in Afghanistan. In 2016, Afghanistan was ranked 169 out of 176 countries on Transparency International’s Corruption Perceptions Index, a ranking that was actually an improvement on previous years.²⁸⁵ An NGO monitoring corruption found that when they asked Afghans to name the three most corrupt institutions in Afghanistan, the Ministry of Education came third, out of 13 institutions, surpassed only by the courts, and by judges and prosecutors.²⁸⁶

Corruption takes many forms in the education sector, including: corruption in the contracting and delivery of construction and renovation contracts; theft of supplies and

²⁸³ Human Rights Watch interview with Sabina, Mazar-i Sharif, July 21, 2016.

²⁸⁴ Human Rights Watch interview with Homa, Kabul, May 12, 2016.

²⁸⁵ Transparency International, “Corruption Perceptions Index 2016,” http://www.transparency.org/news/feature/corruption_perceptions_index_2016 (accessed February 21, 2016).

²⁸⁶ Integrity Watch Afghanistan, “National Corruption Survey 2016: Afghan Perceptions and Experiences of Corruption,” 2016, https://iwaweb.org/wp-content/uploads/2016/12/NCS__English__for-web.pdf (accessed February 21, 2016), p. 30.

equipment; theft of salaries; demand for bribes in return for teaching and other positions; demands for bribes in return for grades, registration of students, provision of documents, among other things; and “ghost school” and “ghost teachers”—schools and teachers that are funded but do not actually exist. Education officials, speaking on condition of anonymity, acknowledged that corruption is a serious challenge.²⁸⁷

Parents sometimes face demands for bribes from department of education officials. “There is no official payment [to transfer schools] but you have to pay the department of education official to do their job,” said Abdul, a father of a family displaced from Baghlan to Mazar-i Sharif. “You pay as much as they agree. [If you don’t pay] they will do it but you will suffer a lot.... There will be delays if you don’t pay. My wife tried to move [our children’s] registration from Baghlan; she had no money so she couldn’t do it.”²⁸⁸

One of the most pervasive forms of corruption is the sale of positions. Across all provinces where Human Rights Watch conducted research for this report, interviewees said it was standard practice for people to have to “purchase” teaching positions by paying a large bribe.

“When you want a job as a teacher, you have to pay 18,000 Afghanis [US\$261] to the government and then you can be a teacher,” a high school teacher told Human Rights Watch. “The money goes to all the government colleagues—every signature has a cost. Whenever they sign they want money.” He said that when he first joined the Ministry of Education in 2004, the bribe was not necessary, but he left teaching temporarily and when he tried to return he could not without paying. Unable to pay, he found temporary work as a contract teacher instead, for which a bribe was not required, but he lost that work when his family was displaced by fighting. “There is a high school near here,” he said. “But I can’t pay to have a government teaching job.”²⁸⁹

Others reported that the cost of a teaching position, in bribes, was 30,000 Afghanis (\$435), or even up to 100,000 Afghanis (\$1,449).²⁹⁰ Teachers who have paid these large bribes to secure what are relatively low-paying positions are likely to feel a need to recoup their

²⁸⁷ For example, Human Rights Watch interview with senior government provincial education official [name withheld], July 2016.

²⁸⁸ Human Rights Watch interview with Abdul, Mazar-i Sharif, July 22, 2016.

²⁸⁹ Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

²⁹⁰ Human Rights Watch interview with civil society activist [name withheld], Mazar-i Sharif, July 22, 2016.

investment through continuing corruption. Teachers may demand bribes from parents. “In Afghanistan, everyone who works for the government wants money, including teachers in schools,” a government high school teacher told Human Rights Watch.²⁹¹

Nepotism is a problem in teacher recruitment. “Seventy-five percent of the positions are under control of members of parliament,” a civil society activist working with the government’s anti-corruption Monitoring and Evaluation Committee said.

They divide the positions—20 positions per MP. They can introduce people. They use it for friends and family. Before people didn’t respect teachers but now they do, so the positions are worth more. Selling of positions is the main department of education corruption problem.²⁹²

A government provincial education official confirmed this: “One main challenge we have is Wolesi Jirga [national parliament] and local government representatives who put pressure on our recruitment and want their people put in place. Our director resists, but we have this pressure.”²⁹³

²⁹¹ Human Rights Watch interview with Mirzai, Mazar-i Sharif, July 22, 2016.

²⁹² Human Rights Watch interview with civil society activist [name withheld], Mazar-i Sharif, July 22, 2016.

²⁹³ Human Rights Watch interview with government provincial education official [name and location withheld], July 23, 2016.

IV. International Funding—Generous, but at Risk

Donors to Afghanistan have invested significantly in education, often with a specific emphasis on girls. Donor support to the education sector has focused primarily on funding the costs the government has incurred as it has worked to reform and build the government education system, but many donors have also funded a parallel system of community-based education (CBE) programs. Some donors have also supported not-for-profit schools and scholarship programs. International aid has been essential to the progress that has been achieved in expanding access to education since 2001.

However, while Afghanistan has in recent years been one of the largest recipients in the world of donor funding, only between 2 and 6 percent of overseas development assistance has gone to the education sector.²⁹⁴ Bureaucratic hurdles, low capacity, corruption, and insecurity have contributed to even these funds often going unspent by the Afghan government.²⁹⁵ The government maintains separate operating and “development” budgets, the latter of which is entirely funded by donors, although donors also contribute to the operating budget.²⁹⁶ In the government’s 2016 budget for education, the “development” budget was about 28 percent of the total allocation of US\$841 million.²⁹⁷ The operating budget funds salaries and running costs and is usually fully utilized, but the development budget, earmarked for costs such as school construction, teacher training, and textbook development and printing, is severely underutilized. For example, in 2012 the Ministry of Education spent only 32 percent of its development budget.²⁹⁸

²⁹⁴ Arne Strand, “Financing education in Afghanistan: Opportunities for Action,” Country case study for the Oslo Summit on Education for Development, <http://reliefweb.int/sites/reliefweb.int/files/resources/FINANCING%20EDUCATION%20IN%20AFGHANISTAN.pdf> (accessed June 5, 2017), p. 11.

²⁹⁵ *Ibid.*, p. 10.

²⁹⁶ *Ibid.*, p. 10.

²⁹⁷ Islamic Republic of Afghanistan, “Fiscal Year 1396 Budget,” http://www.budgetmof.gov.af/images/stories/DGB/BPRD/National%20Budget/1396_Budget/1396%20National%20Budget%20-%20Approved%20-%20English%20dated%2025Feb2017.pdf (accessed June 14, 2017), p. 12.

²⁹⁸ Arne Strand, “Financing education in Afghanistan: Opportunities for Action,” Country case study for the Oslo Summit on Education for Development, <http://reliefweb.int/sites/reliefweb.int/files/resources/FINANCING%20EDUCATION%20IN%20AFGHANISTAN.pdf> (accessed June 5, 2017), p. 10.

Many donors have funded education through contributions to a World Bank administered program, the Education Quality Improvement Program, that supports the government in delivering education services. The second phase of the program had a budget of \$408 million, and it is largely funded by donor contributions to the World Bank's Afghanistan Reconstruction Trust Fund (ARTF).²⁹⁹ As of March 2017, the named ARTF donors for the most recent Afghan fiscal year, in order of pledge size, were: the US, European Community/European Union, Germany, United Kingdom, Sweden, Denmark, Australia, Norway, Japan, Finland, and Canada.³⁰⁰

The Global Partnership for Education, another funding platform supported by multiple donors, has worked in Afghanistan since 2011, with leadership from Denmark and Canada.³⁰¹ The Global Partnership's efforts include funding CBE programs, teacher training, and providing textbooks.³⁰² The European Commission has funded emergency education through its humanitarian assistance programming, including for children whose families are being forced back from Pakistan after living there as refugees.³⁰³

As of 2014-2015, Afghanistan's largest bilateral donors, in order, were: the US, Germany, UK, and Japan, all of whom have invested heavily in education.³⁰⁴ Between 2002 and 2014 the US government spent a total of \$759 million on education in Afghanistan.³⁰⁵ The

²⁹⁹ World Bank, "Afghanistan: Second Education Quality Improvement Program: project overview," undated, <http://projects.worldbank.org/P106259/second-education-quality-improvement-program?lang=en&tab=overview> (accessed May 11, 2017).

³⁰⁰ Afghanistan Reconstruction Trust Fund (ARTF), "ARTF Administrator's Report on Financial Status, As of March 20, 2017, (end of 3rd month of FY1396)," http://www.artf.af/images/uploads/ARTF_Financial_Status_Memo_March_20_2017.pdf (accessed May 11, 2017).

³⁰¹ Denmark in Afghanistan, "Education," undated, <http://afghanistan.um.dk/en/danida/education/> (accessed May 11, 2017); Arne Strand, "Financing education in Afghanistan: Opportunities for Action," Country case study for the Oslo Summit on Education for Development, <http://reliefweb.int/sites/reliefweb.int/files/resources/FINANCING%20EDUCATION%20IN%20AFGHANISTAN.pdf> (accessed June 5, 2017), p. 12.

³⁰² Global Partnership for Education, "Afghanistan results card 2016," July 26, 2016, <http://www.globalpartnership.org/multimedia/infographic/afghanistan-results-card-2016> (accessed May 11, 2017).

³⁰³ European Union External Action, "EU-Afghanistan relations, factsheet—humanitarian assistance," February 17, 2017, https://eeas.europa.eu/headquarters/headquarters-homepage_en/10740/EU-Afghanistan%2orelations,%20factsheet (accessed May 11, 2017); European Commission, "Afghanistan: Providing emergency education to returning refugee children," updated May 8, 2017, http://ec.europa.eu/echo/field-blogs/videos/afghanistan-providing-emergency-education-returning-refugee-children_en (accessed May 11, 2017).

³⁰⁴ OECD-DAC, "Top ten donors of gross ODA for Afghanistan, 2014-2015 average, USD millions," OECD-DAC website, https://public.tableau.com/views/OECDDACAidataglacebyrecipient_new/Recipients?:embed=y&:display_count=yes&:showTabs=y&:toolbar=no?&:showVizHome=no (accessed June 5, 2017).

³⁰⁵ Special Inspector General for Afghanistan Reconstruction, "SIGAR 16-32 Audit Report: Primary and Secondary Education in Afghanistan: Comprehensive Assessments Needed to Determine the Progress and Effectiveness of Over \$759 Million in

German government has supported efforts including training of teachers through five training colleges, with an emphasis on training female teachers.³⁰⁶ The UK has made girls' education one of its key funding priorities in Afghanistan, including through a program called the Girls' Education Challenge Fund that supports CBE.³⁰⁷ The Japanese government reported that its support to Afghanistan had included construction or restoration of schools, training teachers, and development of training materials.³⁰⁸

Many donors have also supported education outside of or in addition to multi-donor and multilateral funds, often in the provinces where the donor had troops stationed. Others supported the ARTF in earlier years. Additional donors who have supported education include: Austria, Belgium, Czech Republic, France, Greece, India, Ireland, Italy, Korea, Lithuania, Netherlands, New Zealand, Poland, Slovak Republic, Slovenia, Spain, Switzerland, and United Arab Emirates.³⁰⁹

DOD, State, and USAID Programs," April 2016, <https://www.sigar.mil/pdf/audits/SIGAR-16-32-AR.pdf> (accessed February 22, 2017).

³⁰⁶ Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), "Quality education for Afghanistan: project description," undated, <https://www.giz.de/en/worldwide/14677.html> (accessed May 11, 2017).

³⁰⁷ Mir Abed Joyenda, "300,000 Afghan Girls Benefited from UK Education Program," *Tolo News*, February 26, 2017, <http://www.tolonews.com/afghanistan/300000-afghan-girls-benefited-uk-education-program> (accessed May 10, 2017).

³⁰⁸ Ministry of Foreign Affairs of Japan, "Japan's Assistance in Afghanistan: Towards Self Reliance," April 2015, <http://www.mofa.go.jp/files/000019264.pdf> (accessed May 9, 2017), p. 12.

³⁰⁹ For information on support to education by countries including Austria, Belgium, Greece, Ireland, Slovak Republic, Slovenia, and the United Arab Emirates, see Open Aid Data, "Education, Level Unspecified, Afghanistan," <http://www.openaiddata.org/purpose/625/111/40/> (accessed June 5, 2017). See also: "Czech PM makes unannounced visit to Afghanistan," Radio Prague, April 24, 2016, <http://www.czech.cz/en/Noticias/Czech-PM-makes-unannounced-visit-to-Afghanistan> (accessed June 6, 2017); La France en Afghanistan, "L'education," <https://af.ambafrance.org/-Education> (accessed June 6, 2017); India News, "Education co-operation marks new height in India-Afghanistan relationship," March 2007, eoi.gov.in/kabul/?pdf0143?000 (accessed June 5, 2017); Farnesina, Ministry of Foreign Affairs and International Cooperation of Italy, "Afghanistan - Italy contributes to education," March 29, 2013, http://www.esteri.it/mae/en/sala_stampa/archivionotizie/approfondimenti/20130329_afganistan.html (accessed June 5, 2017); Arefi, "Korea seeks peace, stability through education in Afghanistan," *Kabul Times*, January 28, 2017, <http://thekabultimes.gov.af/index.php/opinions/politics/12964-korea-seeks-peace-stability-through-education-in-afghanistan.html> (accessed June 5, 2017); Lithuania Development Cooperation, "Development Cooperation with Afghanistan," undated, <https://orangeprojects.lt/en/afghanistan/development-cooperation-with-afghanistan> (accessed June 5, 2017); Netherlands government, "Netherlands gives a million dollars for Afghan education," June 13, 2007, <https://www.government.nl/latest/news/2007/06/13/netherlands-gives-a-million-dollars-for-afghan-education> (accessed June 5, 2017); Vernon Small, "Flags lowered as PRT closes in Bamiyan," *Stuff*, April 5, 2013, <http://www.stuff.co.nz/national/8512024/Flags-lowered-as-PRT-closes-in-Bamiyan> (accessed July 24, 2017); Polish Aid, "Afghanistan," undated, <https://polskapomoc.gov.pl/Afghanistan,189.html> (accessed June 5, 2017); Edward Burke, "Spain's War in Afghanistan," *FRIDE*, January 2010, fride.org/download/PB_Spain_Afghanistan_ENG_jan10.pdf (accessed June 5, 2017); Switzerland and Afghanistan, "Basic education and vocational training," undated, <https://www.eda.admin.ch/countries/afghanistan/en/home/international-cooperation/themes/basic-and-vocational-education.html> (accessed June 5, 2017).

In November 2016, donors and the Afghan government convened for the Brussels Conference on Afghanistan, where donors pledged \$15.2 billion in aid for Afghanistan over the next four years. The goal of the conference organizers was to sustain aid at or near current levels, and this figure was seen as representing an achievement of that goal.³¹⁰

Despite the large pledges made at the Brussels Conference, the overall outlook for aid in Afghanistan is downward. Nongovernmental organizations report that they are feeling the effects of reductions in funding, and this is already having an impact on the many girls studying outside the government's education system. Programs run by organizations specifically designed to reach girls who otherwise would not be able to attend school, are entirely dependent on funding from Afghanistan's donors.³¹¹

The impact on girls' education will likely be greater in the future, as government fixed costs will eat up a growing proportion of a declining aid budget.³¹² "The cost of the [Afghan security forces] and the civil service is the total amount that has to be on-budget," the deputy country director for a major aid organization told Human Rights Watch. "On-budget donor funds will get cut in the next few years so money will be diverted to that and will bleed out all other programs.... On-budget support is squeezing out NGOs."³¹³

The head of an Afghan education said that the declining funds for NGOs, as the security forces took larger proportions of aid, would lead to "more opportunities for the MoE to control these [NGO] programs and make them do what they want." She also expressed concern that aid funds for organizations that provide oversight of the government were likely to dry up, leaving even less accountability.³¹⁴

"A lot of donors are having less oversight [of projects] because of security—that's pushing a move toward pooled funding," an international official told Human Rights Watch, recognizing that this was putting NGOs under pressure.³¹⁵

³¹⁰ "Afghanistan aid: Donors promise \$15.2bn in Brussels," BBC, October 5, 2016, <http://www.bbc.co.uk/news/world-asia-37560704> (accessed May 11, 2017).

³¹¹ Human Rights Watch interview with education director from international NGO [name withheld], London, 2016.

³¹² Steve Sternlieb, "Inadequate Revenue Threatens Afghanistan's Stability," *Stability: International Journal of Security and Development*, vol. 3(1), p. 14, <http://www.stabilityjournal.org/articles/10.5334/sta.dl/print/> (accessed May 12, 2017).

³¹³ Human Rights Watch interview with deputy director of a major international NGO (name withheld), Kabul, May 11, 2016.

³¹⁴ Human Rights Watch interview with head of Afghan education NGO [name withheld], Kabul, May 8, 2016.

³¹⁵ Human Rights Watch interview with international organization official [name withheld], Kabul, May 8, 2016.

Another change in donor funding that has affected girls occurred as international troops withdrew from many provinces in 2014, taking their funding with them.³¹⁶ Under the system previously in place through the NATO military command, specific troop-contributing countries had security responsibility for each province, through a system of Provincial Reconstruction Teams. These countries typically invested in development aid, including for education, in the same province. This created a patchwork, where some provinces were much better funded than others, and sometimes created resentment based on the perception that more secure areas of the country were neglected.³¹⁷ But as the troops drew down, the aid funding typically did as well, or even when the troop-contributing country continued providing similar levels of aid, it was no longer tied to that province.

The result was that some provinces, particularly those that had been recipients of higher levels of aid funding, have already seen a steep decline in funds. For example, one NGO manager told Human Rights Watch that most programs have closed in Helmand, a particularly insecure province where before 2014, nearly 10,000 UK troops had been deployed. “The UK left. They were funding programs and they stopped,” the manager said. “There are very few programs in Helmand now, and they are mostly ending.”³¹⁸

There are also threats to funding specific to the education sector. “Relations between the ministry and donors are really bad these days,” an expert who formerly worked in the Ministry of Education said. “Donors are fatigued, and the ministry has mishandled the situation.... Donors are cutting funds to education because they see they minister’s capacity is low, so they divert funds to other ministries.”³¹⁹

The deputy minister of general education acknowledged that donors have concerns. “Donors are still very interested in girls’ education,” he said, but added that they want the

³¹⁶ See, for example, David Loyn, “Helmand: Life after UK troop pullout,” BBC, July 20, 2015, <http://www.bbc.co.uk/news/world-asia-33557320> (accessed May 12, 2017); May Jeong, “Stories from Kandahar, the Afghan province Canada left behind,” *Open Canada*, July 20, 2016, <https://www.opencanada.org/features/stories-kandahar-afghan-province-canada-left-behind/> (accessed May 12, 2017).

³¹⁷ Frank E. Hughlett, “Good Governance Matters: Optimizing U.S. PRTs in Afghanistan to Advance Good Governance,” US Joint Forces Staff College/Joint Advanced Warfighting School, April 2009, <http://www.dtic.mil/dtic/tr/fulltext/u2/a530202.pdf> (accessed May 12, 2017), p. 18.

³¹⁸ Human Rights Watch interview with NGO manager [name and location withheld], July 2016.

³¹⁹ Human Rights Watch interview with expert of education in Afghanistan, phone interview, April 21, 2016.

Ministry of Education to be more active. “They want more transparency, more planning, etcetera.”³²⁰

Out in the provinces, local education officials just see themselves under greater pressure. “Donors were funding the Ministry of Education, but we are getting less now than we were in the past,” a provincial education official said.³²¹

Those involved in education programs also expressed frustration with how the donors worked. Several raised concerns about lack of coordination among donors, with multiple donors funding similar but separate services in the same province or district, confusing the local population and leading to over-saturation in some areas, while gaps persist in other—often less secure—areas.³²² Others pointed to slow delivery in some programs, including the large World Bank EQUIP education initiatives, the second of which the World Bank itself rated as having “moderately unsatisfactory” overall implementation progress.³²³ Concerns about coordination were echoed by a 2010 report assessing aid effectiveness in Afghanistan. The report found: “Afghanistan is the playing field of approximately 40 to 50 donors. A large number of donors, not coordinating with each other nor consulting with the government and addressing their own priorities in terms of sectoral and/or geographic preferences can only produce fragmented results.”³²⁴

³²⁰ Human Rights Watch interview with Dr. Ibrahim Shinwari, Deputy Minister of General Education, Kabul, May 7, 2016.

³²¹ Human Rights Watch interview with government provincial education official [name and location withheld], July 2016.

³²² E.g. Human Rights Watch interview with head of Afghan education NGO [name withheld], Kabul, May 8, 2016.

³²³ Human Rights Watch interview with international expert [name withheld], Kabul, May 8, 2016; World Bank, “Afghanistan: Second Education Quality Improvement Program: ratings,” December 16, 2016, <http://projects.worldbank.org/P106259/second-education-quality-improvement-program?lang=en&tab=ratings> (accessed May 12, 2017).

³²⁴ Islamic Republic of Afghanistan Ministry of Finance and Baawar Consulting Group, “Joint evaluation of the Paris Declaration phase 2: Islamic Republic of Afghanistan,” 2010, <http://www.oecd.org/development/evaluation/dcdndep/47082853.pdf> (access May 12, 2017), p. 19.

V. Afghanistan's Obligations Under Afghan and International Law

The rights to non-discrimination and equality between men and women are enshrined in numerous human rights treaties and Afghan domestic law. Non-discrimination is essential for ensuring that all children, and girls in particular, have full access to education.

Right to Education

Education is a basic right enshrined in various international treaties ratified by Afghanistan, including the Convention on the Rights of the Child (CRC), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).³²⁵

Afghanistan has also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which includes an obligation to ensure women's equal rights with men, including in the field of education.³²⁶

The right to education entails state obligations of both an immediate and progressive kind. According to the UN Committee on Economic, Social and Cultural Rights, the expert body that interprets the ICESCR and provides guidance to states in their efforts to implement it, steps towards the ICESCR's goals should be "deliberate, concrete and targeted as clearly as possible towards meeting the obligations." The committee has also stressed that the ICESCR imposes an obligation to "move as expeditiously and effectively as possible towards that goal."³²⁷

³²⁵ Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990. Afghanistan ratified the CRC in 1994; International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976.

³²⁶ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted December 18, 1979, G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46) at 193, U.N. Doc. A/34/46, entered into force September 3, 1981. Afghanistan ratified CEDAW in 2003.

³²⁷ UN Committee on Economic, Social and Cultural Rights, General Comment No. 3, The nature of States parties' obligations (Fifth session, 1990), U.N. Doc. E/1991/23, paras. 2 and 9.

Under international human rights law, everyone has a right to free, compulsory, primary education, free from discrimination.³²⁸ The Committee on Social, Economic and Cultural Rights has stated that the right to fundamental education extends to all those who have not yet satisfied their “basic learning needs.”³²⁹

International law also provides that secondary education shall be generally available and accessible to all. The right to secondary education includes “the completion of basic education and consolidation of the foundations for life-long learning and human development.”³³⁰ It also includes the right to vocational and technical training.³³¹

Human Rights Watch believes governments should take immediate measures to ensure that secondary education is available and accessible to all free of charge. They should also encourage and intensify “fundamental education” for those persons who have not received or completed the whole period of primary (or basic) education.³³²

In implementing their obligations on education, governments should be guided by four essential criteria: availability, accessibility, acceptability, and adaptability. Education should be available throughout the country, including by guaranteeing adequate and quality school infrastructure, and accessible to everyone on an equal basis. Moreover, the form and substance of education should be of acceptable quality and meet minimum

³²⁸ ICESCR, arts. 13 and 2.

³²⁹ UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, The Right to Education (Art. 13), para. 23.

³³⁰ UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, The Right to Education (Art. 13), E/C.12/1999/10 (1999), [http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/d\)GeneralCommentNo13Therighttoeducation\(artic13\)\(1999\).aspx](http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/d)GeneralCommentNo13Therighttoeducation(artic13)(1999).aspx) (accessed August 10, 2017), paras. 11–12.

³³¹ Universal Declaration of Human Rights (UDHR), adopted December 10, 1948, G.A. Res. 217A(III), U.N. Doc. A/810 at 71 (1948), art. 26; ICESCR, art. 13(2)(b); CRC, art. 28. Technical and vocational education and training refers to all forms and levels of the educational process involving, in addition to general knowledge, the study of technologies and related sciences and the acquisition of practical skills, know-how, attitudes and understanding relating to occupations in the various sectors of economic and social life. Convention on Technical and Vocational Education 1989, adopted November 10, 1989, No. 28352, art. 1(a). For further information, see also Convention on Technical and Vocational Education, November 10, 1989, art. 3.

³³² ICESCR, art. 13(d). According to the 1990 World Declaration on Education for All, “sound basic education is fundamental to the strengthening of higher levels of education and of scientific and technological literacy and capacity and thus to self-reliant development.” Basic education “should be provided to all children, youth and adults ... [and] should be expanded and consistent measures must be taken to reduce disparities.” World Conference on Education for All, World Declaration on Education For All and Framework for Action to Meet Basic Learning Needs, Jomtien, Thailand, March 1990, <http://unesdoc.unesco.org/images/0012/001275/127583e.pdf> (accessed August 8, 2017), art. 3(1)-(2).

educational standards, and the education provided should adapt to the needs of students with diverse social and cultural settings.³³³

Governments should act to ensure that functioning educational institutions and programs are sufficiently available within their jurisdiction. Functioning education institutions should include buildings, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and, where possible, facilities such as a library, computer facilities and information technology.³³⁴

Non-Discrimination in Education

Governments should guarantee equality in access to education as well as education free from discrimination. According to the Committee on Economic, Social and Cultural Rights, discrimination constitutes “any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination and which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise [of rights] on an equal footing.”³³⁵

In addition to removing any forms of direct discrimination against students, governments should also ensure indirect discrimination does not occur as a result of laws, policies, or practices that may have the effect of disproportionately impacting on the right to education of children who require further accommodation, or whose circumstances may not be the same as those of the majority school population.³³⁶

CEDAW addresses the right to non-discrimination in all spheres. Article 1 of CEDAW defines “discrimination against women” as any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition,

³³³ UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, The Right to Education (Art. 13), E/C.12/1999/10 (1999), [http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13Therighttoeducation\(article13\)\(1999\).aspx](http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13Therighttoeducation(article13)(1999).aspx) (accessed August 8, 2017), para. 6 (a)–(d).

³³⁴ *Ibid.*

³³⁵ UN Committee on Economic, Social and Cultural Rights, General Comment No. 20, Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), E/C.12/GC/20 (2009), <http://www.refworld.org/docid/4a60961f2.html> (accessed August 10, 2017), para. 10 (b).

³³⁶ *Ibid.*

enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women.³³⁷

Governments also have a positive obligation to remedy abuses that emanate from social and cultural practices. CEDAW requires that states “take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs, and practices which constitute discrimination against women.”³³⁸ It obligates states to “refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation,” and to “take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise.” CEDAW requires governments:

To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.³³⁹

International human rights law also calls upon governments address the legal and social subordination women and girls face in their families, provisions violated by Afghanistan’s tolerance of a disproportionate number of girls being excluded from school.

The UNESCO Convention against Discrimination in Education—accepted by Afghanistan in 2010—also articulates obligations on governments to eliminate any form of discrimination, whether in law, policy, or practice, that could affect the realization of the right to education. Under the UNESCO Convention, governments are obligated to develop policies that “tend to promote equality of opportunity and of treatment in the matter of education and in particular ... [t]o ensure that the standards of education are equivalent in all public educational institutions of the same level, and that the conditions relating to the quality of the education provided are also equivalent.”³⁴⁰

³³⁷ CEDAW, art. 1.

³³⁸ CEDAW, art. 2.

³³⁹ CEDAW, art. 5(a).

³⁴⁰ United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education adopted December 14, 1960, entered into force May 22, 1962, art. 4. Afghanistan accepted the UNESCO Convention on January 25, 2010.

Quality of Education

It is widely acknowledged that any meaningful effort to realize the right to education should make the quality of such education a core priority. The Committee on Economic, Social and Cultural Rights has maintained that beyond their access obligations, governments need to ensure that the form and substance of education, including curricula and teaching methods, are “acceptable” to students. The committee stated that acceptability hinges on a range of different factors, including the notion that education should be of “good quality.”³⁴¹ The aim is to ensure that “no child leaves school without being equipped to face the challenges that he or she can expect to be confronted with in life.”³⁴² According to the Committee on the Rights of the Child, an education of good quality “requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs.”³⁴³

Under the Convention Against Discrimination in Education, governments are obligated to “ensure that the standards of education are equivalent in all public educational institutions of the same level, and that the conditions relating to the quality of the education provided are also equivalent.”³⁴⁴

Protection from Child Marriage and Child Labor

Child marriage is recognized under international law as a human rights violation. Since the vast majority of those subjected to child marriage are girls, it is considered a form of gender-based discrimination, and it violates other human rights principles. The CRC does not explicitly address child marriage. However, child marriage is viewed as incompatible with a number of the articles in the convention. CEDAW states explicitly that the marriage or betrothal of a child should have no legal effect.³⁴⁵

There is an evolving consensus in international law that 18 should be the minimum age for marriage. The committees that interpret the CRC and CEDAW have each recommended that

³⁴¹ UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, The Right to Education (Art. 13), para. 6(c).

³⁴² UN Committee on the Rights of the Child, General Comment No. 1, The Aims of Education (article 29), CRC/GC/2001/1 (2001), http://www2.ohchr.org/english/bodies/crc/docs/GC1_en.doc (accessed August 10, 2017).

³⁴³ *Ibid.*, para. 22.

³⁴⁴ UNESCO Convention against Discrimination in Education, art. 4(b).

³⁴⁵ CEDAW, art.16 (2).

18 be the minimum age for marriage for boys and girls, regardless of parental consent.³⁴⁶ The Committee on the Rights of the Child has taken a clear position on 18 as the minimum age for marriage, regardless of parental consent, and repeatedly addressed the need for countries to establish a definition of a child in all domestic legislation that is consistent with the provisions of the CRC.³⁴⁷ These committees have pointed to the importance of delaying marriage to protect young girls from the negative health implications of early marriage such as early pregnancy and childbirth and to ensure that girls complete their education.³⁴⁸

Underage marriage has serious health consequences for girls and contributes to Afghanistan's extremely high maternal mortality and infant mortality rates. The CEDAW committee has noted the link between high rates of maternal mortality and child marriage in numerous countries.³⁴⁹ The Committee on the Rights of the Child in 2003 urged governments to take "preventive, promotive and remedial action" to safeguard women from harmful traditional practices, including child marriage, that deprive girls and women their right to adequate reproductive or sexual health.³⁵⁰ The CEDAW committee has noted that child marriage and early pregnancy impede girls' rights to education, and are a primary cause of school drop-out for girls.³⁵¹

³⁴⁶ CEDAW Committee, General Recommendation No. 21, Equality in Marriage and Family Relations, (Thirteenth Session, 1994), para. 36; UN Committee on the Rights of the Child, General Comment No. 4, Adolescent Health and Development in the Context of the Convention on the Rights of the Child, (Thirty-third session, 2003), para. 20.

³⁴⁷ Committee on the Rights of the Child, General Comment No. 4, Adolescent Health and Development in the Context of the Convention on the Rights of Child, CRC/GC/2003/4, (2003), <http://www.ohchr.org/Documents/Issues/Women/WRGS/Health/GC4.pdf> (accessed August 10, 2017), paras. 16, 20, and 35 (g).

³⁴⁸ CEDAW Committee, General Recommendation No. 21, Equality in Marriage and Family Relations, (Thirteenth Session, 1994), para. 36; UN Committee on the Rights of the Child, General Comment No. 4, Adolescent Health and Development in the Context of the Convention on the Rights of the Child, (Thirty-third session, 2003), para. 20.

³⁴⁹ See, for example, CEDAW Committee, "Concluding Observations of the Committee to End All Forms of Discrimination against Women, Nigeria," July 8, 2008, <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-NGA-CO-6.pdf> (accessed July 24, 2017), para. 336. "The Committee is especially concerned at the very high maternal mortality rate, the second highest in the world.... The Committee notes the various contributing factors such as ... early and child marriages, early pregnancies, high fertility rates and inadequate family planning services, the low rates of contraceptive usage, leading to unwanted and unplanned pregnancies, and the lack of sex education, especially in rural areas. The Committee expresses concern about the lack of access by women and girls to adequate health-care services, including prenatal and postnatal care, obstetric services and family planning information, particularly in rural areas."

³⁵⁰ CRC, General Comment No. 4, para. 21.

³⁵¹ See, for example, CEDAW Committee, "Concluding Observations of the Committee to End All Forms of Discrimination against Women, Uganda," October 22, 2010, para.31, <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-UGA-CO-7.pdf> (accessed August 10, 2017).

Under Afghan law, the minimum age of marriage for girls is 16, or 15 with the permission of the girl's father or a judge.³⁵² Afghanistan's law also violates international legal prohibitions against gender discrimination, by setting a different minimum age of marriage for men versus women.³⁵³

The CRC also obligates governments to protect children from economic exploitation, and from performing work that is hazardous, interferes with a child's education, or is harmful to the child's health or physical, mental, spiritual, moral, or social development.³⁵⁴ The International Labour Organization's (ILO) Minimum Age Convention and the Worst Forms of Child Labor Convention describe what types of work amount to child labor, depending on the child's age, the type and hours of work performed, the impact on education, and other factors.³⁵⁵

Under Afghanistan's Labor Law, 18 is the minimum age for employment. Children between the ages of 15 and 17 are allowed to work only if the work is not harmful to them, requires less than 35 hours a week, and represents a form of vocational training. Children 14 and younger are not allowed to work.³⁵⁶

Right to Inclusive and Accessible Education

The Convention on the Rights of Persons with Disabilities (CRPD), to which Afghanistan is a party, promotes "the goal of full inclusion" in all levels of education, and obligates governments to ensure children with disabilities have access to inclusive education, and that they are able to access education on an equal basis with others in their communities.³⁵⁷ Children with disabilities should be provided with the level of support and effective individualized measures required to "facilitate their effective education."³⁵⁸

³⁵² Civil Law of the Republic of Afghanistan (Civil Code), *Official Gazette*, No. 353, January 5, 1977, arts. 70-71.

³⁵³ *Ibid.*

³⁵⁴ CRC, art. 32.

³⁵⁵ International Labour Organization, "ILO Conventions and Recommendations on child labour," undated, <http://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm> (accessed August 10, 2017).

³⁵⁶ Labor Law of Afghanistan, No. 790, November 11, 1999, http://moj.gov.af/content/files/OfficialGazette/0901/OG_0966.pdf (accessed July 24, 2017), arts. 13 and 120.

³⁵⁷ Convention on the Rights of Persons with Disabilities (CRPD), adopted December 13, 2006, G.A. Res 61/106, U.N. Doc A/RES/61/106, entered into force May 3, 2008, acceded art. 24. Afghanistan ratified the CRPD on September 18, 2012.

³⁵⁸ CRPD, art. 24(2)(d), (e).

Under the CRPD, the Afghan government is obliged to ensure that schools are accessible to students with disabilities.³⁵⁹ This entails both an obligation to ensure that facilities are physically accessible to students, and an obligation to ensure that the education schools offer is itself accessible as well. This includes, for example, the need to ensure that schools have teaching materials and methods accessible to students who are blind or have hearing disabilities.³⁶⁰ The government is also obliged both to develop accessibility standards to guide the design of new facilities, products, and services and to take gradual measures to make existing facilities accessible.³⁶¹

Protection from Violence, including Corporal Punishment and Cruel and Degrading Forms of Punishment

Under international law, governments should take all appropriate legislative, administrative, social, and educational measures to protect children from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, and maltreatment.³⁶² The CRC obligates governments to “take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity.”³⁶³ The Committee on the Rights of the Child has defined corporal or physical punishment as “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light.”³⁶⁴

The UN special rapporteur on torture, and other cruel, inhuman or degrading treatment or punishment, has warned states that corporal punishment is inconsistent with governments’ obligations to protect individuals from cruel, inhuman, or degrading

³⁵⁹ Ibid., art. 9.

³⁶⁰ UN Committee on the Rights of Persons with Disabilities, General Comment No. 4 (2016) Article 24: Right to inclusive education, CRPD/C/GC/4 (2016), http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4&Lang=en (accessed August 10, 2017), paras. 13-26.

³⁶¹ Ibid., para. 24.

³⁶² CRC, art. 19(1). See also: Global Initiative to End All Corporal Punishment of Children and Save The Children, “Towards non-violent schools: prohibiting all corporal punishment, Global report 2015,” May 2015, <http://www.endcorporalpunishment.org/assets/pdfs/reports-thematic/Schools%20Report%202015-EN.pdf> (accessed August 10, 2017), pp. 4-5.

³⁶³ CRC, art. 28(2).

³⁶⁴ UN Committee on the Rights of the Child, General Comment No. 8(2006): The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts.19; 28, para. 2; and 37, inter alia), CRC/C/GC/8 (2007), http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f8&Lang=en (accessed August 10, 2017), para. 11.

punishment or even torture.³⁶⁵ The international prohibition of torture and other cruel, inhuman or degrading treatment or punishment, relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim.³⁶⁶ Children and pupils in teaching institutions should be protected from corporal punishment, “including excessive chastisement ordered as ... an educative or disciplinary measure.”³⁶⁷

³⁶⁵ UN Commission on Human Rights, Report of the Special Rapporteur, Mr. Nigel S. Rodley, submitted pursuant to Commission on Human Rights resolution 1995/37 B, E/CN.4/1997/7, January 10, 1997 http://repository.un.org/bitstream/handle/11176/216289/E_CN.4_1997_7-EN.pdf?sequence=3&isAllowed=y (accessed July 24, 2017), para. 6.

³⁶⁶ UN Human Rights Committee, General Comment No. 20: Article 7 (Prohibition of torture or other cruel, inhuman or degrading treatment or punishment), A/44/40, (1992), http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fGEC%2f6621&Lang=en (accessed August 10, 2017), para. 5.

³⁶⁷ *Ibid.*, para. 5.

Recommendations

To the President and Chief Executive

- Take concrete steps, with international assistance, to realize the right to primary and secondary education, including through the construction or renovation of school buildings, training and recruiting of teachers, and the provision of learning and teaching materials.
- Encourage continued international assistance for education from foreign donors.
- Direct the Ministry of Education to make girls' education a priority within the education budget, in regard to construction and rehabilitation of schools, training and recruitment of female teachers, and provision of supplies, to address the imbalance between the participation of girls and boys in education.
- Support efforts to develop sustainable solutions to increase girls' participation in education, including by developing strategies to expand community-based education (CBE), incorporate CBE into the government's education system, and ensure long-term funding.
- Ensure anti-corruption efforts include a strong focus on fighting corruption within the education sector.
- Strengthen oversight of the Ministry of Education specifically in regard to its progress toward ensuring that all girls complete primary and secondary education, by taking steps to ensure that the Ministry of Education provides accurate data on girls' education, monitoring enrolment and attendance by girls, and setting specific targets the Ministry of Education must meet toward achieving parity between girls and boys and universal primary and secondary education for girls and boys.
- Ensure that students deprived of their schools as a result of hostilities or threats, the need for their school to be repaired or reconstructed, or the use of their school for military purposes, are promptly provided access to alternative educational facilities in their vicinity.
- Promptly implement the National Action Plan to end child marriage, with the goal of ending all child marriage by 2030, as aimed for in Sustainable Development Goal target 5.3.
- Take concrete measures so that state security forces, including the Afghan military, police, and pro-government militias, refrain from using schools, consistent with UN

Security Council Resolution 2225 (2015) and the Safe Schools Declaration, which the Afghan government endorsed in May 2015.

- In any negotiations with insurgent groups, make it a priority to negotiate for access to education for all children, including girls, in insurgent-controlled and contested areas of the country.

To the Ministry of Education

Increase Access to Education for Girls

- With international assistance, ensure universal access to free primary and secondary education, in accordance with Sustainable Development Goal 4, including by:
 - Providing all needed school supplies to all students, including notebooks, pens, pencils, and a book bag;
 - Abolishing uniform requirements, or providing uniforms at no cost to students;
 - Reforming the system for providing textbooks, to ensure that every student receives free use of a full set of textbooks in a timely manner each school year;
 - Hiring and deploying more qualified teachers as needed;
 - Rehabilitating, building and establishing new schools.
- Ensure that all newly constructed schools have adequate boundary walls, safe and private toilets with hygiene facilities, and access to safe drinking water. Work promptly to install boundary walls, toilets with hygiene facilities and a safe drinking water source in existing schools that do not have them, with the goal of all schools having these facilities.
- Ensure teachers are provided domestically competitive salaries, commensurate with their roles, and provide financial incentives to encourage teachers, especially female teachers, to work in remote or under-served areas of the country.
- Conduct a study to address the reasons many female teacher trainees do not become teachers, including corruption, salary, safety, and infrastructure issues including access to safe toilets, and develop a remedial plan to increase the recruitment, retention, and deployment of female teacher training graduates to underserved areas based on the study findings.

- Instruct all principals to work with school staff to do outreach in the catchment area for each school, identifying out-of-school children and working with families to convince them to send their children to school.
- Develop and ensure compliance with guidelines that prohibit schools from excluding students based on their lack of identification, and develop procedures to make it easier for families to obtain a *tazkira* [ID card], including making it possible to obtain one without returning to the individual's place of birth.
- Require schools to permit children to enroll at any point in the school year.
- Ensure that every school has an active school management committee, and that the staff of the school are working with the committee to identify and reach out-of-school children in the community. Work with donors to explore options for increasing attendance by girls through food distribution or meal programs at girls' schools.
- Develop a plan to increase access to alternative forms of education for children and adults who have been unable to study during their school-age years.
- Expand access to safe and adequate vocational training opportunities for married women and girls in all provinces, and publicize these programs.

Formalize Community-Based Education and Make it Sustainable

- Work with donors and CBE providers to develop and implement a practical plan to expand CBE, make it sustainable, and incorporate CBE into the government education system.
- Work with donors and CBE providers to expand CBE through class twelve in areas where there is no government school available for girls who complete CBE.
- Develop guidelines requiring schools to accept all CBE graduates into the next grade regardless of their age.
- Instruct principals of secondary schools to partner with nearby CBEs to ensure a seamless transition for girls transferring from CBE to government secondary school.

Improve Retention of Girls in School

- Adopt mechanisms to ensure all schools regularly monitor students who are out of school for prolonged periods of time or drop out of school altogether, and reach out to determine the reasons for non-attendance and seek to re-engage the student in school.
- When a child who previously attended school elsewhere seeks to register for school in a new location, require the school in the new location to register the child

immediately and make the Education Department or school responsible for contacting the previous school to obtain information about the child's grade level, and other relevant information. Develop measures to compel unregistered *madrasas* to register, and require them to teach the government curriculum as well as providing religious education. Permit *madrasa* students who have studied the government curriculum and wish to transfer to enroll in the next grade level in government school.

- Develop guidelines for teachers and principals on monitoring the student body for girls at risk of child marriage. When girls are identified as being at risk, school staff should reach out to the family to discourage the marriage and to keep the girl in school. When female students marry, school staff should advocate with the girl's family and in-laws to convince them to allow her to continue her studies. Married girls should be both permitted and encouraged to continue their studies, including during pregnancy and if they have children.
- In consultation with school officials, students, communities, and relevant local government officials, design transportation plans for students who travel more than one hour to get to school.
- Introduce a partial or fully subsidized transport program for students in urban areas.
- Instruct each principal of a school for girls to work with police in the area to identify locations where girls walking to school face harassment or threats, and enlist police and community leaders in preventing such threats to their safety and taking quick action when girls encounter them.
- Take steps to help ensure cases of harassment and threats are reported to appropriate enforcement authorities, including police, and that cases are duly investigated and appropriately prosecuted.

Enforce Compulsory Education

- Develop a phased plan to achieve Sustainable Development Goal target 4.1, by 2030 ensuring that all girls and boys complete free, equitable and quality primary and secondary education. Gradually roll out compulsory education across the country, including through public awareness strategies, plans for engaging community leaders, and systems for identifying and engaging out-of-school children and their families.
- Develop, and ensure compliance with, guidelines that require government schools to ensure that all children of compulsory school age enroll and complete at least lower secondary school.

Improve the Quality of Education

- Reform the system for disbursing funds to schools to ensure that they receive their allocated funding promptly at the beginning of the fiscal year. Strengthen the system for monitoring and quality assurance of all schools, not only for government schools but also for CBEs, *madrasas*, and private schools.
- Prioritize placing teachers in all subject areas in under-served schools, and urgently adopt measures to ensure all schools are able to teach all core subjects.
- Publicly prohibit all school staff from using any form of corporal punishment, and take appropriate disciplinary action against any employee violating this rule.
- Include mandatory training on alternative forms of class management and teacher discipline in all teacher trainings. Ensure teachers are adequately trained in positive forms of class management, and ensure teachers are provided with sufficient materials and tools to adequately manage large classrooms.

Meet the Needs of Children with Disabilities and Mental Health Needs

- Develop nationwide plan for ensuring full access to inclusive education for children with disabilities, including training facilities and specialized staff to allow children with disabilities to receive quality inclusive education in all government schools.
- Require all government schools to provide reasonable accommodation for all children with disabilities.
- Provide training and mentoring of teachers in primary and secondary schools, as well as district and provincial education officers, on inclusive education and practical skills to include children with disabilities in government schools;
- Provide training in counseling for teachers to enable them to support children with diverse disabilities and their families.
- Ensure students with disabilities have access to free or subsidized assistive devices, including wheelchairs, canes, or eyeglasses, needed to facilitate their movement, participation, and full inclusion in schools.
- Take steps to:
 - Ensure all parts of any new buildings, including toilets, are fully accessible to students and teachers with disabilities.
 - Develop textbooks and teaching materials accessible to students with disabilities and available in accessible formats such as braille or easy-to-understand formats.

- Provide schools with additional budget lines to purchase materials, Perkins brailers, and other equipment needed to ensure education is accessible to students with disabilities on an equal basis with others.
- Collect data on the enrollment, dropout, and pass rates of children with disabilities and disaggregate data by type of disability and gender.
- Work with the Ministry of Public Health to develop training for school staff on recognizing mental health needs, and to help them make referrals for specialized services for children who may want mental health support or services, including as a result of trauma.

Improve Transparency and Accountability

- Strengthen anti-corruption mechanisms within the Ministry of Education to ensure that anyone who encounters corruption by ministry employees can easily report it, and that all reports are promptly and thoroughly investigated and acted on through employment sanctions or prosecution. Strengthen internal monitoring and evaluation mechanisms to assess the performance of ministry efforts at the local, district, provincial and national levels, and make findings public.
- Include in all job announcements and recruitment materials statements explaining that it is an offense for anyone to demand a bribe at any stage in the recruitment process for teachers, and include information on how applicants can confidentially report any such demands. Appropriately sanction or seek prosecution of any official found to have demanded bribes.
- Post monthly lists of which schools nationwide by name and location are currently open, and which are closed and the reason for the closure on the ministry website, and in hard copies in public areas of provincial and district government offices, and if possible via text message listing. Provide information with these lists on how members of the public can make reports or inquiries regarding school closures.
- When schools close, ensure that the provincial department of education, with support from UN agencies and humanitarian organizations, puts in place emergency measures to ensure that students deprived of educational facilities as a result of hostilities or threats, the need for their school to be repaired or reconstructed, or the use of their school for military purposes, are promptly provided access to alternative educational facilities in their vicinity.
- Transfer funding for closed schools, and redirect for other urgent needs, such as emergency education for displaced children and school reconstruction.

To Ministry of Labor, Social Affairs, Martyrs and Disabled

- Strengthen the role of the province-level Child Protection Action Networks (CPANs) and give them responsibility for assisting all out-of-school children.
- Ensure that educators, communities and local government officials work with the local CPAN to protect the most vulnerable children, including out-of-school children, and children at risk of child marriage and child labor, and provide them with access to child protection services, where available.
- Work with the Ministry of Education to ensure access to inclusive and quality education for children with disabilities.

To Ministry of Interior

- Instruct police officials at the provincial and district level to ensure that police at the community level work with schools to ensure the safety of students, including monitoring potential threats to schools, students and teachers, and working to prevent harassment and abuse of students, especially girls.
- Work with the Ministry of Education to collect reliable data on military use of schools by both Afghan security forces and the Taliban and other armed groups. Data should include the names and locations of the educational institutions being used; the purpose for which they are being used; the duration of the use; the specific security force unit or armed group making use of the school; the enrollment prior to use and attendance during use; impact on students unable to attend school; actions taken by the authorities to end military use of the school; and the damages sustained during the military use of the school. Where relevant data should be disaggregated by gender to capture any disproportionate impact on girls.

To Ministry of Defense and Ministry of Interior

- Issue clear, specific, and concrete orders to all Afghan security forces, including the Afghan military, police, and pro-government militias, to avoid use of schools and school property for camps, barracks, deployment, or as depots for weapons, ammunition, and materiel in accordance with the Safe Schools Declaration and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict. Incorporate the Guidelines into military doctrine, operational orders, trainings, and other means of dissemination to encourage appropriate practice through the chain of command.

To Ministry of Finance

- Work with the Ministry of Education to ensure that allocated funds are promptly received and fully utilized for their intended purpose.
- Improve systems to disburse funds to schools, so that annual funding is received promptly.

To Ministry of Women's Affairs

- Assist the Ministry of Education in developing a phased plan to gradually role out compulsory education across the country, by helping to craft strategies to build support for free universal girls' education through secondary school at the community level.

To the Taliban and Other Non-State Armed Groups

- Uphold the right of girls and boys to education in all areas that are contested or under the control of anti-government forces. Issue clear orders to all commanders and fighters forbidding them from attacking or threatening schools, teachers, students, and families of students.
- Immediately cease all attacks against schools that are not lawful military objectives. Take appropriate disciplinary action against individuals who are responsible for unlawful attacks on schools.
- Take appropriate disciplinary action against individuals who are responsible for attacks or threats against girls attending school and the staff of girls' schools. Order commanders and fighters not to interfere with the operation of schools including by dictating the curriculum or the number of years for which girls may study.
- Order commanders to avoid use of schools and school property for camps, barracks, deployment, or as depots for weapons, ammunition, and materiel in accordance with the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.
- Immediately cease the use of inherently indiscriminate weapons such as landmines and improvised explosive devices near schools as well as other populated areas.

To International Donors and Agencies Supporting Education in Afghanistan

- Urge the government of Afghanistan to comply with domestic laws and policies that are in keeping with its international legal obligations, including through implementation of the recommendations above.
- Continue to fund girls' education at current or higher levels until the government is able to devote sufficient government revenue to education to maintain the current system and expand it in order to meet the goal of universal access to primary and secondary education.
- Continue funding CBEs while working with the government and CBE providers to develop and implement a plan to expand CBEs, make them sustainable, and integrate them into the government education system.
- Ensure new construction of schools are funded, designed and constructed to include water and sanitation facilities. Provide funding and support to construct water and sanitation facilities in schools previously constructed that do not have adequate water and sanitation facilities.
- Improve coordination among donors at the local level to ensure appropriate distribution across the country of donor-funded education services, including CBEs.
- Work with the Afghan government to discourage the military use of schools, encourage security forces to vacate occupied schools, and promote security force policies and practices that better protect schools.

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education, and frankly about challenges, including ways in which he believed the government can and should do more. On January 10, 2017, he was one of 11 people killed when explosives were detonated in the Kandahar governor’s guesthouse during a meeting with foreign dignitaries. Shamsi was a respected reformer who was involved in the founding of a youth political movement.³⁶⁸ His death is a painful reminder that everything—including girls’ education—is a life and death issue in Afghanistan these days.

³⁶⁸ Mujib Mashal, Taimoor Shah, “Young Symbol of Afghan Resilience Joins List of Lost Leaders,” *New York Times*, January 11, 2017, https://www.nytimes.com/2017/01/11/world/asia/uae-afghanistan-attack-kandahar.html?_r=0 (accessed March 1, 2017).



“I Won’t Be A Doctor, and One Day You’ll Be Sick”

Girls’ Access to Education in Afghanistan

Sixteen years after the US-led military intervention in Afghanistan ousted the Taliban, an estimated two-thirds of Afghan girls do not attend school. The aim of getting all girls into school was never fully realized, and the proportion of students who are girls is even falling in some parts of the country. The vast majority of the millions of Afghan children not in school are girls, and only 37 percent of adolescent girls are literate, compared to 66 percent of adolescent boys.

“I Won’t Be a Doctor, and One Day You’ll Be Sick: Girls’ Access to Education in Afghanistan” is based on 249 interviews in Kabul, Kandahar, Balkh, and Nangarhar provinces, most with girls who were kept from completing their education. The report describes how, as security in the country worsens and international donors disengage, progress made toward getting girls into school is at risk. Afghanistan’s government provides fewer schools for girls than boys. Many children live far from a school so are not able to attend, which particularly affects girls. About 41 percent of schools have no buildings, and many lack boundary walls, water and toilets—disproportionately affecting girls. Girls are kept home due to gender norms that do not value or permit their education, or due to security concerns. A third of girls marry before age 18, and forces many girls out of school.

The report calls on the Afghan government, and its international donors, to increase girls’ access to education through protecting schools and students, institutionalizing and expanding models that help girls study, and taking concrete steps to meet the government’s obligation to provide universal free and compulsory primary education.

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(above) Girls sit for lessons on a stairwell inside a school building. Overcrowding—compounded by the demand for gender segregation—means that schools typically divide their days into two or three shifts, resulting in a school day too short to cover the full curriculum.

(front cover) Girls study in a tent held up by a tree in a government school in Kabul, Afghanistan. Forty-one percent of all schools in Afghanistan do not have buildings and even when they do, they are often overcrowded, with some children forced to study outside.