



War and Disabilities are Mirrors facing each other in Afghanistan

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Abstract

The reality is that the situation in Afghanistan is going to remain extremely worrying for the foreseeable future, even though it may shortly stabilise. The unique challenges and hazards that individuals with disabilities, particularly women and girls, continue to encounter must be kept in mind by the global community. Even though they are the persons most at risk, many nations, including Australia, impose additional obstacles on refugees who want to relocate and have physical or mental disabilities. Even though the situation appears hopeless, we may call for a more sympathetic approach to the needs of disabled refugees and, after some stability has been restored, help nongovernmental organisations (NGOs) that are trying to better the lives of Afghans with disabilities.

Keywords: Disabilities, stigma, mapping disabilities in Afghanistan

Introduction

In Afghanistan, accurate statistics are frequently difficult to come by, and there are no current official figures on the 35 million individuals who live there who are disabled. The first attempt to evaluate the requirements of this population was a government survey conducted in 2005. However, it only reached a small portion of the country's rural and less safe areas. The most prevalent type of disability are trauma and psychological distress, cerebral palsy, and polio, as well as injuries sustained during armed conflict, including those caused by landmines and explosive remnants of war.

Visual impairments are widespread; according to the World Health Organization, 80% of the time, treatable conditions are to blame for the 1.5 million Afghans who have either a partial or complete loss of vision. Leading to avoidable disability is a lack of access to basic health treatments, particularly in rural Afghanistan.

Discourse On the Conundrum of Differently Abled Persons

People with disabilities confront considerable barriers to accessing the education, work, and health care that are provided by the Afghan constitution and international human rights legislation because of entrenched prejudice.⁹⁷ According to the Afghan government and Handicap International's 2005 National Disability Survey, the prevalence of severe disability in the nation was 2.7% (660,000), and that of moderate disability was 4.7%. The majority of people with disabilities (PwDs) lack access to health care, education, and other opportunities, are illiterate, unemployed, or all three. A million children and 2.5 million adults in Afghanistan have moderate to severe disabilities that limit their capacity to participate in daily life and in social situations, according to the 2019 Model Disability Survey Afghanistan.⁹⁸ According to this poll, 13.9% of Afghan individuals who are 18 or older have a severe impairment. The prevalence of moderate disabilities is 7.1% and that of severe disabilities is 3.5% among children (2–17 years).

⁹⁷ Sayed Quadrat Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' [2023] *Asian Journal of Arts, Humanities and Social Studies* 51.

⁹⁸ 'Disability Rights under the Taliban – UAB Institute for Human Rights Blog' <<https://sites.uab.edu/humanrights/2021/10/27/disability-rights-under-the-taliban/>> accessed 24 March 2023.



Disabilities are not weaknesses or obstacles to success.⁹⁹ War and disabilities are connected to each other, war cost fatalities and disabilities.¹⁰⁰

Numerous organisations in Afghanistan support PwD service provision, awareness, and advocacy. In response to national and international lobbying efforts as well as emerging trends, the Afghan government has recently shown a greater interest in issues relating to people with disabilities.¹⁰¹ The State Ministry for Martyrs and Disabled Affairs, a brand-new government agency, was founded in 2020, and discussions are currently taking place about a National Disability Inclusion Strategy for the upcoming ten years. To implement any form of intervention, such as education, employment, and assistive technologies for PwDs, a complete understanding of the current and historical status of this field, as well as the trends and experiences of other leading and neighbouring nations, is necessary. There is currently no up-to-date research on the state of PwDs' education in Afghanistan; earlier studies primarily used survey data to analyse the issue quantitatively, but this study contacted all current stakeholders and provided an extensive and current analysis of PwDs' education.

Afghanistan has one of the highest per capita populations of people with disabilities worldwide. At least one adult or kid with a severe physical, sensory, intellectual, or psychosocial handicap resides in every fifth Afghan home.¹⁰² More than one million Afghans now have amputated limbs and other mobility, vision, or hearing impairments as a result of more than 40 years of war. But disabilities is not

a weakness,¹⁰³ people should not approach discrimination and stigmatization.¹⁰⁴ Among the several million Afghans who are internally displaced, people with disabilities are overrepresented and have more trouble receiving humanitarian aid. There are no publicly funded social protection services for people with disabilities in Afghanistan, with the exception of a meagre stipend provided to those who became disabled as a result of the war.¹⁰⁵

Delivering services has been severely hampered by war and the resulting instability, particularly outside of major centres. Even though there are numerous nongovernmental organisations (NGOs) that offer services to Afghans with disabilities, they have only been able to assist a small portion of the population.¹⁰⁶ Reduced financing for programmes and services is the result of donor fatigue from funding social services in Afghanistan.¹⁰⁷ For Afghan women and girls with disabilities, access to health care, education, and work, as well as other fundamental rights, is particularly challenging since they deal with challenges related to their impairment as well as stigma and discrimination based on their gender. Moreover, in a culture where violence against women and gender bias are pervasive, Afghan women with disabilities experience interlocking forms of discrimination.¹⁰⁸

According to a May 2020 survey by The Asia Foundation, 17.3% of children between the ages of 2 and 17 and 24.6% of adults in Afghanistan have some sort of disability, with 40.4% having a moderate disability and 13.9% having a severe

⁹⁹ *Disabilities Are Not Weaknesses or Obstacles to Success* (Directed by Voice of Differently Abled Persons, Afghanistan, 2023) <<https://www.youtube.com/watch?v=BewFf29F3ks>> accessed 24 March 2023.

¹⁰⁰ *The Juxtaposition of War and Disabilities: Mirror Facing Each Other in Afghanistan* (Directed by Voice of Differently Abled Persons, Afghanistan, 2023) <https://www.youtube.com/watch?v=q6Rssw_rYNE> accessed 24 March 2023.

¹⁰¹ Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (n 1).

¹⁰² Sayed Qudrat Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (2023) 6 *Asian Journal of Humanities and Social Studies* 51.

¹⁰³ *ibid.*

¹⁰⁴ "Disability Is Not Weakness" [2020] Human Rights Watch <<https://www.hrw.org/report/2020/04/28/disability-not-weakness/discrimination-and-barriers-facing-women-and-girls>> accessed 24 March 2023.

¹⁰⁵ Sayed Qudrat Hashimy, 'EMERGING PARADIGM OF DISABILITY LAWS AND PROTECTING DIFFERENTLY ABLED PERSON: FLYING KITES IN THE INDIAN SKY' (2023) 3 *Trinity Law Review* 1.

¹⁰⁶ Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (n 1).

¹⁰⁷ Hashimy, 'EMERGING PARADIGM OF DISABILITY LAWS AND PROTECTING DIFFERENTLY ABLED PERSON' (n 9).

¹⁰⁸ *ibid.*



one.¹⁰⁹ Human Rights Watch reports that Afghan women and girls with disabilities suffer tremendous hurdles, ingrained discrimination, and sexual harassment while trying to access aid, education, job, and healthcare. Severe disabilities are more common in women.¹¹⁰

Afghans with disabilities may be the most disadvantaged population group in the nation, and they frequently face discrimination, stigmatisation, and mistreatment. People with disabilities are frequently excluded from social and educational activities, and disabled women and children experience exploitation, aggression, and physical, sexual, and emotional abuse.

Support for People with Disabilities

The previous administration significantly improved the employment, health, education, social, and accessible results for individuals with disabilities through laws, initiatives, and policies in collaboration with the international community.¹¹¹ The 2010 Law on Rights and Privileges of Persons with Disabilities and Afghanistan's 2004 Constitution both safeguard the rights of disabled people. The Convention on the Rights of Persons with Disabilities and the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction, both of which were signed and ratified by Afghanistan in 2012, respectively. These significant actions demonstrated how seriously the governments of both the Karzai and Ghani addressed the rights and wellbeing of people with disabilities. Over four decades of war have had a significant influence on and affected Afghan lives.¹¹² A few individuals lost a limb as a result of the fighting or accidents.¹¹³ They

experienced a reduction in their independence and mobility and had to deal with social stigma.¹¹⁴ Long before the Taliban took power, intersectional discrimination against women with disabilities existed in Afghanistan. They are frequently viewed as a burden on the family and as unfit for marriage, which increases the likelihood that they may experience violence both inside and beyond the home. Women with disability are also more likely to be sexually harassed when seeking government help or employment.¹¹⁵ That will undoubtedly hurt those with impairments.¹¹⁶ There are a number of causes for this. All available research demonstrates that people with disabilities are disproportionately prone to suffer injury in all types of armed conflict and public emergencies.¹¹⁷ As we have seen in our news media, when a significant threat is present, people will flee to safety if they can, and disability makes escape more difficult.¹¹⁸ Women with disabilities during menstruation suffer a lot.¹¹⁹ Women and girls are the victims, and during the withdrawal, most of the females who departed to the USA experienced this. Imagine if a woman being disabled and from Afghanistan faces a lot of stigmas, and menstruation fuels the stigmatisation of her.¹²⁰

Individuals with visual impairments can be cut off from friends or relatives who could assist them in completing forms or navigating new environments. People with hearing loss or intellectual disabilities might find it challenging to heed warnings about potentially harmful situations. Researchers have discovered terrible tales of elderly and disabled people who were

¹⁰⁹ Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (n 1).

¹¹⁰ Erik MARQUARDT, 'Parliamentary Question | Persons with Disabilities Being Neglected in Afghanistan | E-005913/2020 | European Parliament' <https://www.europarl.europa.eu/doceo/document/E-9-2020-005913_EN.html> accessed 11 March 2023.

¹¹¹ Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (n 1).

¹¹² *ibid.*

¹¹³ Sayed Qudrat Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (2023) 6 *Asian Journal of Arts, Humanities and Social Studies* 51.

¹¹⁴ 'Disability Rights under the Taliban – UAB Institute for Human Rights Blog' (n 2).

¹¹⁵ Sayed Qudrat Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (6 March 2023) <<https://papers.ssrn.com/abstract=4383888>> accessed 24 March 2023.

¹¹⁶ Sayed Qudrat Hashimy, 'The Legal Paradigm of Menstrual Leaves Policy in the United Arab Emirates, Kuwait, and Afghanistan' (10 March 2023) <<https://papers.ssrn.com/abstract=4383912>> accessed 24 March 2023.

¹¹⁷ Sayed Qudrat Hashimy, 'The Legal Paradigm of Menstrual Leaves Policy in the United Arab Emirates, Kuwait, and Afghanistan' (2023) 16 *Journal of Disease and Global Health* 16.

¹¹⁸ Sayed Qudrat Hashimy, 'LEGAL PARADIGM OF MENSTRUAL PAID LEAVES POLICY IN INDIA: A JURISPRUDENTIAL DISCOURSE' (2023) 3 *Trinity Law Review* 12.

¹¹⁹ *ibid.*

¹²⁰ Hashimy, 'The Legal Paradigm of Menstrual Leaves Policy in the United Arab Emirates, Kuwait, and Afghanistan' (n 21).



purposefully or unintentionally left behind to protect the escape of their families.¹²¹

Conclusion

Due to decades of trauma, Afghanistan already has one of the highest percentages of people in the world who are both physically and mentally disabled. Despite the fact that Afghanistan has joined the UN Convention on the Rights of People with Disabilities, due to cultural and economic circumstances, individuals with disabilities continue to experience significant levels of marginalisation and stigma. We also know that when disability and gender interact, issues of exclusion and discrimination are often exacerbated

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¹²¹ Hashimy, 'Mapping the Paradigm of Disabilities in Afghanistan from the Lens of Law and Policy' (n 19).