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## New Afghanistan law could silence women who are victims of domestic violence

**Law would ban relatives of the accused from testifying against them**

Heather Saul

5 February 2014

A new law in Afghanistan could allow men to abuse their wives, children and sisters and not face criminal prosecution by banning the relatives of an accused person from testifying against them.

If passed, the bill would make it much more difficult for victims to bring cases of abuse to court which often happen as they most often occur within the confines of the family home, *The Guardian* has reported.

The small change to a section of the criminal code Prohibition of Questioning an Individual as a Witness would also prevent doctors, children and defence lawyers from testifying in a case.

The bill has been passed by both houses of Parliament but is awaiting the signature of the conservative President Hamid Karzai, who by choosing to sign it will bring it into force. Campaigners are now calling on Karzai to refuse to sign the bill they assert will weaken "already inadequate" legal protections for women.

“President Karzai should reject a law that will effectively let batterers of women and girls off the hook,” Brad Adams, the Asia director of Human Rights Watch said in a statement.

HRW warned by signing the new criminal procedure, women would be denied protection from domestic violence and forced or child marriage by silencing victims and their family members who have witnessed their abuse.

The proposed change comes after the Afghanistan Independent Human Rights Commission reported a 26 per cent increase in the number of women saying they had been assaulted in 2013. Sima Samir, chair of the AIHRC said in January the brutality of attacks on women had greatly intensified during this time.

"The brutality of the cases is really bad. Cutting the nose, lips and ears. Committing public rape," she said. "Mass rape... It's against dignity, against humanity."

Opportunities for women seemingly improved after the Taliban was toppled from power in 2001, and the 2009 Law on the Elimination of Violence against Women (EVAW) made crimes of child marriage, forced marriage and rape for the first time under Afghan law, with tough penalties for domestic violence.

However, HRW argue this new bill threatens protections for women and girls provided within the EVAW law.

“President Karzai should take a stand for Afghan women by sending the new law back to parliament with a message that he will not sign it until it is revised in line with the goals of the EVAW law and Afghanistan’s obligations under international law,” Mr Adams said.