

# Comparison of Domestic Violence Legislation in Afghanistan (EVAW Law) versus Legislation in Pakistan, and Indonesia, where gender - based violence prevention has been successful upon legal implementation

An Abstract of the Thesis by  
*Ziaulhaq Hajizade*

Afghanistan still is not a safe place to live for Afghan women. The high rate of violence against women or domestic violence against women and the state's commitment after the ratification of CEDAW forced Afghanistan's government to take measures and enact a law that protects women from this gender-based violation. The law on Elimination of Violence Against Women (EVAW) has passed through a presidential decree but did not pass by the parliament for ratification. However, the EVAW law was applicable by the court, but implementation was a huge challenge for the government of Afghanistan. Besides implementation problems, some harmful practices, such as social and cultural norms, religious and belief thoughts, intensify domestic violence against Afghan women. The Domestic Violence legislations of two countries of Indonesia and Pakistan are compared in this study to use their experiences on implementation and find out how they overcome the implementation of domestic violence law with Islamic law.

Selective excerpts from the Koran are used to prove acts of those men who beat their wives, if they are following God's commandments. However, a fair reading of the Koran shows that wife abuse, like violence against women, results from culture rather than religion.

Key Words: Domestic violence, Sharia/Islamic law, EVAW law, Domestic Violence (Protection and Prevention) Act Pakistan, Implementation, AIHRC and HRCP, Social and cultural norms