

# Afghanistan

## Women's rights and civil and political rights

**Submitted by:** The Advocates for Human Rights

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**Summary:** The *de facto* authorities have perpetrated grave human rights violations and continue to persecute vulnerable groups. Afghan women experience astonishingly high rates of violence. The Taliban has engaged in systemic forced displacement and mass killings within the country, often targeting ethnic and religious minorities. Further, local human rights defenders (HRDs) report ethnic cleansing, massacres, forced displacement, and war crime incidents that have occurred since the Taliban took over in 2021. This report is partially based on Afghan refugees' lived experiences and expertise.

## Women in Afghanistan face gender-based violence, discrimination, and systemic persecution.

- Before the August 2021 Taliban takeover, there was a network of services and legal protections for victim-survivors, including the 2009 Elimination of Violence against Women (EVAW) law.
- *De facto* authorities have dismantled protections for victim-survivors of gender-based violence. *De facto* authorities disbanded the Afghan Ministry of Women's Affairs (MoWA) and the Afghanistan Independent Human Rights Commission (AIHRC), forcibly closed shelters, and released people whom the former government had charged with or convicted of crimes of gender-based violence.
- The general insecurity of the judicial system has rendered legislation protecting women unenforceable. The Taliban also dissolved the specialized courts handling domestic violence cases. Judges may engage in corruption and extortion if a woman seeks protection in court.
- Women in Afghanistan experience discrimination in private and public spheres. The Taliban has barred women from returning to work in many industries. As a result, women and their families have lost income.
- Interviewees confirm media reports about violations of the right to education. Beginning on 20 September 2021, the Taliban barred most girls over the age of 12 from going to school.
- In December 2022, the Taliban banned women from university education. Women and girls attempting to continue their education risk harassment, violence, and other violations of their right to education.

## The Taliban targets ethnic and religious minorities.

- The Taliban continuously engages in house raids on those whom they have identified as opposed to them, including the homes of ethnic minority individuals who were part of their communities' civic space and of those who supported U.S. and coalition forces and their families, many of whom were from Taliban controlled provinces.
- The Taliban persecutes the Shia and Hazara religious and ethnic minorities. Many NGOs report that since gaining power, the Taliban has continued persecution and extrajudicial killings in Hazara and Tajik communities.
- The Taliban engages in forced displacement and eviction. The Taliban attempt to reallocate these seized lands to their supporters and allies.

- The Taliban has an intelligence network within the local community that allows the local group in control to closely surveil people's affiliations and ethnicities, making it more difficult for families to hide their identities and be safe even if they are displaced to a different city or province.
- The Taliban views ethnic Tajiks, especially from Panjshir, as likely supporters of the National Resistance Front (NRF). *De facto* authorities have engaged in killings, arbitrary detentions, and beatings of civilians in Panjshir and in adjacent Tajik-dominated areas.
- The Taliban also systemically targets and attacks Pashtun human rights defenders, journalists, and communities and their leaders.

### Civil society members live in a climate of constant fear.

- The Taliban reportedly threatens and kills civil society members. Human rights defenders (HRDs) face harassment, arbitrary detention, and extrajudicial executions.
- The Taliban tracks civilians through social media, phone, and internet use. People with lived experience reported receiving threatening calls after making social media posts about human rights violations. HRDs report having to erase their data trails to evade Taliban tracking.
- The Taliban has reportedly established secret prisons to detain, torture, and interrogate individuals. *De facto* authorities also reportedly execute HRDs, community leaders, and officers from the former government.
- High-profile people, especially women, are afraid to leave their houses due to fear of enforced disappearances. An interviewee said that "people go outside without knowing if they are coming back to their home."

### Recommendations

- Respect and restore public institutions and the rule of law in the country.
- Ensure women enjoy their rights to freedom and equality, promote participation in public and political life for women, and restore the 2009 EVAW law.
- Ensure that official courts hear all complaints regarding gender-based violence crimes.
- Reopen universities and schools at all levels for girls and women.
- Cease arbitrary detentions, enforced disappearances, torture, and extrajudicial executions, investigate all such allegations, hold perpetrators accountable, and provide remedies to all victims.
- Grant unrestricted access to local and international human rights and humanitarian organizations and agencies to detention centers and prisons.
- Ensure that ethnic and religious minorities can exercise their rights without persecution, and guarantee that ethnic and religious minorities can enjoy meaningful representation and participation in public affairs.
- Ensure that civilians have full and unrestricted access to humanitarian aid, including restoring and ensuring safe passage to humanitarian workers, and cooperate with international humanitarian and human rights mechanisms, especially the United Nations Assistance Mission in Afghanistan (UNAMA).
- Consider demilitarizing public spaces, including public institutions and schools, to protect civilians, ensure individuals are allowed to participate in peaceful protest, and refrain from excessive use of force.