



Need for an Urgent Rethink of International Response to the Human Rights Crisis in Afghanistan

Joint Statement by the Alliance for Human Rights in Afghanistan

Three years after the Taliban takeover of Afghanistan on August 15, 2021, we, the undersigned organizations, remain alarmed that the international response to worsening Taliban human rights violations, especially against women and girls, is increasingly ineffective and sometimes even harmful.

The Taliban have imposed draconian policies and taken abusive actions that clearly violate Afghanistan's obligations under international law, including international human rights law. These policies have had a particularly devastating impact on women and girls, LGBTQI+ people, human rights defenders, and religious and ethnic minorities.

Women and girls, half the population in Afghanistan, face not only poverty but also widespread and systematic violence and violations of their basic rights including to freedom of movement, freedom of speech and association, participation in public life, and access to education, paid employment, and pensions for war widows. The Taliban have suspended laws and dismantled institutions meant to protect people facing gender-based violence. The Taliban's ban on girls studying beyond grade six has been in place for well over 1000 days and women's university education has been barred for over 500 days, making Afghanistan the only country in the world with such bans.

Despite international condemnation, the Taliban continue to issue new abusive orders—notably including their March 2024 announcement that women may be stoned to death in punishment for perceived crimes. At the same time, they are also intensifying their enforcement of existing abusive orders/edicts, leaving Afghans in an environment where the rules on what they can and cannot do are constantly shifting toward increasing severity.

Afghans who speak out against the Taliban's abuses including human rights defenders, especially women defenders, protestors, and journalists, face arbitrary arrest, physical and sexual violence, arbitrary and indefinite detention, and torture and other ill-treatment, and their families also risk repercussions. Men who fail to enforce the Taliban edicts on their female

relatives face punishment. LGBTQI+ people fear for their lives, as the Taliban condone, encourage, and engage in violence against them. Ethnic and religious minorities, especially the Hazara community, face deep discrimination by the Taliban and endure targeted attacks with no hope of protection or assistance from the Taliban.

Many people who are experiencing persecution remain trapped and at great risk inside the country. Others have attempted to flee, but there are very few safe and legal pathways available to them to reach safety and resettle. Many make it to temporary safety no further than Pakistan or Iran, where Afghan refugees also face escalating abuses, including a high and growing risk of deportation back to Afghanistan with no opportunity to seek asylum as Pakistan is not registering new arrivals.

The situation is further complicated by an ongoing humanitarian crisis. Donor contributions are falling fast. Aid agencies are facing intense levels of Taliban interference in their work. Women and women-headed households are disproportionately affected by the crisis in large part because of Taliban bans and restrictions on women's employment in different sectors, including as aid workers.

The United Nations (UN) Special Rapporteur on the situation of human rights in Afghanistan, Mr. Richard Bennett, in June 2024 said the Taliban's institutionalized system of discrimination against women and girls "constituted in and of itself a widespread and systematic attack on the entire civilian population of Afghanistan". He called for the world to respond through tough accountability measures including holding accountable perpetrators of crimes against humanity of gender persecution, and by codifying gender apartheid as a crime under international law.

We were therefore shocked by the decision of the UN to organize the Doha 3 meeting (a June 30-July 1 2024 convening of special envoys on Afghanistan from around the world for discussions with the Taliban) mere weeks later during which Afghan women and civil society were excluded from the meeting and the meeting agenda included no items on human rights or women's rights. We believe this decision by the UN handed the Taliban an enormous victory for no meaningful benefit. It betrayed Afghan women who are risking their lives to fight for their rights and could set a precedent that is deeply harmful to both the struggle for human rights in Afghanistan and to the global women, peace and security agenda.

We call on all countries to unify in more urgently and effectively addressing the ongoing human rights catastrophe in Afghanistan, through steps that could include the following:

1. Call urgently for the UN and all others to comply with UN Security Council resolution 1325 and ensure that Afghan women are full participants in all discussions about the future of their country;
2. At the 57th session of the UN Human Rights Council, call for the creation of a new UN independent international accountability mechanism, along the lines of a fact-finding mission or an IIIM, to investigate, collect and preserve evidence of, and facilitate accountability for past crimes and crimes being committed in Afghanistan.
3. Ensure that the International Criminal Court has the resources and cooperation necessary to fulfill its mandate across all the situations on the court's docket, including to

- investigate gender persecution and other crimes against humanity in Afghanistan, and to urge the court's prosecutor to examine crimes committed by all sides to the conflict;
4. Support the renewal of the mandate of the UN Special Rapporteur on the human rights situation in Afghanistan, and increase the resources provided to this office;
 5. Support the renewal of the UNAMA mission, with its human rights mandate and staffing fully intact;
 6. Support efforts to bring a case at the International Court of Justice based on the Convention on the Elimination of All Forms of Discrimination against Women regarding Taliban violations of the convention;
 7. Support and exercise universal or other extraterritorial jurisdiction at the national level with the aim of investigating and prosecuting crimes under international law committed by members of all parties to the conflict, including the Taliban, particularly crimes committed against women and girls.
 8. Support efforts towards a treaty on crimes against humanity and seriously consider codification of gender apartheid as a crime against humanity;
 9. Identify and use forms of leverage that may influence the Taliban without harming the Afghan people such as targeted sanctions or travel bans imposed through a UN Security Council resolution – in a coordinated and vigorous manner, to end the Taliban's violations of the rights of women and girls, and make clear what policy steps are required for the lifting of such measures;
 10. Support the work of Afghan human rights defenders, inside the country and in the diaspora, politically and financially;
 11. Sustain and increase aid to Afghanistan while ensuring that it is delivered in a principled manner that avoids empowering and enriching the Taliban and prioritizes assisting groups marginalized by the Taliban, including women and girls, LGBTQI+ people, people with disabilities and ethnic and religious minorities; and
 12. Strengthen, expand, and create safe and legal pathways to flee and seek protection and resettlement for all Afghans who are facing persecution under the Taliban, including human rights defenders, women and girls, LGBTQI+ people, and ethnic and religious minorities. Consider all Afghan women and girls fleeing Afghanistan as *prima facie* refugees under the 1951 Refugee Convention and its 1967 Protocol, due to the gender persecution they face, as a growing number of countries have already done and as recommended by the Special Rapporteur.

The dire and worsening human rights crisis in Afghanistan is not just a problem for its population. As international human rights organizations, we see clearly in our work how the lack of a meaningful international response to Taliban abuses is undermining human rights globally. We urge you to act.

Sincerely,

- Amnesty International
- Freedom House
- Freedom Now
- International Federation for Human Rights (FIDH)

- Front Line Defenders
- Human Rights Watch
- MADRE
- World Organisation Against Torture (OMCT)
- Women's International League for Peace and Freedom (WILPF)