

HUMAN RIGHTS COUNCIL - 51st SESSION

Enhanced Interactive Dialogue on the human rights situation of women and girls in Afghanistan

12 September 2022

The EID was chaired by H.E. Mr. Federico Villegas, President of the Human Rights Council, and had the participation of seven panelists. H.E. Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights, in her opening statement, welcomed the Afghan women and girls participating in the dialogue stating, that their voices at the center of the discussion was critical. Despite Taliban's assurances that women's rights are protected within the framework of Sharia, they have issued edicts and decrees depriving women and girls of their human rights and removing women from most spheres of public life. Girls' secondary schools remain closed, and an estimated 850,000 girls have dropped out of school, placing many at risk of child marriage and sexual and economic exploitation. The Assistant Secretary-General highlighted that by excluding girls from education the Taliban has not only eliminated girls' development opportunities but also the opportunity to ensure that Afghanistan is on the path to an equal, just, peaceful and prosperous country. A ban on travel without a close male family member (a mahram) severely hinders women's access to healthcare, livelihood, humanitarian aid, and their ability to seek protection or escape from abusive relationships. Women belonging to ethnic, religious or linguistic minority groups, including Hazaras, Tajik, Hindu and other communities, have been subjected to particular intimidation and harassment and women with disabilities, women without male family members and young women are suffering from inter-sectional discrimination. Human rights oversight mechanisms such as the Afghan Independent Human Rights Commission, and specialized courts for GBV and victim support services have been dissolved. Public spaces for women to express their opinions without fear of reprisals have closed rapidly, making the role of women journalists and human rights defenders even more crucial. The Assistant Secretary-General hoped this dialogue would lead into concrete actions. She underlined that the world cannot stand by in the face of this misuse of religion instrumentalized by the Taliban to systematically oppress and discriminate against women and girls. She concluded by stating that the EID was an opportunity for the Council to reaffirm and act upon its commitment to the full and equal enjoyment of all human rights by all women and girls in Afghanistan.

In his opening remarks, Mr. Richard Bennet, Special Rapporteur on the situation of human rights in Afghanistan, thanked the Council for creating this opportunity for dialogue with Afghan women. He said that the current rollback of the rights of women and girls in Afghanistan reflects previous experiences during 1996-2001, underlining that history cannot be allowed to repeat itself. The denial of women's and girls' rights is central to the Taliban's ideology, which includes women's exclusion from public and political life. Mr. Bennet asked whether there would be a single woman in the room, if the Taliban was in charge of the Council. Edicts had been imposed that restrict women and girls' daily lives, rob them of their futures, and strip them of their identity and dignity. Girls' secondary education is suspended, face covering is mandatory, as is the injunction to stay at home except, when necessary, the requirement for a male chaperone (mahram) and the punishment of men for the so-called misdemeanors of their female relatives. Single mothers, older women, and women who are the sole income earners face unprecedented difficulty to sustain themselves and their families, while women and girls belonging to ethnic and religious minority groups, and those with disabilities, face further discrimination. Afghanistan must comply with its international obligations under the CEDAW¹ and CPRW² and the de facto authorities must change their policies and uphold women's human rights or be held to account. Mr. Bennet draw attention to the strength and resilience of Afghan women and girls, continuing their nonviolent efforts for human rights, calling for the international community to listen to them, work with them, and support them. Platforms for engagement with policymakers and sharing their voices must be created. He urged the de facto authorities to 1) reverse discriminatory policies and directives restricting the rights and fundamental

¹ The Convention on the Elimination of Discrimination Against Women.

² The Convention on the Political Rights of Women.



freedoms of girls, **2)** directly engage with women and develop and implement jointly concrete action plans with clear timelines to ensure women's equal participation in education, employment, governance and all other aspects of public life, and **3)** immediately and unconditionally reopen all girls' secondary schools. HE further recommended the international community to strengthening accountability for human rights violations and abuses; to explore incentives and penalties to convince the *de facto* authorities to ensure the rights and freedoms of women and girls are respected; ensure that equal and quality education is provided in line with international human rights standards including prioritizing adequate funding allocation for adolescent girls' education; and to protect human rights defenders and strengthen the capacity of civil society organizations to protect and promote human rights, including through political support and by providing flexible and accessible funding arrangements to especially women-led organizations in Afghanistan and abroad.

H.E. Mr. Nasir Ahmad Andisha, Permanent Representative of Afghanistan to the UN Office at Geneva (country concerned), thanked for the efforts in convening of the EID. Quoting the works of a young Afghan schoolgirl: "It is better to die once than to die a thousand times. If you, the Taliban, want to put us in cages for a thousand years, we will resist you for one thousand and one years ", he stated, that these are words that no girl should ever have to say. The suffocating crackdown in Afghanistan intensifies daily, and Taliban is breaking every promise to the international community, the people of Afghanistan, and to the women and girls of Afghanistan. The Taliban's subjective and extremist ideology and interpretation of Islam is against the international human rights law, and their draconian misogynistic rule does not reflect the populations religion, culture and values. Stating that as a group they can choose to do so, but "as a nation they will not be allowed to take our country back with themselves". Mr. Nasir said that in this regard, the world was not expected to be a mere spectator. He further highlighted that one year later, doors of schools for girls are closed, women are penalized for exercising their most basic right to move freely, victims and survivors of GBV have nowhere to turn, young girls are increasingly forced into marriage, conflict, poverty, food insecurity and the negative impact of climate change is multiplying the challenges of daily life, and suicide rates are unspeakable. Women belonging to minority groups are at grave risk of unimaginable atrocities, and peaceful protesters are faced by intimidation, arbitrary arrest, forced confession and enforced disappearance. Detention centers remain inaccessible. He pointed to the current failure to act in the visible face of gender apartheid. While commending the work of UNAMA, SR, and NGOs, Mr. Nasir noted that their capacities are not enough to create a foundation for accountability and prevention. He called for immediate establishment of an independent monitoring mechanism by the Council to document violations, provide redress and a venue for the victims to be heard. Further delay will only prolong misery and encourage impunity. The international community must not give up on the people of Afghanistan.

Ms. Mahbouba Seraj, Afghan women's rights activist and journalist based in Afghanistan, spoke powerfully of the experience she and her country went through in the aftermath of the Taliban takeover. She had decided to stay in Kabul, and to be a witness to what was happening to her country. On August 15, 2022, in a matter of 24 hours she saw a democracy that the world had worked on for 20 years, disappear in front of her eyes, like it had never existed. She recalled an Afghan saying: "don't kill me and don't cry for me"; but that was what the world was doing for Afghans. Ms. Seraj said she was sick and tired of this, of seeing her country falling into such depths of despair, with all the time and money spent for the country disappeared. She asked the audience what went wrong, if anyone in the world was going to take stock about what happened. Today the human rights in Afghanistan do not exist. A Talib walking on the street does not see her, she does not exist for him, same as the women in Afghanistan do not exist. The women are completely erased. Ms. Seraj said this was the last hope, and the last time that she will come and talk to the world: "how many times am I supposed to yell and scream - world, pay attention to us, we are dying!" She called on the world to fix it, and to not try to tell her they were not able to. She is ready to discuss and show how it can be fixed. Donations of money and food was not good enough, taking the people through one winter at a time was not good enough. She wondered, if they will all die in Afghanistan, if the minority groups will disappear, and the country will seize to exist. She bedded the Council to do all in its power, and otherwise stop talking about it as talking is cheap, while Afghans are dying. She urged to do something about Afghanistan, to bring in a monitoring mechanism stating, that God only knows what



atrocities are not being reported or documented. Ms. Seraj concluded in the plea: "World, this is not right. Please, you have got to do something about it."

Ms. Razia Sayad, Afghan lawyer and former Commissioner at the Afghanistan Independent Human Rights Commission, extended her gratitude for the SR's report and for all involved in organizing the EID. She painted a dark picture of the situation of women and girls in Afghanistan since the Taliban takeover, with women robbed of their legal, social, and human identities. Ms. Sayad said institutions that relatively guaranteed women's access to justice, including Afghanistan's Independent Bar Association, the Ministry of Women Affairs, the Human Rights Support Directorate of the Ministry of Justice, the Prosecution Office against Harassment of Women, and the gender directorates of all ministries, are no longer in place. Institutions that were build thanks to international engagement with and investment in the people of Afghanistan. The regime has shut down courts and prosecution offices for the Elimination of Violence against Women, and female judges, prosecutors, and defense lawyers are prohibited from practicing law. Women lawyers and attorneys are replaced with fanatic uneducated Taliban members whose verdicts are neither based on civil nor Sharia laws. According to local NGOs, the morality police has arbitrarily detained nearly 1500 women over the last four months, with no access to justice. Reports of forced marriages and reports of raping women and underaged girls by the Taliban militias are extremely alarming. The regime must be held accountable for the thousands of women silently suffering from the increasing abuses and brutality of the Taliban militias across the country. Ms. Sayad underlined that an UN investigative mechanism was crucial to collect, preserve, and analyze the Taliban crimes in a structured way. Having lived her whole life in Afghanistan Ms. Sayad affirmed that she knew her country, her people and the Taliban. She strictly warned against believing that the Taliban has changed, moderated, or will bend to international pressure stating, that "if anything, they have become even more ruthless, radical, and indifferent to women's suffering". She concluded in saying that it was our moral responsibility to stand with the women of Afghanistan and we should amplify their voices: "If they have not given up in the face of the Taliban terror, why should we?"

Ms. Zahra Joya, a journalist and representative of Rukhshana Media, said that in 13 months, she has lost her country to Taliban, one of the darkest forces of time. Although it had never been easy to be a journalist in Afghanistan, now it was much more difficult to be a woman. The impact of Afghan women losing their jobs and futures so rapidly was impossible to explain. Taliban rule has reduced the value of women's life to their bodies and sexual organs, there are strict restrictions on women's personal and social life, and women journalist are particularly at risk being at the center of Taliban's aggressive policies. More than 500 media outlets have stopped operating since the Taliban took power, hundreds of journalists lost their jobs and hundreds of media workers, including herself, fled the country. She highlighted the situation of ethnic minorities, including the Hazara community, who are been victimized the Taliban and ISIS, facing genocide. Many minorities have been deprived of humanitarian aid. Ms. Joya hoped the UN will monitor the situation of minorities and investigate grimes against humanity, and that human rights organizations would hire people from the Hazara community and work closely with them. She urged to keep the pressure on the Taliban through countries with close relations, and strongly urged the Member States to provide humanitarian visas to people at high risk. In conclusion she said: "Afghanistan is going through a critical time in its history and the people of Afghanistan have held eyes to you."

Ms. Bandana Rana, CEDAW Committee member and coordinator of the CEDAW Task Force on Afghanistan, in her address to the Council, highlighted that Afghanistan holds the very last place of the 156 countries on the Global Gender Gap Index 2021. Despite a few positive messages during and unofficial visit to Kabul in April 2022 conducted together with the Special Rapporteur on Violence Against Women, the situation has worsened and directives from the *de facto* authorities have reinforced the dominance and control of men over women's lives. She recalled a conversation with young girls who had been forced to leave schools, with serious effects on their mental health. Some girls narrated how they felt unsafe in their own homes with increased sexual violence in the domestic sphere with no place to report. Ms. Rana urged the international community to intervene now, or these girls will grow up in and be shaped by an extremely patriarchal society. She referred to women leaders who having fled the country continue to mobilize global attention on women's rights, noting that many are worried that the world is getting too



comfortable with the Taliban regime. She called the international community to put women's rights in Afghanistan as a prerequisite for all engagement with the *de facto* authorities and said the work of the CEDAW Committee could be an entry point for establishing engagement. The Committee had asked for an exceptional report from the *de facto* authorities on the situation of women. She urged the international committee to continue to create spaces for Afghan women and girls to be heard, to build their capacity to strategize, advocate, negotiate and amplify the diversity their voices.

Interactive dialogue

All together 56 country delegations took the floor during the interactive dialogue, each expressing their grave concern over the situation of women and girls in Afghanistan. *H.E. Ms. Ann Linde, Minister for Foreign Affairs of Sweden (on behalf of the Nordic-Baltic countries)* addressed the Council in a video statement, and condemned the restrictive measures for women and girls, excluding them from work, education, politics, and public life. She stated that Afghanistan will never find peace and stability if half the population is left out. *The EU* saluted the courage of women and girls in Afghanistan at the forefront of efforts to preserve their enjoyment of human rights also recognizing the women in diaspora. They called on the Taliban to end all human rights violations and abuses against women and girls, to reverse the unacceptable policies and practices that cancel all progress made in the past twenty years, and to immediately open schools for girls of all ages, as promised. *Pakistan (on behalf of the OIC)* urged the *de facto* authorities to allow Afghans of all ages, especially girls, to continue their education, further stating, that meaningful participation of Afghan women and girls in public life is imperative for the individual wellbeing and the social and economic development of the country. The OIC recognized role that religious scholars can play in dialogue with the *de facto* authorities on women's and girls' rights, and encouraged the intranational community to support such efforts.

Several speakers were appalled by the testimonies and reports of the high levels of violence against women and girls, including domestic violence, conflict-related sexual violence and rape, as well as an increase in child marriages, sale of children and child labor. *Lichtenstein* called on the Taliban to implement laws and policies that protect women and girls from any form of violence. *Luxembourg* said that the systematic nature of attacks on and persecution of women human rights defenders, arbitrary punishments, and SGBV against a civilian population makes them crimes against humanity. The country further stated that a special responsibility rests with countries that have close relations with the Taliban. *Ecuador* encouraged the international community to strengthen humanitarian assistance and security conditions for people in situations of vulnerability, especially situations of violence and discrimination against women and girls, including those belonging to ethnic and religious minorities. *Israel* said that the worst fears had now become reality in Afghanistan, and the *United Kingdom* said that tragically, nothing has changed after the Council had concluded two months ago that "the oppression of women and girls in Afghanistan is grave, institutionalized, widespread and systematic". *The United States* was heartbroken by the situation of women and girls and gave their unwavering support for them calling for more action to amplify their voices, stating: "shame on us".

Argentina was particularly concerned about the institutionalized and systemic oppression of women and their exclusion from public life conforming to the pattern of absolute gender segregation and aiming to make women invisible, directives which contravene Afghanistan's obligations under numerous human rights treaties to which it is a State party. Mexico regretted the acts of intimidation, persecution and reprisals against women journalists and human rights defenders noting, that according to data from UN Women, 77% of women's civil society organizations have been hindered in carrying out their work. Cyprus called for acknowledging and preserving women's pivotal role in achieving progress and well-being, and Bulgaria emphasized the need to empower women and girls and to protect them from all forms of violence. Qatar affirmed its continued close coordination with all partners to enable the Afghan people to address humanitarian, economic and social challenges, and particularly expressed concern about the suspension of secondary school education for girls. Maldives said that guaranteeing the right to education without discrimination on the basis of age or gender is of vital importance to building national capacity and achieving sustainable development.



Indonesia, with the world's largest Muslim population, reiterated their commitment to work towards an inclusive, peaceful and prosperous Afghanistan. While supporting Afghanistan through capacity-building, scholarships and student exchange programs, Indonesia urged the Council and the international community to step up efforts aimed at empowering women and girls in Afghanistan. Malaysia said that Islam has made it a religious duty upon every Muslim, male and female, to seek knowledge, and as a fellow Muslim country, they called on the de facto authorities to stay true to the teachings of Islam. Several countries encouraged the Council to keep supporting the mandate of the Special Rapporteur, Vanuatu urging both the de facto authorities and the international community to take note of and implement his recommendations. The role of UNAMA was also highlighted in several speeches, India urging UNAMA to make all efforts to ensure that the rights of women, children and minorities are respected and preserved. Lithuania, commending the decisive role of the SR, the Office, and UNAMA, highlighted that their actions must be focused on a localized analysis of a gender perspective, which would help to seek accountability. Spain and Portugal were among the speakers mentioning the situation of Afghan refugees, Portugal stating that they will keep ensuring the integration of the 885 Afghan persons living in Portugal as refugees, including approximately 400 women and girls. Spain referred to the "HearUS Summit of Afghan women", held in Madrid in February, which had proposed the creation of an international collaboration platform that allows exiled Afghan women to cooperate, safely denounce rights violations in Afghanistan and influence the humanitarian, security and development agenda.

Venezuela reiterated the call for political dialogue in the country, and to respect and protection of the human rights of especially women, girls and boys, and other vulnerable groups. The country further demanded the immediate end of illegal UCMs imposed on Afghanistan whose access to the IMF and the World Bank was blocked. **The Russian Federation** shared concerns regarding the realization of the right to education, saying that the solution could be facilitated by the unblocking of Afghan assets by the United States. **China** was also concerned over the impact of UCMs on Afghanistan and by the impact of the foreign intervention which has brought deep harm to women and girls, further stating that the origin of the issue must not be forgotten and that the sovereignty and territorial integrity of Afghanistan must be respected.

United Nations Population Fund (UNFPA) expressed its deep concern over the situation of women and girls in Afghanistan. Despite the challenges, including shortfalls in funding, UNFPA has increased its presence across the country and is working with national partners to scale up the provision of sexual and reproductive health services for women and by women, including in remote areas. During the past year, more than 4.3 million people have been reached with lifesaving reproductive health services, psychosocial support, essential medicines and supplies to hospitals to ensure safe births, and menstrual hygiene supplies to hundreds of thousands of women and girls.

NGOs said that denying girls' and women's rights has continued too long without any significant improvements on the situation. Centre for Global Nonkilling stated that extrajudicial killings, human rights violations and severe discrimination against women, girls and minorities has worsened throughout the year, with the growing suicide rates among Afghan women a clear sign of diminishing hope. The ICI deplored the absolute lack of accountability for gross human rights violations, including crimes under international law, which are occurring at a systematic and widespread level especially against women and girls, and ethnic and religious minorities. Sister is Global Institute stated that women in Afghanistan are literally living in an open prison and called for the ICC to become involved and investigate the human rights violations against women taking place daily. World Vision and Save the Children called attention on the rapidly deteriorating situation facing women and girls in Afghanistan, including 25 million people estimated to be living in poverty and almost half of the population projected to face high levels of acute food insecurity by November. They called to strengthen accountability for child rights violations in Afghanistan through the systematic integration of both age and gender dimensions in monitoring and investigation efforts. Some speakers said the Council and its members had so far failed to provide an appropriate response to the demands for accountability by Afghan and international human rights groups. The speakers called for the establishment of a mechanism dedicated to documenting and seeking accountability for the gross human rights violation and abuses, especially those committed against women



and girls, alongside the mandate of the Special Rapporteur. One speaker stated that the devastating direction of the human rights situation in Afghanistan can be changed even by small actions if they have robust support, and those actions must be determined by the Afghan women and girls.

Concluding remarks

Ms. Zahra Joya, a journalist and representative of Rukhshana Media, was pleased that the discussion was held. As a journalist, she requested all members of the UN to take a serious decision about Afghan women and the situation of the country. She asked for seeking accountability from the Taliban and banning them from travel rights, as they are now free to go where they want, while women cannot leave their homes.

Ms. Razia Sayad, Afghan lawyer and former Commissioner at the Afghanistan Independent Human Rights Commission, through a video statement, said she knew her country and the Taliban, better than any foreigner. She pleaded not to believe that the Taliban has changed or bent to international pressure. If anything, they have become more ruthless. Expressing concern does not heal the pain, and the only solution is to end the situation and take urgent steps to set up a democratic government.

Ms. Mahbouba Seraj, Afghan women's rights activist and journalist based in Afghanistan, recalled a saying in English: "walk the talk". She asked everyone in the Council to do so, and whatever it might be to come up with something, to show their power, and show to the world, the Taliban, and the Afghan people what can be done and how this will be made to happen: "It is in our hands". She said that us, the international community, organizations and people are not unable of action, but we can change the world.

H.E. Mr. Nasir Ahmad Andisha, Permanent Representative of Afghanistan to the UN Office at Geneva (country concerned), said the messages during the dialogue had been loud and clear, and all speakers supported the restoration of the rights of the Afghan women and girls. This was a clear message to the Taliban. The resolution and the EID have been the most prominent and important events and international attention given to the situation of women and girls in Afghanistan so far, for which he reiterated his thanks to the organizers and everyone behind the resolution. The voices of many women and girls of Afghanistan have been heard loud and clear, their legitimate and basic demands for this Council. He urged everyone in the Council to avail a few minutes and interact with the speakers personally, to get to know their plight and them personally. Bringing them to the Council had been difficult, and everyone had stories to tell. He urged to keep the politics between countries out from this common suffering. He urged to take this as a start to continue discussions, and for the Council to hold another EID in March.

Ms. Bandana Rana, CEDAW Committee member and coordinator of the CEDAW Task Force on Afghanistan, referred to the question posed by Ms. Seraj on the feeling of being erased. She said that we must make collective visible action, not only words, on how to ensure that the women and girls in Afghanistan are not erased. She had met with young girls in a safe space during her visit April, who, although not able to move freely, attend school, or remove their veil, were still smiling and hopeful. Since then, the situation has deteriorated, and Ms. Rana wondered, what these girls are thinking now, if they are still smiling, if their hopes are dead. The world must create a space for negotiations and raise their voices, the rest they have said to do themselves. Across UN Agencies there is a need to work in solidarity, collective action, and in harmonized ways to build synergies to address the rights of Afghan women and girls. She reiterated CEDAW's request for an exceptional report from the *de facto* authorities, which although already due, had received positive indications of some level of communication that can be initiated soon. She hoped this can be an entry point to address the concerns so that women are not erased.

In his final remarks, Mr. Richard Bennet, Special Rapporteur on the situation of human rights in Afghanistan, said the EID had clearly been a significant event, underlining the importance of the situation of women in Afghanistan. Although it was only words, the amount of attention and the number of Member States who spoke, is a clear message to Afghan women that they are not abandoned. Underlining a few quotes from the member states, Mr. Bennet highlighted the following: "our common responsibility", "no peace and stability if half the population is left out", "our worst fears have become a reality", and "this issue should be this Council's top priority" – the latter of which he will not forget. He recalled that much



more needs to be done in practice, and that is where we must start. Commenting on a question on what can be done to make a difference raised by several speakers (including the EU, Belgium, Slovenia, Greece, Poland, Ireland, Australia and Gambia), he said to listen to Afghans and Afghan women, and ask them to work with you to make a strategy, as real change will come from within. Finally, he asked for practical support for those who are struggling in Afghanistan and those trying to resettle outside the country, including not only funding, but easing movement and the struggle with visas, which is not hard to solve.

H.E. Mr. Federico Villegas, President of the Human Rights Council, concluded the EID in thanking the brave women of Afghanistan, not only the ones present but those speaking from Afghanistan, where speaking up was a risk. He stressed that the Council has a collective responsibility to protect human rights of every person beyond the nationality, culture or religion. The Council has a double responsibility in the case of Afghanistan, as half of the population are systematically deprived of their basic rights, and it is the decision of the Council to keep attention on the situation. Quoting Ms. Seraj, Mr. Villegas highlighted that the Council will continue to walk the talk, and that the consensus by all members behind the issue shows the strength of the Council to address the situation.

Delegations that took the floor during the Interactive Dialogue (56 country delegations):

H.E. Ms. Ann Linde, Minister for Foreign Affairs of Sweden (on behalf of a group of countries), European Union, Pakistan (on behalf of the OIC), Liechtenstein, Monaco, Luxembourg, France, Lithuania, Israel, Qatar, Slovenia, Ecuador, North Macedonia, Australia, Ireland, Mexico, Germany, Japan, Maldives, Austria, Cyprus, Venezuela, Russian Federation, China, Peru, Netherlands, Malaysia, U.S., Indonesia, United Kingdom, Argentina, Spain, Timor-Leste, Pakistan, Croatia, Romania, Italy, Ukraine, Montenegro, Republic of Moldova, Belgium, Finland, Greece, India, Poland, Bulgaria, Gambia, Portugal, Vanuatu, Iran, Türkiye, Bosnia and Herzegovina, Albania, Malawi, Egypt, Chile.

NHRIs and NGOs that took the floor during the Interactive Dialogue (9):

World Organisation Against Torture, World Vision International, Women's International League for Peace and Freedom, Center for Global Nonkilling, Asian Forum for Human Rights and Development (Joint Statement), International Commission of Jurists, The Next Century Foundation, International Bar Association, Sisterhood Is Global Institute.

International Organisations (1): United Nations Population Fund

Watch the full video recording on UN Web TV: Part 1, Part 2.