

HUMAN RIGHTS COUNCIL – 53rd SESSION

Enhanced Interactive dialogue with the Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls

19 June 2023

In her opening remarks, **Ms. Nada Al-Nashif, Deputy High Commissioner for Human Rights** thanked the Afghan women and girls for participating in the dialogue. She expressed how the Taliban policies have had an impact on their enjoyment of fundamental freedoms and rights, including accessing services for survivors of gender-based violence and access to justice. She also highlighted how the framework of the Shari'a by the Taliban discriminates against women and girls in every way and erases them from public life. She further remarked Afghanistan is the only country in the world where girls are denied an education beyond the primary level and the only one that bans women from working for international organizations, including the United Nations, as well as outside the home, in many sectors. Ms. Nada Al-Nashif mentioned that the report of the Special Rapporteur outlines the systemic nature of the discrimination women and girls are facing today in Afghanistan. Finally, she said the dialogue should demonstrate to Afghan women activists that the international community stands with them and is committed to finding ways to influence the de facto authorities to roll back these deeply regressive policies.

Ms. Dorothy Estrada-Tanck, Chair of the Working Group on discrimination against women and girls said measures have intensified to remove Afghan women and girls from public life and deny them their human rights, notably education, work, and freedom of movement. She highlighted how the Taliban edicts restrict the rights of women and girls, including their rights to education, work, health, access to justice, and freedom of movement, attire, and behavior. She also remarked women are wholly excluded from participation in political and public life. The Chair mentioned that despite these challenges, women continue to try and work in any way they can; to care for and seek education for their children; and they continue to find spaces to demand respect. She also expressed that the restrictive environment for women and girls, coupled with the economic crisis, has heightened pre-existing difficulties in access to healthcare for women and girls. The Chair also remarked there is no coherent legal system to protect women as discrimination and violence are being condoned and legitimized by the de facto authorities. Finally, she called for the restoration of the rule of law and for the protection of all women's and girls' human rights.

Mr. Richard Bennet, Special Rapporteur on the situation of human rights in Afghanistan remarked that the Council should do everything in its power to restore, protect and promote women's and girls' rights and freedoms. Following his visit to Afghanistan, the SR highlighted that women and girls' human rights situation have worsened as well as that of those marginalized, associated with the former Islamic Republic, or those who disagree with the Taliban's ideology and mode of governance. He mentions that women in Afghanistan demand to get back into education. The SR also expressed the de facto authorities must rescind all the discriminatory edicts, and restore the rule of law including legal protections for women. The SR said these serious deprivations of women's and girls' human rights constitute a crime against humanity of gender persecution. The SR presented the reports main recommendations, including, amongst others: ensuring women and girls are included as equal partners in all decision forums relating to Afghanistan; supporting their access to education and women-led organizations; supporting Afghan women and girls seeking refuge inside and outside Afghanistan; mandating a report on gender apartheid with a view to both recognizing it and ending it. Finally, the SR urged the UN system to take a unified and principled approach based on human rights in Afghanistan, including when engaging with the de facto authorities.

H.E. Mr. Nasir Ahmad Andisha, Ambassador, Permanent Representative of Afghanistan to UNOG (Country concerned) highlighted the Taliban's oppression of women protestors, their restrictions to

work for the UN, and access education. He further recognized women's efforts of resistance inside and outside Afghanistan. He urged the Council to move from discussions to actions and makes a series of recommendations, including strengthening the mandate of the Special Rapporteur by implementing an investigative mechanism that records all abuses; highlighting the human rights situation in Afghanistan at the summit level at the commemoration of the 75th anniversary of the UDHR; and redoubling efforts to find a real solution to the human rights situation in the country as well as supporting the implementation of an inclusive government.

Interactive dialogue

53 country delegations took the floor during the interactive dialogue. **Ms. Madina Mahboobi, Human Rights Defender** was deeply concerned about the future of girls and women in Afghanistan, including the violations against their right to freedom of movement, work, and education. She highlighted that before August 2021 women already faced challenges and human rights violations were systemic but that the situation after is even worse. She also mentioned that women are being banned from working in the UN, but that Afghan women-led organizations together with humanitarian actors continue to deliver aid. She called upon the international community to help Afghan women access education and employment; ensure the protection of human rights defenders; and help promote freedom of expression, assembly, and movement, and access to legal justice. She urged for a peaceful resolution and calls upon the international community to engage with the de facto authorities.

Ms. Shaharzar Akbar, Executive Director of Rawadari condemned the Taliban's restrictions on women to work and access education. She further condemned human rights violations against women and girls including torture and ill-treatment, extrajudicial killings, and enforced disappearances. She urged for a unified approach when engaging with the Taliban and suggests to the Council: refrain from interactions with the Taliban delegations or any actions that legitimize the de facto authorities; renew the mandate of the Special Rapporteur and provide additional resources; establish an independent accountability mechanism; mandate a report on gender apartheid; and provide aid for Afghan civil society inside and outside the country.

Many countries expressed their support for the mandate and the report and harshly condemned the human rights violations of women and girls by the Taliban. Many states and state organizations were concerned about the systematic discrimination women and girls face in Afghanistan by the Taliban. They urged the Taliban to address ongoing violations and allow women and girls to participate in public life fully, equally, and meaningfully, and have access to justice, health care, employment, education, and freedom of movement. They harshly condemned women's restriction from working for the UN and NGOs. They also called for accountability for all human rights violations and abuses.

Pakistan asked the SR to reflect on the impact of financial restrictions, absence of banking channels and other conditionalities on the human rights situation in the country and urged the international community to provide humanitarian assistance. **Kyrgyzstan** emphasized the importance of the establishment of an inclusive and representative government. **Malaysia** urged an inclusive Afghan-led and Afghan-owned national reconciliation and peace process. **Venezuela, China, Iran, and the Russian Federation** denounced the critical humanitarian situation in Afghanistan as a result of US and EU military occupation and the crimes committed. They called upon the international community to cease illegal unilateral coercive measures and the provision of humanitarian assistance detached from any kind of politicization.

All NGOs commend the work of the mandate and condemn human rights violations of women and girls by the Taliban, including their right to education, employment, and freedom of movement. Several NGOs qualify the Taliban's violations as crimes against humanity of gender persecution. One NGO also stressed the need to qualify women and girls fleeing persecution as refugees. Other NGOs

urged the international community to redouble efforts in holding the de facto authorities accountable for violations and restrictions and call upon regional countries to show solidarity with Afghan refugees. Most NGOs highlighted that women are currently the frontline defenders of human rights in the country. Several NGOs urged the international community to take more steps to promote women's active participation in public life in Afghanistan, including in humanitarian operations; ensure that women and girls have equal access to health services across the country; and support with long-term funding women-led organizations operating in Afghanistan.

Delegations that took the floor during the Interactive dialogue (53 country delegations):

Germany, Australia, Pakistan (on behalf of the OIC), Finland (on behalf of a group of countries), European Union, Belgium (on behalf of a group of countries), Kyrgyzstan (on behalf of a group of countries), Liechtenstein, Qatar, Republic of Korea, Israel, Luxembourg, Japan, Netherlands, Czechia, Slovenia, Ecuador, United States of America, France, Spain, Costa Rica, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Maldives, Malaysia, South Africa, Malta, New Zealand, Ireland, Pakistan, Türkiye, Namibia, Kazakhstan, India, Austria, China, Greece, Malawi, Slovakia, Switzerland, Albania, Argentina, Romania, Montenegro, Poland, Ukraine, Cyprus, Russian Federation, Saudi Arabia, Mexico, Iran (Islamic Republic of), Indonesia, Egypt, United Arab Emirates.

NHRIs and NGOs that took the floor during the Interactive dialogue (12):

UN Women, IDLO - International Development Law Organization, UNICEF - United Nations Children's Fund, Women's International League for Peace and Freedom, Asian Forum for Human Rights and Development, Human Rights Law Centre, CIVICUS - World Alliance for Citizen Participation, Front Line, The International Foundation for the Protection of Human Rights Defenders, Human Rights Watch, Save the Children International, World Organisation Against Torture, Amnesty International (Joint Statement), Center for Global Nonkilling.

To watch the full meeting refer to [UN Web TV](#).