

## HUMAN RIGHTS COUNCIL – 54th SESSION

### Interactive Dialogue with the Special Rapporteur on the situation of human rights in Afghanistan

11 September 2023

**Mr Richard Bennett, the Special Rapporteur on the situation of human rights in Afghanistan,** reported that a number of Afghan women and men are on hunger strike. More than two years after the Taliban took power, the Afghan people are confronted by a humanitarian crisis as well as by a de facto regime that is violating a multitude of human rights and has eviscerated the rights, life chances, and dignity of women and girls. Recently, the Taliban had restricted women’s activities even more. He called on the Taliban to reverse their draconian, misogynist policies and allow women to work and run businesses, including delivering essential services through NGOs and the UN. He reiterated that the systematic, widespread, institutionalized discrimination that seeks to exclude women from all facets of life necessitates an examination of the evolving phenomenon of “gender apartheid”. Beyond the obvious implications for girls, many children go to bed hungry amid escalating poverty. Others face devastating experiences such as forced marriages or becoming victims of explosive war remnants.

He remained troubled about the collapse of civic space with civil society activists, journalists, and peaceful protestors subjected to restrictions, censorship, arbitrary arrest, and detention. Moreover, the absence of the rule of law, competition for scarce resources, shifting power balances, and claims of ethnic favoritism by the Taliban are straining already sensitive relationships between ethnic and religious groups.

Finally, he focused on Member States that host vulnerable Afghans: they deserve commendation but more needs to be done, including legal, physical, and financial security. There is a great need for accountability and multiple tools need to be brought to bear.

**Afghanistan (Country concerned)** affirmed that the people of Afghanistan continue to suffer in darkness as the situation on the ground deteriorates. Systematic violations and abuses persist with impunity, the right to education, and cultural and artistic expression are being suppressed, arbitrary arrests, and extra-judicial killings remain rampant. Since August 2021, Afghanistan has witnessed unprecedented horrors. Minority communities are being systematically discriminated against.

The lack of action by the international community in addressing the human rights crisis in Afghanistan exposes a troubling indifference and inconsistency, undermining the credibility of our human rights system. This council must take resolute and decisive action to address the human rights crisis in Afghanistan. Therefore, echoing a unified call made by civil society organizations, the Country reiterated that: the Special Rapporteur’s crucial mandate to be renewed and strengthened; an independent investigative mechanism to be established; and the recommendation June report of the Special Rapporteur and the Working Group on discrimination against women and girls, including further investigation into cases of Gender persecution/ Gender Apartheid, to be seriously pursued. And the EID is to be upheld in June 2024.

### Interactive dialogue

33 country delegations took the floor during the interactive dialogue. **The majority of the countries** remained deeply concerned about the humanitarian and human rights situations in the Country, especially in relation to women and girls. They also reported that it is alarming that members of vulnerable groups, like ethnic and religious minorities, human rights defenders, journalists and media workers, and members of the former administration, suffer killings, arbitrary detentions, enforced

disappearances, physical abuse, and torture. **Croatia** denounces the continuous dismantling of the rule of law and independence of the justice system in the country and strongly condemns the introduction of cruel and undignified punishments, such as stoning or flogging. **EU** stressed that an inclusive political process, with full, equal, and meaningful participation of all Afghans, including women and girls and persons belonging to ethnic and religious groups and minorities, and including LGBTI persons, is required to ensure sustainable peace, stability, and prosperity in Afghanistan. **Pakistan** impressed upon the de-facto authorities to respect the rights and freedoms of all Afghans, especially of women and children in line with the teachings of Islam and its international obligations. **Russian Federation** remained convinced that the main burden for the post-conflict reconstruction of this country should be borne by the Americans, the British, and their allies, who are directly responsible for the crisis that has arisen. The crimes committed by the American and NATO military in Afghanistan have so far not received proper legal assessment and remain unpunished. It regretted that the special rapporteur ignored all these circumstances, focusing on the situation in the country after August 2021. Only long-term peace in Afghanistan would contribute to the favorable development of the entire region.

**UN Women** affirmed that in the two years since taking control of Afghanistan, the Taliban has imposed the most comprehensive, systematic, and unparalleled assault on the rights of women and girls. Afghan women continue to lead the struggle against their oppression. In the face of the most hostile of circumstances, they speak out against the violations, deliver lifesaving services, own and operate businesses, and run women's organizations. Their bravery must inspire us to greater action. **UNICEF** stressed that the collapse of social services, rule of law, and education systems has left children at greater risk of danger, exploitation, and abuse. Across the country, 1 in 5 children are trapped in child labour. Moreover, it is alarmed about the continuing ban on girls above grade 6 from attending secondary school. It also urged the de facto authorities to fulfill the rights of all children, including girls, without discrimination.

**NGOs**, supporting the renewal of the Special Rapporteur's mandate and its work, affirmed that the reports mirror the information civil society is still able to gather from inside the country. Reprisal killings are continuing unabated; the Taliban engages in torture, extrajudicial killings, enforced disappearances, and other serious abuses in complete impunity. Journalists and human rights defenders are subjected to arbitrary detentions. Minorities are targeted. Women and girls are now living under a system that amounts to gender persecution under international law. **United Nations Watch** called to establish a parallel independent investigative mechanism in this session.

Delegations that took the floor during the Interactive dialogue (33 country delegations):

*Austria, Belgium, Croatia, Ecuador, EU, Germany, Iceland, Italy, Japan, Luxembourg, Pakistan (on behalf of OIC), Pakistan, Qatar, United Arab Emirates, France, USA, Israel, Malawi, Netherlands, Türkiye, Poland, China, Canada, Indonesia, Russian Federation, Australia, United Kingdom of Great Britain and Northern Ireland, Venezuela, Republic Islamic of Iran, Montenegro, Peru, Kazakhstan, Spain.*

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

Afghanistan Democracy and Development Organization, Asian Forum for Human Rights and Development, Human Rights Research League, Human Rights Watch, International Commission of Jurists, International Federation for Human Rights Leagues, International Service for Human Rights, Lawyers' Rights Watch Canada, United Nations Watch.

International organizations (2): UN Women, UNICEF,

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