

Response to Call for submission Special Rapporteur on Afghanistan

Jointly submitted by

International Action Network for Gender Equity & Law (IANGEL) and Femena

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TO: hrc-sr-afghanistan@un.org

RE: Phenomenon of an institutionalized system of discrimination – input for the Special Rapporteur

In response to the Call for Input issued by the Special Rapporteur, IANGEL and Femena provide the following responses to your queries. **We hereby authorize the Special Rapporteur to upload our submission to the mandate’s website.**

1. If applicable, please provide your personal experience of and insights into human rights violations, including but not limited to accounts of gender-based violence including sexual violence and abuse, femicide, domestic violence, forced and early marriage, or arbitrary deprivation of liberty. The word limit for your response is 200 words.

A woman teacher in an underground school in Kabul, recently seized in front of 90 crying students and terrorized for a month by the Taliban, gave this personal account:

“He put on my head a black thing then hit my head, tied my hands on my back, threw me in car. I don’t know after how many days and tortures, I woke from hard pain; I couldn’t sit. I was in dark, bad smell room. The door opened, 3 bad smell Talib laugh loudly and said hey do you think this infidel slut is virgin or fucked up; let’s check: if she is virgin she will be all our wife and if not she will be all mujahadeen’s dick licking. I said I work with my girls and for women. They slap my face and say you are working against leader Raisul Wazara Mula Haibatulla. After many times hitting my face and body one called kill her. Other said no, we will find other bitches by her, then finish her. So they torture me every day and night. I told please kill me. They laughed, saying we don’t want to kill but we will make that you will kill yourself.”

2. Where you or your organisation are supporting victims and survivors and/or are engaged in documentation, please provide factual information and specific accounts of discrimination, segregation and exclusion experienced by women and girls in Afghanistan. Please also include information on discrimination based on sexual orientation, gender identity, expression, and characteristics. This can encompass any disparities and barriers in access to economic empowerment, healthcare, social and political participation, access to justice, freedom of movement and any other economic, social, cultural as well as civil and political rights. The word limit for your response is 300 words.

Both Femena, and IANGEL, actively engage with a diverse range of women stakeholders in Afghanistan. They provide support and resources to women who participate in protests, clandestine educational efforts, and those belonging to marginalized ethnic and religious communities. Through interviews, Femena has shed light on the dire circumstances faced by marginalized groups, highlighting their limited access to essential humanitarian aid. Additionally, Femena has conducted in-depth interviews with Hazara women, revealing the intricate layers of discrimination and violence they endure under Taliban rule. Particularly concerning is the treatment of Hazara women in detention, where they face heightened levels of brutality and injustice at the hands of Taliban.

[Afghan Women Confronting Daily Violence Under Taliban Oppression](#)- Article by Femena where Hazara women detail abuse by the Taliban

[Taliban's War Against Women: The UN's Moral Obligation to Stand with Women of Afghanistan](#)- Report by Femena details how access to humanitarian aid is restricted for marginalized communities.

3. Please provide information about ongoing accountability initiatives aimed at providing justice, reparations for victims/survivors, and/or accountability for perpetrators. The word limit for your response is 200 words.

Pro bono lawyers supporting IANGEL and working with Afghan women's human rights defenders at Femena are creating a report that includes summaries of interviews documenting the lived experiences of people across Afghanistan, suffering under the brutal Taliban repression. This report will include international legal research and recommendations, to make a record of atrocities, to promote accountability, and to spur a more effective international response to the gender apartheid inflicted by the Taliban upon half the population of Afghanistan. Clearly, the international community must change its approach and do more to address this crisis, including:

- (1) amend the Convention on Crimes Against Humanity to include gender apartheid;
- (2) stop the flow of funds that is financing the Taliban – including aid that is being siphoned by Taliban and used to continue its crimes;
- (3) cease all efforts at diplomatic engagement with the Taliban – such efforts are plainly ineffective and only dignify the Taliban; and
- (4) name and shame all members of Taliban responsible for the oppressive edicts and treat them as the rogue terrorists that they are.

Commented [ZA1]: Sussan: there is no definition of terrorism within the UN system, as far as I know. So I think here instead you should ask for some sort of accountability or provide a recommendation, treating them as terrorists, is not that specific. Perhaps saying holding them responsible and accountable for their rights violations, including through sanctions on individual members of Taliban and continued travel bans, may be a better asks, but still up to you all.

4. Please offer ideas and suggestions on strategies, support mechanisms or other measures that the international community (i.e. SR mandate, States, and international organizations) could take to positively impact the lives of women, girls and sexual and gender minorities in Afghanistan. This also includes your identified priorities for such as enhancing mental health support, facilitating online education, fostering online legal aid, enabling remote contracting and

business or any other ideas. Furthermore, how can the international community effectively contribute to addressing these priorities and providing tangible assistance to empower women and girls in Afghanistan? The word limit for your response is 400 words.

The Special Rapporteur (SR) mandate and UNAMA should closely monitor, document, and report on the situation of marginalized ethnic and religious groups, women, women human rights defenders, including those who have begun their human rights work after the takeover of the Taliban, such as women protesters, former military and government officials, and LGBTQI+ communities, all under attack by the Taliban.

The international community, SR mandate, and other key stakeholders must utilize every means of leverage, including diplomatic pressure and sanctions, to force the Taliban to reverse all their 65+ edicts issued against women's human rights. Basic rights to education, to work, to travel, to free expression, and to access justice must be immediately restored. The international community, SR mandate, and other key stakeholders must label the Taliban's treatment of women as gender apartheid, as demanded by women human rights defenders, with strong advocacy from the international community and other key stakeholders.

The international community must continue to support women human rights defenders who face serious threats, including imprisonment or death, through emergency funding, accompaniment, temporary relocation, and permanent relocation. Support should be provided to the WHRDs directly or to groups that support and accompany, provide them with psychosocial and security support and tactics design to ensure safety and resilience.

The international community, SR mandate, and other key stakeholders must advocate for and provide funding and political support to civic opposition groups including emerging groups and initiatives that are not registered, such as protester groups or groups supporting women and minorities opposing the Taliban, with contributions from the international community and other key stakeholders.

Taliban must not be recognized or normalized and key stakeholders including the SR mandate. must advocate for the formation of a government representative of the ethnic diversity of Afghanistan, with meaningful participation of women, supported by the international community and other key stakeholders.

The Taliban must be held accountable for their grave human rights violations and atrocities, with efforts coordinated by the international community and other key stakeholders.

Travel bans on Taliban members must be sustained and strengthened. They should not be granted a seat at the UN or recognized by any international body as anything other than a rogue terrorist organization.

All of the above demands stem from the Afghan human rights community, particularly women who have been leading the civic resistance against the Taliban. Elevating these demands will ultimately improve the overall situation in Afghanistan, especially for women and marginalized ethnic and religious groups. The women of Afghanistan demand nothing less than a democratically elected government that respects the rights of all Afghan people to enjoy basic human rights, freedom, and dignity. Furthermore, while secret schools and online education, or alternative sources of income, may

serve as temporary solutions, nothing replaces access to formal education and employment in all sectors, which the Taliban have brutally curtailed.

Inputs may be sent via e-mail until **17 March 2024**

E-mail address: hrc-sr-afghanistan@un.org

E-mail subject line: Phenomenon of an institutionalized system of discrimination – input for the Special Rapporteur

File formats: Word, PDF

Note: Should you have any questions or require further information, please do not hesitate to contact us via above email. Thank you for your attention and anticipated contributions.