

**SUBJECT: COI Research for Human Rights Defenders in Afghanistan**

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Below are compiled sources that contain country of origin information for human rights defenders, including women's rights defenders, in Afghanistan.

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- *Afghanistan 2020 Human Rights Report*, U.S. Department of State, 2020, available at <https://www.state.gov/wp-content/uploads/2021/03/AFGHANISTAN-2020-HUMAN-RIGHTS-REPORT.pdf>

Government Human Rights Bodies: The constitutionally mandated AIHRC continued to address human rights problems, but it received minimal government funding and relied almost exclusively on international donor funds. On June 27, an IED killed two members of the AIHRC. Perpetrators of the bombing were not identified. Three Wolesi Jirga committees deal with human rights: the Gender, Civil Society, and Human Rights Committee; the Counternarcotic, Intoxicating Items, and Ethical Abuse Committee; and the Judicial, Administrative Reform, and Anticorruption Committee. In the Meshrano Jirga, the Committee for Gender and Civil Society addresses human rights concerns.

[...]

Female political figures and activists were the targets of assassinations and assassination attempts throughout the year. On December 24, unknown gunmen killed women's rights activist Freshta Kohistani, along with her brother.

[...]

Saboor Husaini, a transgender activist and artist, died in a Herat hospital after being beaten by an unidentified group of men December 25.

[...]

In 2019 human rights defenders exposed the sexual abuse of at least 165 schoolboys from three high schools in Logar Province, alleging that teachers, principals, vice principals, fellow students, and at least one local law enforcement official participated in the abuse. The release of videos of some of the rapes and exposure of the scandal led to at least five honor killings of the victims. Two human rights defenders were subsequently placed in NDS detention after exposing the allegations, forced to apologize for their reporting, and continued to face threats after their release, prompting them to flee the country.

- *Afghanistan 2020 International Religious Freedom Report*, U.S. Department of State, May 12, 2021, available at <https://www.state.gov/wp-content/uploads/2021/05/240282-AFGHANISTAN-2020-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>

There were reports that ISIS-K, an affiliate of ISIS and a U.S.-designated terrorist organization, continued to target and kill members of minority religious communities and that the Taliban targeted and killed individuals because of their religious beliefs or their links to the government.

- UN High Commissioner for Refugees (UNHCR), *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan*, Apr. 19 2016,

HCR/EG/AFG/16/02, available at <https://www.refworld.org/docid/570f96564.html> (cites below omitted)

### ***1. Individuals Associated with, or Perceived as Supportive of, the Government and the International Community, Including the International Military Forces***

AGEs are reported to systematically target civilians who are associated with, or who are perceived to be supporting the Afghan Government, Afghan civil society and the international community in Afghanistan, including the international military forces and international humanitarian and development actors.<sup>204</sup> In 2015, UNAMA attributed 1,335 civilian casualties (790 deaths and 545 injured) to incidents of targeted killings or attempted targeted killings to AGEs, among which the Taliban claimed responsibility for 135 incidents causing 336 civilian casualties (168 deaths and 168 injured). The number of such casualties increased by 25 per cent from 2014 (716 deaths and 353 injured), while the number of Taliban-claimed incidents increased by 59 per cent. UNAMA also attributed 26 civilian casualties (17 deaths and nine injured) from 17 targeted and deliberate killing incidents to ISIS-affiliated groups in 2015. Among the primary targets of such attacks are national and local political leaders, government officials, teachers and other civil servants, off-duty police officers, tribal elders, religious leaders, women in the public sphere, civilians accused of spying for pro-government forces, human rights activists, humanitarian and development workers, and construction workers.

[...]

#### *f) Human Rights Activists*

AGEs are reported to target human rights activists, with activists having been killed or injured in targeted attacks. Women human rights defenders are reported to be at particularly high risk.

[...]

#### *i) Women in the Public Sphere*

Although women have attained some leadership roles in Afghan Government and civil society since 2001, including as judges and members of parliament, women in the public sphere and those holding public office continue to be subjected to threats, intimidation and violent attacks. There are widespread reports of the targeting of women in the public sphere, including female parliamentarians, provincial council members, civil servants, journalists, lawyers, police officers, teachers, human rights activists and women working for international organizations. They have been targeted by AGEs, local traditional and religious power-holders, community members, and government authorities. Women who seek to engage in public life are often perceived as transgressing social norms, condemned as “immoral” and targeted for intimidation, harassment, or violence. AGEs reportedly use threats and intimidation against women in the public sphere. There are also numerous reports of women in the public sphere having been killed.

- *The fate of thousands hanging in the balance: Afghanistan’s fall into the hands of the Taliban*, Amnesty International, OMCT SOS-Torture Network, and FIDH, Sept. 2021, available at <https://www.ecoi.net/en/file/local/2060589/ASA1147272021ENGLISH.pdf> (citations omitted)

Kobra shared that she was a vocal human rights defender in Afghanistan, often travelling to the provinces and appearing on television, speaking for women’s rights. She said that she covered her

face when passing Taliban checkpoints to the airport to escape attention. Despite having left the country, Kobra said she still fears for her family left behind, since the Taliban were enquiring about her in her neighbourhood. She said, “women’s rights activists who raise their voices, people who were working with foreigners, journalists, and Afghan government army” are at high risk of reprisals.

These fears are corroborated by the number of incidents that are documented in this report. Kobra said: “As an Afghan woman, I worked in difficult situations with grassroots women in different provinces of Afghanistan, to create awareness and educate them about their rights according to Islamic perspective, and create awareness for them to stand on their own and educate their children to live in peace and rebuild Afghanistan. Today, for what sin did we have to leave our homeland, our loved ones, and our life and for which sin we suffered such hardship at the gates to enter the Kabul airport.”

Mahmud, a male human rights defender, also described to Amnesty International, how even before the Taliban had taken over the country, he and his colleagues had faced death threats and had to relocate temporarily. He recounted that a female colleague who was a project manager had in the past received calls from the Taliban informing her that their human rights work was not aligned with Islamic values. The day the Taliban entered Kabul, he had received a call asking him to hand over his organizations’ vehicles, equipment, and money- he says the Taliban fighter who spoke to him, knew his name, and said he had no choice but to cooperate with the Taliban. He says “A few days later another person contacted me from [name of province withheld] and asked for my home address and came to the area close to our house. [He] called me, [but] I did not [go]”.

After Mahmud managed to leave the country, the Taliban beat one of his staff members badly. Images shared with Amnesty International shows injuries suffered as a result of the beating. Amnesty International and an independent forensic pathologist analysed images of these injuries. The images show classical assaultive 'whip marks' to the back. An additional image shows yellowing bruising to the back of the victim's left arm, likely reflecting deep bruising of the underlying tissues from injury which occurred several days prior to the capture of the images. “They are searching for me. They found another colleague who was beaten by them. Other than that, all my staff members are under ground. I hope with the assistance of the international organizations, we will be able to take my team members and my family [out of Afghanistan]”.

Nazir, another human rights defender who spoke with Amnesty International, said that he faced the risk of reprisals from the Taliban because of his work in human rights, his previous work as a journalist, and because of his ethnic and religious identity as a Shia-Hazara. He said he was under scrutiny by the Taliban on social media- “I was personally bullied and trolled by the Taliban sympathizers on social media until I had to resort to self-censoring and deleted some of my twitter posts. Also, several friends who were journalists and activists were savagely beaten by the Taliban.” He said that if he had not left Afghanistan, he would have undoubtedly faced their retribution. He added that, “journalists, activists and anti-Taliban intellectuals, writers/artists, female journalists, former police, army, and intelligence officers, as well as female athletes, judges, advocates and singers are all at immediate risk”.

Nazir also described how a friend, Parwiz, who was a male Afghan intellectual and academic, was arrested and beaten by the Taliban when participating in a protest. “Parwiz was detained during the women’s protests on September 8 [location withheld]. He was severely tortured. He had his arm broken by the group fighters [Taliban]. He was taken inside the Police district [district number

withheld]. When Taliban released him, they made him wear new clothes because his clothes had become wet from his blood. It happened as part of the groups suppression policy to silence any opposition voice and those who question them”.

Nazir had faced threats from the Taliban for his work, even before 15 August. He had already changed his work routines and was living partially underground because of threats by the Taliban. Nazir’s colleagues had received messages asking the organization to register with the Taliban. “One of our local coordinators in one district [name withheld] had to cancel an event because of Taliban threatening him that they ‘will kill him and his sister’ if they were not going to cancel their event. They cancelled the event late evening before the day it was scheduled for,” he said. Nazir added that many of his friends who were women human rights defenders had left the country, but many also remained in Kabul, some of whom were participating in the protests. He said others had gone under-ground, fearing for their lives.

Hundreds of defenders who tried to access Kabul airport during the evacuation period faced huge obstacles, like a woman human rights defender who was on an evacuation list from a European country but was not allowed to enter the airport because of lack of coordination between the forces on the ground. Instead, she got injured while waiting at the entry gate, and ended up at the hospital. Another human rights defender echoed the distress: “We couldn't make it to the airport. I was beaten up several times on the way. My son disappeared in the crowd (he was found later with an injured leg) and my wife had a heart attack. It was the worst day of my life.” Further, many human rights defenders who managed to leave the country are now stranded in military camps or in neighbouring countries, without knowing their final destination or how they will be able to rebuild their lives that have been shattered overnight.

The right to freedom of association and peaceful assembly has also been seriously curtailed. Several NGO offices were raided and searched by the Taliban, and their accounts frozen, pending “future assessment” by the Taliban. NGOs have also stopped their women’s rights programmes, with most of the offices remaining closed due to fear of reprisals. This puts human rights defenders in a dire financial situation, with many not having received a salary since July, with little prospect of receiving one, or of resuming their human rights work, soon. Many human rights defenders report that they are fast running out of money and food.

On 25 August, a number of national NGO premises were searched by the Taliban in Kabul city. The Taliban asked questions regarding the vehicles, assets, and names of Directors and senior staff members of the NGOs.

On 12 September, about 30 Taliban members came to an NGO office [location withheld], asking about the organization, its director, and its activities, and wrongly accusing it of organizing the recent demonstrations on women’s rights and holding a women’s shelter. As they could not find any staff member present, they arrested the guard before releasing him shortly after.

On 7 September 2021, Taliban shot Omid Sharifi, a civil society activist, and Bashir Ahmad Bayat, a schoolteacher at Herat Revolution High School, as they were protesting against the Taliban in Herat province. Both died as a result of their injuries.

On 8 September 2021, a women rights’ protester was whipped several times in Kabul while she and other protesters were chanting “freedom, freedom”. On 8 September, 2021, the Ministry of Interior

of Taliban issued an order banning all demonstrations and gatherings across Afghanistan “until a policy of demonstration is codified.

- *Afghanistan Recent developments in the security situation, impact on civilians and targeted individuals, Country of Origin Information Brief Report*, Ministry of Immigration and Integration, the Danish Immigration Service, September 2021, available at [https://www.ecoi.net/en/file/local/2060188/Afghanistan\\_Targetedindivid\\_FINAL.pdf](https://www.ecoi.net/en/file/local/2060188/Afghanistan_Targetedindivid_FINAL.pdf) (citations omitted)

As the Taliban expanded their territorial control in May, June, July and August, there are documented examples of the civilian population perceived as opposing the ideology of Taliban being targeted by the Taliban around the country. The targeted individuals include government officials, journalists, human rights defenders, Afghans employed by foreign forces as well as former members of the Afghan security forces.

In the wake of the Taliban takeover, the UN Human Rights Special Rapporteurs have also expressed concerns regarding the safety of journalists, human rights defenders and civil rights activist as the insurgents prepare to govern the country. SER advised that Taliban perceive human rights defenders as an extension of the American presence in the country because they find that the idea of human rights undermine the principles of Islam.

Recent incidents of targeted attacks against journalists and human rights defenders include:

- 17 July: Reuters Journalist Danish Siddiqui killed and mutilated by Taliban at Spin Boldak border crossing.
  - 1 August: Reporter from Pajhwok Afghan News shot and killed by Taliban fighters in Herat province.
  - 2 August: Interpreter working with German newspaper Die Zeit killed in Jalalabad.
  - 6 August: The Taliban kills the director of Afghanistan's government media in Kabul
  - 8 August: Radio Station manager shot dead by Taliban in Paktia province.
  - 9 August: Journalists kidnapped by Taliban in Helmand province.
  - 14 August: Civil rights activist, Haji Azizullah, detained and killed by Taliban in Kandahar.
  - 18 August: Family member of Afghan journalist shot dead by the Taliban, another injured during a house-to-house search.
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- *Protect human rights defenders in Afghanistan, says UN rights expert*, United Nations News, Aug. 17, 2021, available at <https://news.un.org/en/story/2021/08/1097982>

The independent rights experts called for all forms of culture and cultural heritage to be protected, as well as those who defend it, and implored cultural and educational institutions everywhere to extend invitations to Afghan artists, cultural workers and students, especially women and members of minorities, to enable them to continue their work in safety.

“It is not enough for foreign governments to secure the safety of their own nationals”, said Ms. Bennoune. “They have a legal and moral obligation to act to protect the rights of Afghans, including the

rights to access to education and to work, without discrimination, as well as the right of everyone to take part in cultural life.”

The Special Rapporteur said she was gravely concerned at reports of gross abuses by the Taliban, including attacks on minorities, the kidnapping of a woman human rights defender, the killing of an artist, and the exclusion of women from employment and education.

- *TALIBAN WASTING NO TIME IN STAMPING OUT HUMAN RIGHTS IN AFGHANISTAN SAYS NEW BRIEFING*, Amnesty International, Sept. 20, 2021, available at <https://www.amnestyusa.org/press-releases/taliban-stamping-out-human-rights-in-afghanistan-says-new-briefing/>

### ***Climate of fear for Human Rights Defenders***

Attacks on human rights defenders have been reported on a near-daily basis since August 15. The Taliban are conducting door-to-door searches for human rights defenders, forcing many into hiding.

Researchers spoke to Mahmud\*, an Afghan human rights defender who managed to get out of the country. Mahmud described how, on the day the Taliban entered Kabul, he received a call asking him to hand over his organizations’ vehicles, equipment and money. The caller knew his name and warned him he had no choice but to cooperate.

Over the following days, Mahmud received further phone calls and WhatsApp messages, asking for his home address and requesting to meet him at designated locations. Two colleagues at his NGO had been beaten by the Taliban. Images shared by one of his co-workers and verified by Amnesty International and a forensic pathologist show classical assaultive ‘whipmarks’ to the back and yellowing bruising to the victim’s left arm.

“The threat faced by human rights defenders stranded in Afghanistan is real. They are under attack on all fronts as they are seen as enemies of the Taliban. Their offices and homes have been raided. Their colleagues have been beaten. They are forced into permanent hiding. They live under the constant threat of arrest, torture or worse. Those who managed to leave the country are now stranded in military camps or in neighboring countries, not knowing their final destination nor how they will be able to rebuild their lives that have been shattered overnight,” said Delphine Reculeau, Human Rights Defenders Program Director at the World Organisation Against Torture (OMCT).

“The international community must uphold its moral and political commitments and not fail the people who have dedicated their lives to the defense of human rights, gender equality, the rule of law and democratic freedoms in their country, but protect them at all costs.”

[...]

### ***Women and girls and the right to protest***

As a result of a climate of fear bred by the Taliban’s takeover, many Afghan women are now wearing the burka, refraining from leaving the house without a male guardian, and stopping other activities to avoid violence and reprisals. Despite the myriad threats now presented to women’s rights, women across the country have been holding protests.

While some protests have been allowed to continue peacefully, many were violently repressed by the Taliban. On September 4, approximately 100 women at a protest in Kabul were dispersed by Taliban special forces, who fired into the air and reportedly fired tear gas.

Nazir\*, a human rights defender, told Amnesty International how his male friend Parwiz\* was severely beaten by the Taliban after attending a women's rights protest on September 8.

"Parwiz was detained during women's protests on September 8. He was severely tortured. He had his arm broken. He was taken inside the Police district [district number withheld]. When the Taliban released him, they made him wear new clothes because his clothes had become wet from his blood."

On September 8, the now Taliban controlled Ministry of Interior issued an order banning all demonstrations and gatherings across Afghanistan "until a policy of demonstration is codified."

"The international community must not turn a blind eye to the violations being committed by the Taliban. Taking concrete action at the UN Human Rights Council will not only send the message that impunity will not be tolerated, but also contribute to preventing violations on a broader scale. This should go hand in hand with support for the ongoing investigation at the International Criminal Court, in order to secure accountability for crimes against humanity and war crimes committed by all parties," said Juliette Rousselot, FIDH's Program Officer for South Asia.

- Areeba Atique, *Event recap: "On the frontline: Protecting Afghanistan's human rights defenders,"* Atlantic Council, Aug. 23, 2021, available at <https://www.atlanticcouncil.org/blogs/southasiasource/event-recap-on-the-frontline-protecting-afghanistans-human-rights-defenders/>

### **The Taliban's targeted audiences**

Subsequent to the 2020 US-Taliban agreement, the Taliban began targeted killings and beatings of individuals openly supporting democratic values, government officials, and the rights of Afghan people, consequently catapulting HRDs, journalists, civil society activists, educators, and more under serious threat as primary targets of the group. Indeed, Mr Raufi emphasized that the Afghanistan war is a war of "values and traditions" where HRDs are perceived as soft targets. While Mr Raufi was living under the control of the Taliban, for instance, he witnessed various acts of brutality—civilian beatings, executions, and more. In fact, just last month nearly 200 activists were killed by the Taliban in Kandahar during a seminar to promote civic engagement, human rights, and democratic values for Afghanistan. With US evacuations underway, the safety and protection of HRDs are more crucial now than before.

### **International communities lack of support to human rights defenders**

There has yet to emerge effective action plans and protection mechanisms for HRDs since the US withdrawal, a critical concern for Afghanistan's activists. Notably, Ms Hamidi highlighted the Taliban's earlier demand to release 5,000 prisoners and the ensuing dynamics following so: the extremist group gained authority, recognition, and power while HRDs were left disempowered and defeated. Ms Hamidi further emphasized that for years, HRDs have been pleading for help from international actors such as the European Union delegation, the United Nations, the US embassy, and the UK embassy, however, such actions remain unanswered, and the only effort to address HRD safety in Afghanistan, spearheaded by Amnesty International and 37 other human rights organizations in January 2020, offered no



solutions. Another issue of concern, per Ms. Hamidi, remains that of international communities shutting down visa support or provisions to human rights defenders and activists. In many cases, Afghan HRDs work several years for allies, only to be abandoned amid difficult times. Although extensive protection mechanisms are needed for all Afghanistan, protection placements for human rights defenders in Afghanistan are most critical.

- Dr. Ewelina U. Ochab, *A Whole Generation of Human Rights Defenders May Perish in Afghanistan*, Forbes, Sep. 12, 2021, available at <https://www.forbes.com/sites/ewelinaochab/2021/09/12/the-whole-generations-of-human-rights-defenders-may-perish-in-afghanistan/?sh=114314882d5e>

The threat faced by human rights defenders is real. Among human rights defenders, female lawyers and judges are at particular risk. Not only because of their sex and daring to have high-flying careers. No. It is because many of them were involved in the trials of Taliban fighters. Now that prisoners are being released, including those who they put in jail, they have a constant target on their backs. Women in any position of power, whether judges, lawyers, politicians, who are spared, would be confined to their homes and dependant on a male escort to leave the house.

Women protesting against the over-night decline of women's rights in the country are facing Taliban fighters using whips to silent them.

[...]

Human rights defenders in all shape and forms are seen as the enemy of the Taliban because they fight for what the Taliban do not agree with - human rights.

In the U.K., Baroness Kennedy QC, a distinguished barrister and director of the International Bar Association's Human Rights Institute, took on the challenge to assist the human rights defenders in Afghanistan. As she stated "I am working with a large team of pro-bono lawyers in the United Kingdom and across the world to save the brave female Judges, lawyers, women's rights activists, and human rights defenders. They are in immense danger and need help immediately." She called upon the international community to provide them with help.

What can be done? Resettlement. Many human rights defenders will not be able to stay in Afghanistan as staying means certain death. As such, they need resettlement to a safe country. However, currently, very few countries are willing to come forward and take them in. As such we run the risk that a whole generation of Afghan human rights defenders may perish at the hands of the Taliban. If they do, a brighter future for Afghanistan will not be achieved in our lifetimes.

- *The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights*, Report of the United Nations High Commissioner for Human Rights, Jan. 11, 2017, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/004/63/PDF/G1700463.pdf?OpenElement>

68. Many Afghan human rights defenders have reported that the attacks by antigovernment elements, the threats against journalists and human rights defenders and the increasing insecurity all affected their ability to advocate for human rights and created a climate of fear, and that the Government provided inadequate support to ensure their safety. Expanded Taliban armed activities in Farah,

Helmand and Kunduz provinces have led to scores of journalists and civil society actors fleeing those provinces for fear of reprisals.

- *Concluding observations on the third periodic report of Afghanistan, United Nations Committee on the Elimination of Discrimination against Women*, Mar. 10, 2020, available at [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/AFG/CO/3&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/AFG/CO/3&Lang=En)

### **Human rights defenders and journalists**

35. The Committee is deeply concerned about the fact that women human rights defenders and journalists are targeted for their work on women's rights, face genderbased violence, threats and stigmatization, including by their communities, and lack protection, and that women journalists are subjected to targeted killing. It is also concerned about the restrictions placed on the freedom of movement of women human rights defenders and the adverse effect of violence and intimidation on their work and on their right to participate meaningfully in processes relating to women's rights.

**36. The Committee urges the State party to protect the life, personal liberty and security of women human rights defenders and journalists, to guarantee their freedom of movement and expression, to prosecute acts of murder or gender-based violence and intimidation committed against them and to adequately punish the perpetrators of such crimes. The Committee recommends that the State party work with civil society organizations to raise the awareness of political leaders, communities and the media of the importance of the work of women human rights defenders.**

- *DFAT Country Information Report Afghanistan*, Australian Government Department of Foreign Affairs and Trade, June 27, 2019, available at <https://www.dfat.gov.au/sites/default/files/country-information-report-afghanistan.pdf>

3.48 The continuing armed conflict frequently hampers the ability of CSOs and NGOs to conduct their operations in many parts of the country. CSO and NGO activists across the country have been vulnerable to intimidation, threats, abductions and targeted killings by AGEs, particularly the Taliban. In July 2016, UNAMA noted that a climate of fear had affected the ability of CSOs and NGOs to advocate for human rights. In its November 2018 submission to the UPR, JS1 (a collective of CSOs) recognised the continuing actions of violent non-state actors as largely to blame for the ongoing difficulties faced by CSOs and NGOs, but called on the government to do more to ensure their protection.

[...]

3.50 Since the fall of the Taliban, Afghanistan has seen a slow emergence of women's rights advocates, including high-profile female civil society representatives. Women's services and protection shelters have gradually spread across the country. However, these are sometimes viewed with suspicion within the conservative culture of rural Afghanistan. The Taliban in particular have long been averse to this trend and have directly targeted women's rights advocates and female CSO/NGO workers. UNAMA has previously reported that female CSO/NGO workers and those involved in advocating women's rights face a particular risk. In its annual report for 2016, UNAMA documented 54 incidents of targeted and deliberate killings against women civilian casualties carried out by AGEs in that year, a 25 per cent increase compared to 2015. DFAT assesses it likely that this risk remains significant.

- *Afghanistan: Situation of Afghan citizens who work for NGOs or international aid organizations, and whether they are targeted by the Taliban; attacks against schools and incidents of violence against students, teachers, and the educational sector; state response (2012-January 2016)* Research Directorate, Immigration and Refugee Board of Canada, Ottawa, Feb. 22, 2016, available at <https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=456381>

According to the AAN analyst, the Taliban continues to target local aid workers and local staff of international organizations, though the organization's reputation with the community and local political climate impacts whether workers will encounter problems (AAN 20 Jan. 2016). The same source said that NGO employees are the targets of intimidation by the Taliban (ibid.). Similarly, Freedom House states that in 2015, civil society and human rights activists continued to "face threats and harassment" (28 Jan. 2015). Country Reports 2014 indicates that insurgents "deliberately targeted" aid workers for attack, threats and robbery (US 25 June 2015, 2, 19). According to the humanitarian coordinator for the UN in Afghanistan, interviewed by the Guardian, humanitarian workers are "'more vulnerable'" because "'[t]hey work on the frontline'" and because "'they are more noticeable in terms of what they do in the community'" (The Guardian, 4 June 2015). Sources report that aid workers face the risk of being labelled as "spies" by insurgents (UN 9 Sept. 2014; ODI Dec. 2012, iii), or as "foreign agents" (The Guardian 4 June 2015).

- *Afghanistan: Their lives on the line: Women human rights defenders under attack in Afghanistan*, Amnesty International, Apr. 7, 2015, available at <https://www.amnesty.org/en/documents/asa11/1279/2015/en/>

Who are women human rights defenders in Afghanistan? They are women and men who are peaceably engaged in activities to promote and protect nationally and internationally recognized rights of women and girls. While women comprise the vast majority of women human rights defenders in Afghanistan, men are also taking up this work, although they face their own unique challenges in doing so, including a lack of acceptance and recognition for their contributions. However, women working as women human rights defenders are targeted not only because of their words or actions in promoting and protecting women's rights, but also because of who they are – women in public life.

These women are perceived as defying cultural, religious and social norms concerning the role of women in society, regardless of whether they are doctors, journalists, educators, female police officers or elected representatives. This puts them at risk of sexual and other forms of gender-based violence. It can further restrict their movements. Also, they can be convicted of 'moral crimes', face gender-based attacks on their reputation and experience social isolation.

The issue of women's subordinate legal, social and political position in Afghan society and the failure of the government to meet its obligations to ensure gender equality and address discriminatory social attitudes forms the basis of this report. Cultural, religious and social norms are at the root of the various kinds of abuse experienced by women human rights defenders. As such, challenging those entrenched patriarchal patterns is central to the struggle to ensure that women and girls in Afghanistan are able to exercise their rights in full.

The nine case studies in this report illustrate the range of violence women human rights defenders are confronted with on a daily basis: from threats, harassment and intimidation to physical attacks on their family members and property and unlawful killings. Amnesty International has chosen these cases in order to fully represent the diversity of regions, ethnicities, age groups and professions of women human rights defenders in Afghanistan. A common thread emerging from the interviews as well as from reports by NGOs and research organizations is that the pattern of abuse against women human rights defenders is matched by the government's systematic failure to provide an environment that protects them or to bring the perpetrators of abuses to justice.

One woman's rights activist told Amnesty International:

"The authorities here are trying to ignore women and their problems, and even if there is evidence of women being targeted ... no one will bother to do anything about it. They are fine with women being targeted."

This institutionalized indifference on the part of the authorities to the threats, harassment and attacks that women human rights defenders face is a result of weak state structures, particularly within the judiciary and law enforcement and security agencies. It is reinforced by an enduring culture of impunity, a judicial system based on the ability to wield power rather than on a concept of justice and a multiplicity of competing legal systems.

While the Taliban and other armed opposition groups are responsible for the majority of abuses against women human rights defenders, they are not the only perpetrators. Government officials and powerful commanders and warlords who are supported by local authorities have also been implicated in committing human rights abuses against women human rights defenders.

Amnesty International found that existing support and protection services for women human rights defenders are especially lacking. They are under-resourced, overstretched with limited capacity and lack adequate security provision. This is a particular concern for staff in the provincial departments of women's affairs (DOWAs) who, as the case studies demonstrate, are themselves at grave risk because of their role as frontline defenders.

As one DOWA head explained:

"I want to work in all 15 districts [of my province] but I don't even have enough fuel in my car to travel. It affects my performance and what I can achieve." ... Another DOWA head shared her frustrations about her attempts to increase security for the DOWA: "I keep asking for a police checkpoint in front of the office but we still haven't been provided with one. If it was a powerful commander asking they would have been given one."

Women human rights defenders are afforded a degree of support from the international community, but up until now this has been on a limited and ad hoc basis. A recent strategy advanced by the European Union Plus (EU plus additional diplomatic missions) will, once operational, offer an additional protection mechanism for Afghan human rights defenders, including emergency protection and ongoing monitoring. However, the strategy has yet to

be tested and questions remain concerning how successfully it will be implemented, including mainstreaming the particular needs of women human rights defenders and especially those in the rural areas of the country.

- *Afghanistan: Night letters [Shab Nameha, Shabnamah, Shabnameh], including appearance (2010-2015)*, Research Directorate, Immigration and Refugee Board of Canada, Ottawa, Feb. 10, 2015, available at <https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=455723&pls=1>

#### 4. Targets and Recipients

The Professor explained that the primary "target audience" for Taliban night letters is the "local population," specifically the population in Pashtun-dominated provinces of southern and eastern Afghanistan, regions that have traditionally been the support base of the Taliban (19 Jan. 2015). According to the independent analyst, the targets of night letters are generally "specific individuals believed by the Taliban to be transgressing Taliban rules or instructions, or more generally to local community groups, such as a small village" (Independent analyst 9 Jan. 2015). He explained that targets include people that could be perceived as "low-level" targets, such as "officials, women, teachers, junior employees working with international organizations," among others (ibid.). Sources report that targets of night letters also include the following

- Afghan government employees (International Crisis Group 24 July 2008, 12; AIHRC 17 Jan. 2015; Professor 19 Jan. 2015), including police, security personnel and people perceived by the Taliban to be "spies" (ibid.);
- people working for international forces (RFE/RL 21 Nov. 2012; International Crisis Group 24 July 2008, 12; AIHRC 17 Jan. 2015) and embassies (ibid.);
- religious and intellectual scholars (ibid.), such as Ulema Islamic scholars that do not adopt Taliban religious interpretations (Professor 19 Jan. 2015);
- human rights activists, defenders (AIHRC 17 Jan. 2015), and educators and students (Professor 19 Jan. 2015; International Crisis Group 24 July 2008, 12; Pajhwok Afghan News 8 Mar. 2013);
- individuals working for national and international de-mining organizations (AIHRC 17 Jan. 2015) or non-government organizations (Professor 19 Jan. 2015);
- tribal elders (AIHRC 17 Jan. 2015; Professor 19 Jan. 2015);
- political parties (ibid.);
- religious "personalities" (ibid.);
- "businessmen (for ransom)" (AIHRC 17 Jan. 2015)
- women who work outside the home, including those working as teachers, or for the government, or in civil society (RFE/RL 7 Dec. 2012; Human Rights Watch July 2010 25-27); and
- in the March 2014 presidential and provincial elections, Taliban night letters were aimed at voters (IWPR 2 Apr. 2014; Killid Weekly 29 Mar. 2014; WSJ 11 Mar. 2014), WSJ 11 Mar. 2014), election workers, and those involved in election campaigning (ibid.; Killid Weekly 29 Mar. 2014).

- *Women's Refugee Commission Urges U.S. Not to Abandon Afghan Women Human Rights Defenders*, Women's Refugee Commission, Aug. 24, 2021, available at <https://www.womensrefugeecommission.org/press-releases/womens-refugee-commission-urges-us-not-to-abandon-afghan-women-human-rights-defenders/>

“The Women’s Refugee Commission is gravely concerned about President Biden’s decision today to not extend his August 31 deadline to evacuate Americans and certain categories of targeted Afghans,” said Gayatri Patel, vice president of external relations at the Women’s Refugee Commission. “Despite efforts throughout the week to evacuate all of the individuals the president pledged to assist, WRC remains deeply concerned about the safety and rights of Afghan civilians, particularly women’s rights activists, female journalists and educators, and other human rights defenders, who are unlikely to be evacuated by this deadline.”

“While networks of activists, NGOs, and others from within and outside of Afghanistan have worked feverishly to urge the United States and allies to prioritize the safety of these women in light of Taliban threats and credible reports of violence and harassment against them, we believe that several thousand—if not more—remain urgently in need of evacuation or other protection,” said Patel. “We strongly urge President Biden to reconsider this decision and extend the slated August 31 deadline to ensure a safe and sustainable evacuation of all persons at risk.”