

Afghanistan Country Conditions: Situation of Persons Perceived as “Westernised”

International Refugee Assistance Project

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I.	According to sources, Afghans who are perceived as “Westernised” by the Taliban face persecution, putting them at serious risk of physical and, in some cases, sexual violence. Many reportedly also have other fundamental rights (such as freedom to work and freedom of movement) violated; this is particularly true for women.	9
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This report is intended as background reference material for asylum seekers and their counsel only, to assist in their preparation of their cases. It should not be submitted directly to asylum adjudicators in the United Kingdom or United States.

The information contained in this report is current as of September 2021. It is provided as a service to users and it is therefore general and should not be considered or relied on as comprehensive or as legal advice. Nothing contained herein creates an attorney-client relationship between IRAP or any of the law firms that participated in this project and any users of this information.

A. RESEARCH REQUEST

This report provides details on the country conditions of people living in Afghanistan who are perceived as “Westernised”, for use as reference material in asylum or other humanitarian proceedings.

In determining who may be regarded as “Westernised” for this purpose, we have had regard to the following categories:

- Women and girls who attend or attended school and/or further education;
- Women teaching;
- Women working outside the home;
- People who dress/appear in a manner perceived by the Taliban as associated with the “West” e.g. women who do not wear burqas and meet Taliban dress codes, men with non-traditional haircuts and/or trimmed/no beards, people who wear Western-style clothing, people with tattoos;
- People perceived by the Taliban as not complying with certain other religious edicts and norms, e.g. LGBTQ+ individuals;
- People who work/worked with/for foreign powers and/or international organisations, e.g. in humanitarian relief efforts, as UN personnel, as translators, as human rights activists, as journalists and as healthcare workers.

Are Afghans who are perceived as “Westernised” persecuted or otherwise detrimentally affected as a result?

B. RESEARCH TIMEFRAME

Sources from JANUARY 1995 to SEPTEMBER 2021 were consulted in the creation of this country conditions report.

C. SOURCES CONSULTED

All web sources were consulted in SEPTEMBER 2021.

I. *United Nations Reports*

- United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ (2 September 2021). Available at: https://digitallibrary.un.org/record/3940834/files/A_76_328--S_2021_759-EN.pdf
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- United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ (15 June 2021). Available at: https://digitallibrary.un.org/record/3929585/files/A_75_926--S_2021_570-EN.pdf
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- United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ (16 January 2020). Available at: https://digitallibrary.un.org/record/3863515/files/A_HRC_43_74-EN.pdf
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- United Nations report, General Assembly, ‘The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights’ (28 January 2019). Available at: https://digitallibrary.un.org/record/3792458/files/A_HRC_40_45-EN.pdf
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III. NGOs and Other International Organizations

- Amnesty International report 2020/21. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>
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IV. Media Reports

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- UN News, ‘Afghanistan: ‘Palpable’ fear of ‘brutal and systemic repression’ of women grows, States News Service’ (21 September 2021). Available at: <https://news.un.org/en/story/2021/09/1100562>
- The Washington Post, ‘Taliban resume brutal reign in Afghanistan with public executions, amputations for criminals’ (21 September 2021). Available at: <https://www.washingtontimes.com/news/2021/sep/26/taliban-resume-brutal-reign-afghanistan-public-exe/>
- AP News, Kathy Gannon, ‘Taliban: Women can study in gender-segregated universities’ (12 September 2021). Available at: <https://apnews.com/article/afghanistan-taliban-8c16759c7c6768c35158231b808ae6dd>
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- New York Post, Emily Crane, ‘Taliban are reportedly beating Afghans for wearing Western clothes’ (23 August 2021). Available at: <https://nypost.com/2021/08/23/taliban-are-beating-afghans-for-wearing-western-clothes-report/>
- The Guardian, Samira Shackleton, ‘The plight of women helped justify war in Afghanistan. Now they have been abandoned’ (18 August 2021). Available at: <https://www.theguardian.com/commentisfree/2021/aug/18/plight-women-justify-war-afghanistan-abandoned-taliban>

D. FINDINGS

I. According to sources, Afghans who are perceived as “Westernised” by the Taliban face persecution, putting them at serious risk of physical and, in some cases, sexual violence. Many reportedly also have other fundamental rights (such as freedom to work and freedom of movement) violated; this is particularly true for women.

The Taliban’s takeover of Afghanistan and the related unrest has threatened the lives of many Afghan citizens, but particularly “Westernised” individuals, according to sources. Aid and healthcare workers, human rights activists, journalists and others who work with, or have worked for, international organisations or foreign powers, are targeted by the Taliban, as are those regarded as “Westernised” for other reasons, e.g. due to non-compliance with religious dress or grooming codes. In reports of mounting human rights violations against women and girls, it has been noted that women who are non-compliant with religious ‘Sharia’ edicts (for example, due to their education, work status, dress or movement) are at particular risk. All of these conclusions echo the treatment that, according to sources, “Westernised” individuals received under the previous Taliban regime in Afghanistan (1995-2001) and in interim years (2001-2021) in parts of the country where the Taliban continued to operate.

Our more detailed conclusions are below. They are split, for clarity, into three eras: (1) 2021 (Current Taliban Regime); (2) 2001-2021 (Interim Years); and (3) 1995-2001 (Previous Taliban Regime). Source materials are included under each conclusion in reverse chronological order. The Appendix contains additional source materials for certain conclusions, where it was considered they contained further information that could be helpful.

2021 (CURRENT TALIBAN REGIME)

The Taliban's takeover of Afghanistan has led to women fearing for their lives, facing significant restrictions on their human rights, including their rights to education, employment, healthcare, and free movement, and excluded from government.

- “Late last week, Human Rights Watch and San Jose State University’s Human Rights Institute released a joint statement condemning the Taliban’s treatment of women across the country specifically in the city of Herat. **“Since taking over the city on Aug. 12, 2021, the Taliban have instilled fear among women and girls by searching out high-profile women, denying women freedom of movement outside their homes, imposing compulsory dress codes, severely curtailing access to employment and education, and restricting the right to peaceful assembly,”** the watchdog groups said.”

Source: The Washington Post, ‘Taliban resume brutal reign in Afghanistan with public executions, amputations for criminals’ (21 September 2021). Available at: <https://www.washingtontimes.com/news/2021/sep/26/taliban-resume-brutal-reign-afghanistan-public-exe/>

- “Most recently however, **girls over the age of 12** have been **prohibited from attending school** with the genders separated at the university level and **female students prohibited from being taught by male professors, who make up the majority of instructors....”**

Source: UN News, ‘Afghanistan: ‘Palpable’ fear of ‘brutal and systemic repression’ of women grows, States News Service’ (21 September 2021). Available at: <https://news.un.org/en/story/2021/09/1100562>

- **“On 17 August, women marching through Kabul called upon the Taliban to respect their rights to education, work and political participation... In Jalalabad, the Taliban reportedly dispersed protests by firing into crowds, resulting in the death of at least one person. Reports indicated that Taliban members had physically assaulted two local journalists taking footage of the rally. Similar incidents were reported in Kunar and Khost Provinces...**

The Taliban taking control of districts had been followed by allegations of regression in the enjoyment by Afghan women and girls of their fundamental rights and freedoms, specifically access to education, access to health clinics, the right to work and freedom of movement, owing to the directive that women were to be accompanied by a male family chaperone when leaving the home and the reinstatement of strict dress code. In several locations, the Taliban had reportedly threatened that violation of those rules would result in harsh punishments. There were reports of women having been flogged and beaten in public because they had breached the A/75/1010 S/2021/759 10/14 21-11922 prescribed rules. In one case in Balkh Province, on 3 August, a women’s rights activist was shot and killed for breaching the rules.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ (2 September 2021). Available at: https://digitallibrary.un.org/record/3940834/files/A_76_328--S_2021_759-EN.pdf

“After 20 years of considerable gains and with much more still to do, Afghan women’s rights activists are battling rage and disappointment as they enter another chapter in the fight for gender rights. [...] Days after a female anchor was allowed on air on the private Tolo TV station,

three female presenters at Afghanistan's state RTA TV said they were banned from working after armed Taliban men stormed the station's Kabul headquarters and ordered them to leave."

Source: France 24, 'Afghan women's groups eye uncertain future under vague 'Islamic framework' (25 August 2021). Available at: <https://www.france24.com/en/asia-pacific/20210825-afghan-women-s-groups-eye-uncertain-future-under-vague-islamic-framework>

- **"Taliban spokesperson Zabiullah Mujahid said at a news conference on Tuesday that women should not go to work for their own safety, undermining the group's efforts to convince international observers that the group would be more tolerant towards women than when they were last in power. [...] He admitted the measure was necessary because the Taliban's soldiers "keep changing and are not trained"."**

Source: CNN, Rob Picheta and Zahid Mahmood, 'Taliban tell Afghan women to stay home from work because soldiers are 'not trained' to respect them' (25 August 2021). Available at: <https://edition.cnn.com/2021/08/25/asia/taliban-women-workplaces-afghanistan-intl/index.html>

- **"Women in Afghanistan can continue to study in universities, including at post-graduate levels, but classrooms will be gender-segregated and Islamic dress is compulsory... Taliban police officials have beaten Afghan journalists, violently dispersed women's protests and formed an all-male government despite saying initially they would invite broader representation."**

Source: AP News, Kathy Gannon, 'Taliban: Women can study in gender-segregated universities' (12 September 2021). Available at: <https://apnews.com/article/afghanistan-taliban-8c16759c7c6768c35158231b808ae6dd>

Aid and healthcare workers, human rights activists, journalists, workers for international organisations and for the previous government are all being targeted by the Taliban as they are perceived as "Westernised". Female workers in these categories faced additional challenges.

- **"The country task force verified 26 attacks against hospitals and health-care personnel, attributed to the Taliban (10), undetermined armed opposition groups (8), Afghan National Army (4), Afghan National Defence and Security Forces (2), pro-government militia (1) and ISIL-K (1). It verified 14 incidents of denial of humanitarian access during the quarter, attributed to the Taliban (7), undetermined armed opposition groups (5) and ISIL-K (2). Those denials involved the abduction of 5 humanitarian personnel, targeted killings resulting in 19 personnel killed and 18 injured, the destruction of civilian property and 2 attempted improvised explosive devices attacks against humanitarian personnel..."**

Human rights defenders and media workers continued to be targeted. UNAMA recorded the **killing of a civil society activist and his wife** by the Taliban in Helmand Province; the **killing of a civil society activist** in Kabul Province; the **killing of an international photojournalist** in Kandahar Province; and the killing of a female journalist, claimed by ISIL-K, in Kabul Province. In addition, a private **radio worker** was **injured** in an armed attack by unknown perpetrators in Ghazni Province; a journalist, a **female non-governmental organization employee and a female civil society activist** were **threatened** by unknown perpetrators in Daikundi and Herat Provinces; and a female journalist reportedly escaped an attack by ISIL-K in Nangarhar Province. In Parwan Province, **Radio Bareen stopped broadcasting after one of its female staff was assaulted by unknown perpetrators...**

Interference with humanitarian activities escalated, with 435 access constraints reported between 20 May and 1 August, bringing the total to 1,213 since January. This already exceeded the 1,095 constraints recorded in all of 2020. **Attacks on aid workers continued in 2021, with 30 aid workers killed, 77 injured, 54 abducted and 42 detained or arrested. Some female aid and health workers report facing restrictions on their movement if unaccompanied by a male guardian.**”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ (2 September 2021). Available at: https://digitallibrary.un.org/record/3940834/files/A_76_328--S_2021_759-EN.pdf

- **“Those still in Afghanistan who were seen as U.S. allies may now be at some risk, and this includes women with lifestyles deemed too westernized by the Taliban, along with sexual and other minorities...”**

Source: Michigan News, ‘Taliban control puts Afghan women in even more vulnerable positions’ (30 August 2021). Available at: <https://news.umich.edu/taliban-control-puts-afghan-women-in-even-more-vulnerable-positions/>

- **“[I] in recent weeks, Human Rights Watch and other organizations have gathered information on Taliban killings of government security personnel taken into custody. Reports of Taliban forces searching for former officials and others have continued since the Taliban took control of Kabul, and the media have reported that Taliban forces have been seen using excessive and lethal force to disperse crowds at Kabul airport and at a protest in Jalalabad. The Taliban have long threatened, and in many instances killed, government workers, human rights and women’s rights activists, and other high-profile women.”**

Source: Human Rights Watch, ‘Afghanistan: Taliban Rights Pledges Raise Concerns’ (18 August 2021). Available at: <https://www.hrw.org/news/2021/08/18/afghanistan-taliban-rights-pledges-raise-concerns>

- **“The Taliban have sentenced the brother of an Afghan translator to death, according to letters obtained by CNN, accusing him of helping the US and providing security to his brother, who served as an interpreter to American troops. A former service member who worked with the translator confirmed his service and his brother's plight. The letters are just one example of how the Taliban are directly threatening Afghans who worked with the US or are family members of those who have, leaving them scrambling to flee the country in the wake of the Taliban takeover.”**

Source: CNN, Brianna Keilar and Veronica Stracqualursi, ‘Taliban issue death sentence for brother of Afghan translator who helped US troops, according to letters obtained by CNN’ (23 August 2021). Available at: <https://edition.cnn.com/2021/08/23/politics/taliban-death-threat-afghan-translator-letters/index.html>

- **“Back in April, Human Rights Watch warned that female journalists faced a particularly acute threat: “Female reporters may be targeted not only for issues they cover but also for challenging perceived social norms prohibiting women from being in a public role and working outside the home.””**

Source: The Guardian, Samira Shackle, 'The plight of women helped justify war in Afghanistan. Now they have been abandoned' (18 August 2021). Available at: <https://www.theguardian.com/commentisfree/2021/aug/18/plight-women-justify-war-afghanistan-abandoned-taliban>

The Taliban have banned shaving or trimming beards and have targeted young Afghans wearing Western clothing

- **“Taliban outlaws barbers in Afghanistan's Helmand province from shaving or trimming beards [...] The order was issued on Monday and marks the latest in a series of restrictions placed on the country's residents based on the Taliban's strict interpretation of Islamic law.”**

Source: Sky News, ;Taliban outlaws barbers in Afghanistan's Helmand province from shaving or trimming beards' (28 September 2021), <https://news.sky.com/story/taliban-outlaws-barbers-in-afghanistans-helmand-province-from-shaving-or-trimming-beards-12420186>

- **“The Taliban are beating young Afghans for wearing Western clothes, according to reports [...] A group of young Afghan men claim Taliban fighters beat, whipped and threatened them at gunpoint for wearing jeans and other Western-style clothes in Kabul. [...] A reporter with Afghan newspaper Etilaatroz also said he was beaten over the weekend for not wearing “Afghan clothes.” [...] Meanwhile, the price of burqas has doubled in Kabul as demand surged in the wake of the Taliban takeover.”**

Source: New York Post, Emily Crane, 'Taliban are reportedly beating Afghans for wearing Western clothes' (23 August 2021). Available at: <https://nypost.com/2021/08/23/taliban-are-beating-afghans-for-wearing-western-clothes-report/>

2001-2021 (INTERIM YEARS)

Parallel justice systems in Taliban controlled areas continued to subject people, particularly women, to torture, degrading treatment and death for “moral crimes”.

- **“In areas controlled by the Taliban, the group enforced a parallel judicial system based on a strict interpretation of sharia. Punishments included execution and mutilation. According to media reporting, in May a Taliban court in Shahrak District, Ghor Province, shot and killed a boy and girl for allegedly having an extramarital affair. In March media reported the Taliban killed a pregnant woman and her unborn child in Sancharak District, Sar-e-Pol Province, for allegedly calling the Taliban’s war against the government “illegitimate.” The Taliban dragged her from her home, took her to a Talib commander who issued her death sentence, and shot her immediately.”**

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2019, pp.10-11. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“From January to November 2017, UNAMA/OHCHR documented four incidents of parallel justice punishment by anti-government elements on accusations of moral crimes, such as eloping and committing or attempting to commit zina (having sex outside of marriage), which led to the execution of four women, including one by stoning and lashing.”**

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan and technical assistance achievements in the field of human rights’ p.9 (21 February 2018). Available at: https://digitallibrary.un.org/record/1629732/files/A_HRC_37_45-EN.pdf

- **“From January to November 2016, UNAMA/OHCHR documented 10 punishments that were handed down by a parallel justice system run by anti-government elements to women accused of so-called moral crimes (such as sexual intercourse outside of marriage and prostitution). The judgments resulted in the execution of four women and the lashing of five women, in several provinces. In addition, attempts by anti-government elements to implement a sentence of stoning against a woman in Takhar Province in June were averted following a negotiation by elders. The imposition of the death sentence and corporal punishment on women and girls for perceived moral offences mostly took place in areas under Taliban control or influence.”**

Source: • United Nations report, General Assembly, ‘The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights’ p.9 (11 January 2017). Available at: https://digitallibrary.un.org/record/861012/files/A_HRC_34_41-EN.pdf

- **“In areas under its control, the Taliban continued implementing medieval punishment of women and girls that included stoning to death and shot dead women and girls.”**

Source: Amnesty International report 2019, p.8. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

Please see the Appendix for additional source materials supporting this conclusion.

Since 2002, in cities under Afghan government control, women and girls have been more likely to receive an education and go to work. However, in Taliban-controlled districts, this has not been the case.

- **“Since 2002, in cities under Afghan government control, millions of Afghan girls have gone to school and Afghan women have participated in public life, including holding political office, in greater numbers than ever before in Afghanistan’s history. [...] Although the Taliban officially state that they no longer oppose girls’ education, very few Taliban officials actually permit girls to attend school past puberty. Others do not permit girls’ schools at all. The inconsistencies have left residents wary. As one teacher in Wardak province in central Afghanistan said, “Today, [a Taliban official] tells you that they allow girls up to sixth grade, but tomorrow, when someone else comes instead, he might not like girls’ education.” [...] in some Taliban-controlled districts in Helmand province, there are no functioning primary schools for girls, let alone secondary schools—some of these rural districts had no functioning girls’ schools even when under government control. [...] Social controls embodied in “morality” officials—known as “vice and virtue” police when the Taliban were in power in the 1990s—continue to operate in districts under Taliban control. These officials patrol communities to monitor residents’ adherence to Taliban-prescribed social codes regarding dress and public deportment, beard length, men’s attendance at Friday prayers, and use of smartphones or other technological devices.”**

Source: Human Rights Watch, ‘You Have No Right To Complain’ (30 June 2020). Available at: <https://www.hrw.org/report/2020/06/30/you-have-no-right-complain/education-social-restrictions-and-justice-taliban-held>

Educational facilities and personnel continued to be attacked and threatened with violence, primarily by the Taliban.

- “[T]he Taliban continued to threaten and attack schools for girls and intimidate their personnel. In five attacks, they planted improvised explosive devices that damaged facilities, disrupted classes and impeded children’s access to education. The United Nations continued to document intentional attacks and threats against schools for girls. For example, on 4 February 2019, in Keen village, Shib Koh district, Farah Province, **the Taliban entered the village primary school for girls and set two classes, a tent and some equipment, including the chairs and desks, on fire.** The fire damaged the doors and windows. **The school, which was attended by nearly 460 girls from first to ninth grade, was closed owing to the damage and the threat of further incidents.** In another example, on 26 January 2020, in Qarghai district of Laghman Province, a group of Taliban entered the Mashakhil high school for girls, locked the guards in a room and set the classrooms on fire. The fire resulted in damage to the facility, which over 700 girls attended as students. [...]

The country task force verified the closure of 722 schools in 2019 and 258 in 2020 owing to general insecurity and military operations. More than half of these closures occurred in the north-eastern region (506), followed by the southern (155), western (95), northern (84), central (80), eastern (31) and south-eastern regions (29). While school closures resulted from ongoing conflict, Takhar and Kunduz in the north-eastern region, Helmand in the southern region, Logar in the central region and Badghis in the western region were the most affected provinces, **owing mainly to Taliban offensives.** [...]

As a result of advocacy by the country task force and the support of community elders and local authorities, 1,323 schools reopened in 2019 (924) and in 2020 (399). Some of the schools that reopened had been closed since 2010. As at 31 December 2020, 796 schools remained closed countrywide, depriving 349,920 children (245,169 boys and 104,751 girls) of access to education during the reporting period.”

Source: United Nations report, Security Council, ‘Children and Armed Conflict in Afghanistan’ pp.9-10 (16 July 2021). Available at:
https://digitallibrary.un.org/record/3936068/files/S_2021_662-EN.pdf

- **“The Taleban and other armed groups targeted schools, students, and teachers. In areas occupied by these groups, many children, particularly girls, were prevented from going to school.** According to the Ministry of Education, more than 7.3 million children were enrolled in school, 38 per cent of whom were girls. Official sources reported that more than 450 schools remained closed and around 200,000 children were unable to go to school due to insecurity mainly in the southern and eastern provinces.”

Source: Amnesty International report 2012, p.56. Available at:
<https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- **“The year saw increased attacks on schools, the intimidation of teachers and female students primarily by the Taleban,** and greater disruption of classes because of armed conflict.”

Source: Amnesty International report 2009, p.58. Available at:
<https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

Please see the Appendix for additional source materials supporting this conclusion.

Human rights defenders, including humanitarian and media workers, were targeted for their work, including by the Taliban, and this increased during the instability of 2021. Female workers in these categories faced additional challenges.

- **“Widespread insecurity continued to present challenges for humanitarian access. Between 1 January and 19 May, humanitarian workers reported 637 access-related incidents, a 76 per cent increase compared with the same period in 2020. Between 13 February and 19 May, 5 aid workers were killed, 17 injured and 19 abducted.”**

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.11 (15 June 2021). Available at: https://digitallibrary.un.org/record/3929585/files/A_75_926--S_2021_570-EN.pdf

- **“Human rights defenders and media workers faced increasing security threats. During the reporting period, three human rights defenders were killed in three separate attacks by unknown perpetrators in Kabul and Kapisa Provinces. Another was injured in a Taliban-claimed explosion of an improvised explosive device attached to a police vehicle in Baghlan Province. Eight human rights defenders were threatened by unknown perpetrators...**

UNAMA recorded three journalists and a media worker killed in three separate attacks, one of which was claimed by ISIL-K, in Nangarhar, Ghazni and Ghor Provinces, and three injured in three separate unclaimed attacks (two in Kabul and one in Faryab) during the reporting period. Thirteen journalists were threatened (of which seven cases were attributed to the Taliban) in eight provinces and two others allegedly intimidated by law enforcement actors. A local radio station in Kunduz city was attacked by a crowd for broadcasting music. Another local radio/television station in Nimruz Province was threatened, allegedly by the Taliban, for perceived biased reporting.

In a special report published on 15 February, UNAMA noted an increase in the deliberate killings of human rights defenders, journalists and media workers in Afghanistan in the last quarter of 2020. Mostly unclaimed, those killings have generated a widespread sense of insecurity among civil society actors all over the country, exacerbated by the appearance and circulation on social media of an anonymous “target list” on 4 January.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ pp.8-9 (12 March 2021). Available at: https://digitallibrary.un.org/record/3905334/files/A_75_811--S_2021_252-EN.pdf

- **“Human rights defenders and journalists: 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 gender-based 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.”**

Source: United Nations report, Committee on the Elimination of Discrimination against Women, 'Concluding observations on the third periodic report of Afghanistan' p.11 (10 March 2020). Available at: https://digitallibrary.un.org/record/3856672/files/CEDAW_C_AFG_CO_3-EN.pdf

- **“Antigovernment elements continued to attack civilian targets, including NGOs offices and facilities.** On May 8, for instance, the Taliban carried out a complex attack using a vehicle-borne IED, small arms fire, and mortars against Counterpart International, a NGO, resulting in eight civilian deaths and 27 injuries. While no Counterpart International staff were killed, three staff members of the neighboring CARE International NGO were among the dead. The Taliban claimed responsibility for the attack, asserting that the organization “promoted intermixing between men and women” and “groomed Kabul administration security and other personnel in implementing pro-Western objectives.” On December 4, militants killed six individuals, including Japanese doctor Tetsu Nakamura who shortly before his death had been granted honorary Afghan citizenship for his humanitarian efforts. Afghan police suggested Nakamura was targeted for his aid work. Afghans expressed mass dismay and condemnation for the attack on social media. No group claimed responsibility.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2019, p.14. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“The Taleban and other armed groups stepped up attacks against Afghan journalists and blocked nearly all reporting in areas under their control.”**

Source: Amnesty International report 2010, p.56. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

Please see the Appendix for additional source materials supporting this conclusion.

Hospitals and healthcare staff continued to be attacked and targeted, mainly by the Taliban.

- **“The country task force verified 165 attacks on hospitals and related protected persons in 2019 (75) and 2020 (90), a 24 per cent increase compared with the previous two years (126).** Attacks included threats against health personnel and facilities (54), attacks that may have been indiscriminate or disproportionate that caused damage to medical facilities, closures of hospitals and harm to personnel (51), abduction of health personnel (24), the destruction of medical facilities (18) and attacks on health personnel (18)...

Attacks on hospitals and health personnel are particularly egregious considering the fragile state of the country’s health-care system and the burden that it has been carrying during the COVID-19 pandemic. In this context, armed groups reportedly continued to deliberately target medical facilities and personnel. For instance, **on 12 May 2020, in Kabul city, three attackers disguised as Afghan Border Force officers and armed with AK-47s, hand grenades and tactical vests stormed the 100-bed maternity ward in the Dasht-i-Barchi hospital, systematically moving from room to room and firing on patients and health-care workers, including new mothers and infants. In total, 23 civilians were killed and 23 were maimed, including six children killed (3) and maimed (3) and one health-care worker killed.** The responsible party remains unknown. **Threats against health personnel and facilities by armed groups, mostly by the Taliban, led to the closure of around 239 health-care facilities during the reporting period.”**

Source: United Nations report, Security Council, ‘Children and Armed Conflict in Afghanistan’ pp.10-11 (16 July 2021). Available at:
https://digitallibrary.un.org/record/3936068/files/S_2021_662-EN.pdf

- **“Attacks on health care continued, with 15 incidents affecting nine health facilities in which 11 health workers and patients were killed and 6 injured.”**

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.11 (15 June 2021). Available at:
https://digitallibrary.un.org/record/3929585/files/A_75_926--S_2021_570-EN.pdf

- **“Attacks against hospitals tripled, with 39 verified attacks against hospitals and health-care personnel compared with 13 verified in the previous quarter. Thirty-one were attributed to the Taliban, six to fighting between the Taliban and the Afghan National Defence and Security Forces, one to pro-government militia, and one to ISIL-K.”**

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.8 (12 March 2021). Available at:
https://digitallibrary.un.org/record/3905334/files/A_75_811--S_2021_252-EN.pdf

Please see the Appendix for one additional conclusion relating to the wider situation for women in the interim years (2001-2021) (please note that it is not included here, as it does not directly relate to the threat faced by Westernised individuals from the Taliban).

1995-2001 (PREVIOUS TALIBAN REGIME)

The Taliban pursued a policy of marginalization of women and girls, including by placing a ban on education, prohibiting women from working outside the house, and restricting their freedom of movement, assembly and expression, legal protection of their human rights and participation in government.

- **“Official gender discrimination: The policy and practices of the Taliban authorities, which exacerbate the discrimination already suffered by Afghan women, continue to be a major concern. Physicians for Human Rights recently released a population-based study... It reports that, although the Taliban claim that their gender policies are rooted in Afghan history and culture, this claim is contradicted by the views of the Afghan women and men in the study.”**

Source: United Nations report, Economic and Social Council, ‘Report of the Secretary-General on the situation of women and girls in the territories occupied by Afghan armed groups, submitted in accordance with Sub-Commission resolution’ p.6 (2 August 2001). Available at:
https://digitallibrary.un.org/record/446542/files/E_CN.4_Sub.2_2001_28-EN.pdf

- **“As in previous years, women have been forced to comply with the discriminatory policies of the Taliban, who have imposed severe restrictions on their education, employment and freedom of movement. Tens of thousands of women effectively remain prisoners in their homes, with no scope to seek the removal of these restrictions. Women who have defied them have been subjected to systematic ill-treatment.”**

Source: United Nations report, Economic and Social Council, ‘The Implementation of Human Rights with Regard to Women – Report of the Secretary-General on the situation of women and girls in Afghanistan, submitted in accordance with Sub-Commission resolution 1999/14’ pp.4-7 (21 July 2000). Available at: https://digitallibrary.un.org/record/420160/files/E_CN.4_Sub.2_2000_18-EN.pdf

- “The most evident right that has been violated for women is freedom of movement [...] **In other countries, solitary confinement is a serious punishment. In Afghanistan, women appear to be subject to similar measures as a matter of course.** The high rates of depression indicate the health fall-out of these policies. **Non-compliance with these edicts results in being lashed by the religious police with an instrument that looks like a leather cricket bat.**”

Source: United Nations report, Economic and Social Council, ‘Integration of the Human Rights of Women and the Gender Perspective – Violence Against Women – Report of the Special Rapporteur on violence against women, its causes and consequences, Ms Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1997/44’ p.9 (13 March 2000). Available at: https://digitallibrary.un.org/record/411463/files/E_CN.4_2000_68_Add.4-EN.pdf

Persecution of, and violence against, individuals, particularly women, for dressing or behaving in breach of religious laws or norms was widespread.

- “In addition to **arbitrary public beatings on the street**, the Special Rapporteur reports that **women who violate the Hudood Ordinance** with regard to questions of morality, including adultery and fornication, are **publicly lashed** at the stadium in front of large crowds [...] The summary enforcement of edicts has included the **beating of women for infractions of the “chadari” (dress requirement).**”

Source: United Nations report, Economic and Social Council, ‘The Implementation of Human Rights with Regard to Women – Report of the Secretary-General on the situation of women and girls in Afghanistan, submitted in accordance with Sub-Commission resolution 1999/14’ p.3 (21 July 2000). Available at: https://digitallibrary.un.org/record/420160/files/E_CN.4_Sub.2_2000_18-EN.pdf

- “[A]t least five men, convicted of sodomy by Islamic Shari'a courts, were **placed next to walls and then buried under the rubble as the walls were broken over them.**”

Source: Amnesty International report 1999, p.6. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- “**Women told the Special Rapporteur many stories of how they had been beaten for allowing their ankles to show, for being without a male relative, for laughing loudly, for wearing the wrong type of burqa, etc. There was also a belief among the women that educated women were singled out for humiliating treatment.**”

Source: • United Nations report, Economic and Social Council, ‘Integration of the Human Rights of Women and the Gender Perspective – Violence Against Women – Report of the Special Rapporteur on violence against women, its causes and consequences, Ms Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1997/44’ p.7 (13 March

2000). Available at: https://digitallibrary.un.org/record/411463/files/E_CN.4_2000_68_Add.4-EN.pdf

- “It was reported that **66 civil servants in Kabul had been fired on 24 March 1997 for having trimmed their beards**... It was reported that **in Kabul in May, five men who had trimmed their beards and a tailor who had taken the measurements of women had been punished by the mobile units of the religious police**... It was announced that **on 16 August 30 men in Kabul had been punished for trimming their beards**.[...]

A shopkeeper was imprisoned for one night for serving female customers[...]It was reported that on 22 July **religious police had entered the Indira Ghandi Hospital in Kabul and had beaten a number of women who were not fully covered.**”

Source: United Nations Report, General Assembly, ‘Interim report on the situation of human rights in Afghanistan submitted by Mr. Choong-Hyun Paik, Special Rapporteur, in accordance with General Assembly resolution 1997/293’ (16 October 1997). Available at: https://digitallibrary.un.org/record/246003/files/A_52_493-EN.pdf

- “In December, women were warned to observe the veil more strictly and **225 women were reportedly beaten behind the closed gates of the presidential palace compound in Kabul while their husbands and relatives waited outside.**”

Source: United Nations, Economic and Social Council, ‘Final report on the situation of human rights in Afghanistan submitted by Mr. Choong-Hyun Paik, Special Rapporteur, in accordance with General Assembly resolution 1997/293’ (20 February 1997). Available at: https://digitallibrary.un.org/record/238514/files/E_CN.4_1997_59-EN.pdf

Please see the Appendix for additional source materials supporting this conclusion.

Women’s ability to work outside the home was severely restricted. In addition to the direct impacts, this also significantly reduced the ability of the assistance and healthcare community to help Afghan women (as only female aid workers were permitted to work with female beneficiaries, and male and female health services were entirely segregated). Many destitute women, especially widows, were reduced to begging.

- “**With the exception of the health sector, women, including female-headed households, have virtually no possibility of finding employment outside the home. Many destitute women are reduced to begging.** It is widely reported that **young girls are marrying earlier, as the bride price is used to stave off hunger** or to supplement a family’s survival strategy.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.8 (17 August 2001). Available at: https://digitallibrary.un.org/record/447199/files/A_55_1028_S_2001_789-EN.pdf

- “Employment: [...]A **major setback** to the achieved improvements in women’s employment came on 6 July 2000 when the **Taliban’s Council of Ministers banned Afghan women from working in “foreign organizations and NGOs”**. [...] The July law was not only a **gross violation of the rights of Afghan women to employment but it also significantly constrained the aid community’s access to the contributions of Afghan women**. For example, on 16 August, the

Taliban authorities forced WFP to close its 24 women’s bakeries in Kabul. The bakeries were run by 360 women workers providing subsidized bread to 7,200 families, comprising over 42,000 people, predominantly women and children. The women and children benefiting from the programme were amongst the poorest and most vulnerable people in Afghanistan.

Source: • United Nations report, Economic and Social Council, ‘Follow-up to and implementation of the Beijing Declaration and Platform for Action’ pp.7-8 (25 January 2001). Available at: https://digitallibrary.un.org/record/433755/files/E_CN.6_2001_2_Add.1-EN.pdf

- **“The denial of education to women comes in a context where in Kabul before the Taliban came to power women were gainfully employed. Women were doctors and engineers and equal partners in the civil service; women professionals played an important part in every aspect of society. The sudden prohibition on women working has made many of them extremely bitter and depressed. There was a feeling among educated women that they had been singled out for oppression by the Taliban and that the Taliban were harshest in their treatment of educated women in Kabul.**

Source: United Nations report, Economic and Social Council, ‘Integration of the Human Rights of Women and the Gender Perspective – Violence Against Women – Report of the Special Rapporteur on violence against women, its causes and consequences, Ms Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1997/44’ p.9 (13 March 2000). Available at: https://digitallibrary.un.org/record/411463/files/E_CN.4_2000_68_Add.4-EN.pdf

Very few women or girls received an education, female teachers were banned from working, and the curriculum in schools was dominated by religious subjects.

- **“In pursuit of their policy of Islamization, the Taliban introduced for the new school year, starting on 21 March, new curricula for primary, secondary and higher education, substantially increasing the number of Islam-related subjects at the cost of secular ones. In July, the Taliban banned the use of the Internet...”**

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.3 (17 August 2001). Available at: https://digitallibrary.un.org/record/447199/files/A_55_1028_S_2001_789-EN.pdf

- **“Education: In Afghanistan, the education sector is characterized by limited human and financial resources, the absence of a national education policy and curricula at pre-university levels, and by the lack of resources and political will to rehabilitate school buildings and facilities destroyed by war. The situation of women and girls has been further aggravated by discriminatory policies that ban female students from all levels of education and that ban female teachers from working.[...]Home- and community-based schools in both rural and urban areas function more as literacy centres than formal schools. The Badakhshan Province, controlled by the United Front, is currently the only location in the whole country where girls are studying up to the twelfth grade. NGOs... provide the majority of education services... The principled position of the United Nations system on equality of access of girls and boys to education has been the guiding principle in United Nations negotiations at all levels with the Taliban authorities. However, despite strenuous efforts led by UNICEF, no significant progress in improving girls’ access to equality in formal education has yet been achieved.[...]”**

UNHCR reports that, among returnees and in communities to which refugees have returned, **the demand for education, including for girls, is generally great.** Among the returnee families interviewed by UNHCR in 2000, however, **only 25 per cent of the families have one or more of their children, boys or girls, attending classes.** The reasons for this low attendance rate are said to be the **lack of schools, qualified teachers and textbooks, economic reasons which necessitate children supporting their families and the restrictive policy of the authorities towards girls' education.** Most of the returnees confirmed that their children, including the girls, had attended primary school in exile, and the **overwhelming majority confirmed that they would send their children, including the girls, to school if they received support to enable them to do so.[...]**

There was also **no explanation why the schools for girls were run by the Ministry of Religious Affairs and not the Ministry of Education.**”

Source: • United Nations report, Economic and Social Council, ‘The Implementation of Human Rights with Regard to Women – Report of the Secretary-General on the situation of women and girls in Afghanistan, submitted in accordance with Sub-Commission resolution 1999/14’ p.8 (21 July 2000). Available at: https://digitallibrary.un.org/record/420160/files/E_CN.4_Sub.2_2000_18-EN.pdf

Aid workers and journalists, along with others with connections to “Western” organisations or regimes, were regularly persecuted. In some instances, foreigners were accused or spreading Christianity or Judaism under the guise of providing humanitarian assistance, and Afghans working with them were accused of the capital offence of apostasy (converting from Islam to Christianity or Judaism).

- **“On 24 June 2001, police from the Ministry for the Prevention of Vice and Promotion of Virtue raided an Italian-funded emergency hospital in Kabul, beating several staff members and forcing the hospital to suspend operations, because male and female staff allegedly mixed in the dining area and operating wards.”**

Source: United Nations report, Economic and Social Council, ‘Report of the Secretary-General on the situation of women and girls in the territories occupied by Afghan armed groups, submitted in accordance with Sub-Commission resolution’ p.7 (2 August 2001). Available at: https://digitallibrary.un.org/record/446542/files/E_CN.4_Sub.2_2001_28-EN.pdf

- **“[I]n August the Taliban arrested eight international workers for Shelter Now International, accusing them of trying to convert Afghans to Christianity. Sixteen Afghan staff were charged with the capital crime of apostasy.”**

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.6 (6 December 2001). Available at: https://digitallibrary.un.org/record/454026/files/A_56_681_S_2001_1157-EN.pdf

- **“Fear of a new crack-down on non-Taleban educated Afghans in the country was heightened by a decree from the Taleban leader on 12 December ordering his supporters to identify government employees who won awards during the Soviet occupation of Afghanistan between 1979 and 1989.”**

Source: Amnesty International report 2000, p.28. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- **“Afghan staff of international organizations have reportedly faced threats, harassment, beating and arrest. Two women were severely beaten when they left the compound of a non-governmental organization in Kabul. It has been alleged that Afghan female staff were threatened with hanging if they resumed their work with one humanitarian organization.”**

Source: United Nations, Economic and Social Council, ‘Final report on the situation of human rights in Afghanistan submitted by Mr. Choong-Hyun Paik, Special Rapporteur, in accordance with General Assembly resolution 1997/293’ (20 February 1997). Available at: https://digitallibrary.un.org/record/238514/files/E_CN.4_1997_59-EN.pdf

- **“Journalists reporting human rights abuses against women were targeted. Two Argentine television journalists, together with their local interpreter and driver, were reportedly detained for about 24 hours by the Taleban in October. They told reporters in Buenos Aires, Argentina. that they had been held incommunicado by the Taleban, beaten with rifle butts and robbed of their equipment and papers. The two journalists were reportedly released after negotiations between UN officials and the Taleban. but their local interpreter and driver both remained in custody at the end of the year.”**

Source: Amnesty International report 1997, p.64. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

Please see the Appendix for additional source materials supporting this conclusion.

E. APPENDIX

2001-2021 (INTERIM YEARS)

Parallel justice systems in Taliban controlled areas continued to subject people, particularly women, to torture, degrading treatment and death for “moral crimes”.

- “...the Committee is seriously concerned by the sentences still imposed by jirga courts and other forms of so-called “moral crimes”, including the death sentence and corporal punishment, that amount to torture or cruel, inhuman or degrading treatment or punishment.”

Source: • United Nations report, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ‘Concluding observations on the second periodic report of Afghanistan’ p.9 (12 June 2017). Available at: https://digitallibrary.un.org/record/1306840/files/CAT_C_AFG_CO_2-EN.pdf

- “In Afghanistan, women continued to face discrimination and gender-based violence, especially in Taliban-controlled areas, where violent “punishments” were meted out for perceived transgressions of the armed group’s interpretations of Islamic law. Over 100 murder cases related to violence against women were reported in Afghanistan during the year, and these highlighted the persistent failure of the government to investigate these murders or tackle violence against women effectively.”

Source: Amnesty International report 2020/21, p.39. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- “In August Taliban members shot and killed a woman in Jawzjan Province. According to the governor’s spokesman, the woman had fled some months earlier to a safe house in Sheberghan city due to domestic violence. She returned home after local mediation but was later shot by Taliban members.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2018, pg.30. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “Under the penal code, if a man convicted of honor killing sees his wife or other close relation in the act of committing adultery and immediately kills or injures one or both parties to defend his honor, he cannot receive a prison sentence of more than two years. On March 7, the Taliban convicted and stoned to death a woman accused of adultery in Badakhshan Province.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2017, pg.27. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “There were numerous reports of torture and other abuses by the Taliban and other insurgent groups. In March the Afghan Independent Human Rights Commission (AIHRC) reported the Taliban killed a woman in Jowzjan Province for committing adultery, after her husband and his family accused her of having an extramarital affair. Due to security concerns, neither the

AIHCRC nor the government was able to investigate the case. In May a video appeared in social media of a woman in Jowzjan Province being tried in an informal Taliban court and later shot in the back of the head and killed.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2016 p.4. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “There were reports of summary justice by the Taliban and other antigovernment elements resulting in extrajudicial executions. For example, a father executed his daughter in April 2013 in front of a crowd estimated at 300 persons in Badghis Province. Four religious scholars issued the execution order for alleged adultery and “running away.” Later one of the scholars was arrested for ties to the Taliban, but the father and the other three scholars remained at large.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2014, pg.43. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “In some areas the Taliban enforced a parallel judicial system based on strict interpretation of sharia. For example, **in February the Taliban ordered a woman to be publicly whipped 40 times for alleged sexual relations with a man before being expelled** from western Ghor Province. In some cases punishments imposed included **execution or mutilation.**”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2013 p.14. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “In some areas not under government control, the Taliban enforced a parallel judicial system based on strict interpretation of Sharia. **In some cases punishments imposed resulted in the accused being executed or mutilated.** There was no government redress for punishments carried out by these parallel judicial structures. For example, in April **a woman accused of an illicit affair was extrajudicially executed by her two brothers after a verdict by tribal elders** in Paktiya Province. In September **a 16-year-old girl was sentenced to 100 lashes for allegedly having an “illicit relationship” with a boy and was publicly flogged by a local mullah** in Jaghori District, Ghazni Province.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2012, pg.13. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

Human rights defenders, including humanitarian and media workers, were targeted for their work, including by the Taliban, and this increased during the instability of 2021. Female workers in these categories faced additional challenges.

- “During the reporting period, UNAMA/OHCHR documented **incidents affecting 58 civil society activists, including 10 women, as a result of their work. Eleven were killed, three of them by the Taliban.** The other eight cases – including the killing of two staff of the Afghanistan Independent Human Rights Commission in June – could not be attributed. In addition, three were injured: one by the National Directorate of Security, while the other two cases could not be

attributed. The remaining 44 cases involved threats or intimidation and ill-treatment, and were attributed to government or anti-government elements.

On 19 January, a coalition of 32 civil society organizations launched and handed over to the Government a strategy for the protection of human rights defenders. On 14 August, **expressing concern about increased attacks against human rights defenders in 2020, four special procedure mandate holders called upon the Government of Afghanistan to fight impunity for such attacks.** 9 On 23 November, while opening the 2020 Afghanistan 9 OHCHR, “UN experts call on Afghanistan to prevent further killings of human rights defenders”, 14 August 2020. A/HRC/46/69 11 Conference, the United Nations High Commissioner for Human Rights reiterated her call for adequate protection mechanisms for human rights defenders.

UNAMA/OHCHR documented incidents affecting 34 journalists and media workers, including two women, and four radio and television stations, as a result of their work. Five of the victims were killed: two by ISIL-K, while the other three cases could not be attributed to a particular party. In addition, nine individuals were injured: seven by ISIL-K, while the other two cases could not be attributed to a particular party. The remaining 20 cases involved threats or intimidation, temporary arrest or deprivation of liberty, and ill-treatment attributed to government, pro-government or anti-government elements. Casualty figures slightly increased compared with 2019, when four journalists and media workers were killed and six were injured.”

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ pp.10-11 (15 January 2021). Available at: https://digitallibrary.un.org/record/3899858/files/A_HRC_46_69-EN.pdf

- **“Attacks and targeted killings against activists, human rights defenders and journalists increased. Human rights defenders continued to come under attack, facing intimidation, violence and killings.** In March, **government officials in Helmand province physically assaulted human rights defenders who had alleged corruption.** They needed hospital treatment for their injuries. In May, Mohammad Ibrahim Ebrat, a facilitator of the Civil Society Joint Working Group, was attacked and wounded by unknown gunmen in Zabul province. He subsequently died of his injuries. In June, two staff members of the AIHRC, Fatima Khalil and Jawad Folad, were killed in an attack on their car in Kabul.”

Source: Amnesty International report 2020/21, pp.60-61. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- **“Attacks on judicial officials and those working for independent institutions continued.** On 18 September, **two judges were abducted** in Ghazni Province. In separate incidents, on 9 September and 4 October, **three prosecutors were killed** in Kabul. On 4 October, a **commissioner with the Access to Information Commission survived an attempted assassination** when a magnetic bomb attached to his vehicle detonated, killing his driver. All incidents are awaiting investigation.

Human rights defenders and media workers continued to face security threats. During the reporting period, **three civil society activists were killed** by unknown perpetrators in Logar, Paktya and Kabul Provinces. **Two others were injured** in Kabul and Paktya Provinces; there was no claim of responsibility. UNAMA received additional reports of **14 human rights defenders threatened** by unknown perpetrators, **1 targeted (with no consequences) with an improvised explosive device** and 1 summoned by prosecutors for criticizing local authorities. **With regard to the media, UNAMA recorded two journalists killed and one injured in two separate attacks**

with magnetic improvised explosive devices in Kabul and Helmand; one journalist summoned by prosecutors for broadcasting a report about alleged sexual abuse of women inmates in prison; **the detonation of an improvised explosive device near a private radio station in Baghlan Province, causing damage to it;** one journalist allegedly detained by the National Directorate for Security in Khost Province for spreading propaganda against the Government on social media; and **two journalists (one man and one woman) allegedly threatened by the Taliban. Journalists reported to UNAMA a growing sense of insecurity,** in particular owing to the killings in November of colleagues and remarks made in October by the First Vice-President that those reporting on civilian casualties could possibly face legal action.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ pp.9-10 (9 December 2020). Available at: https://digitallibrary.un.org/record/3894602/files/A_75_634--S_2020_1182-EN.pdf

- “The country task force also recorded a spike in denials of humanitarian access, with 11 incidents in the second quarter. **The Taliban were responsible for 10 of those incidents, consisting of 8 abductions of humanitarian workers, 1 targeted killing and 1 incident of looting.** Afghan national security forces were responsible for one incident of looting of humanitarian supplies. [...]

Media workers and human rights defenders faced increased levels of violence and intimidation. On 30 May, an improvised explosive device attack claimed by ISIL-K targeted a Khurshid TV minivan transporting media workers in Kabul, killing one journalist and one technician and injuring seven other staff members. On 1 July, officials of the National Directorate for Security searched the residence of two journalists in Khost, reportedly without a search warrant; on the same date, the National Directorate for Security arrested a journalist in Zabul for allegedly using inappropriate language about the President on social media. [...]

On 27 June, an attack employing an **improvised explosive device killed two employees of the Afghanistan Independent Human Rights Commission.** There was no claim of responsibility. In one province, a staff member of the Commission was threatened, reportedly by anti-government elements. **UNAMA documented the killing of four human rights defenders,** including one in Zabul, one in Paktiya and one in Ghazni that were unattributed, as well as one in Farah that was claimed by the Taliban.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ pp.8-9 (18 August 2020). Available at https://digitallibrary.un.org/record/3885181/files/A_75_378--S_2020_809-EN.pdf

- **“Media workers and human rights defenders continue to be affected by intimidation and violence. During the reporting period, three journalists (including one woman) received threats from anti-government elements, while another was injured** in an explosion in Helmand Province. In 2019, the Government and Media Joint Committee reported **116 cases of violence against journalists and media workers, including 10 killed and 21 injured, indicating a 41 per cent decrease compared with 2018.** The Committee’s regulation for the protection of journalists and media workers was endorsed on 10 February by the Cabinet. Still to be published in the official gazette, the regulation was welcomed by advocacy groups.”

Source: United Nations report, UN Secretary General, ‘The situation in Afghanistan and its implications for international peace and security’ pp.9-10 (17 March 2020). Available at: <https://digitallibrary.un.org/record/3927057?ln=en>

- **“During the period under review, UNAMA/OHCHR documented incidents affecting 25 journalists and media workers (including two women) due to their work.** Of the victims, four were killed (one by the Taliban, one by ISIL-Khorasan Province, and two cases could not be attributed) and six were injured (three by the Taliban and three by ISIL-Khorasan Province). The remaining 15 cases involved threats or intimidation, temporary arrest or deprivation of liberty, beating or other ill-treatment attributed to governmental, pro-governmental or anti-governmental elements. Casualty figures slightly decreased compared to the previous year, when 10 journalists and media workers were killed and 15 were injured.

On 24 June, the Taliban published a statement warning media outlets to stop airing **“anti-jihad propaganda paid for by the Government”** lest they be considered military targets, following government commercials calling upon the public to report any suspicious activities to the authorities. Following the Taliban statement, two journalists resigned and a local radio station closed.

UNAMA/OHCHR documented incidents affecting 10 civil society activists (including five women) involving threats, beating and temporary arrests in relation to their work. Five incidents were attributed to the Taliban, three to the Government and one to a local religious group. In one case, the perpetrators could not be identified. [.]

Conclusions [...] **Civil society actors, human rights defenders, journalists and media workers continued to face threats, intimidation and harassment.”**

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ pp.11-12 (16 January 2020). Available at: https://digitallibrary.un.org/record/3863515/files/A_HRC_43_74-EN.pdf

- **“Journalists and media workers continued to face conflict-related violence. During the reporting period, UNAMA documented five incidents that resulted in the injury of two journalists, both male, and threats against three others, including one woman, as well as threats against a radio station and a television station. In addition, four civil society activists, including three women, were threatened because of their human rights work. All of the incidents were attributed to the Taliban.** On 24 June, the Taliban published a statement in which it warned media outlets to stop airing anti-jihad propaganda paid for by the Government or they would be considered military targets. During the twenty-sixth meeting of the Government and Media Joint Committee, chaired by the Second Vice-President, Sarwar Danish, the Government encouraged journalists and media organizations to continue normal operations and promised increased security measures...

Afghanistan remains one of the most dangerous countries in the world for humanitarian workers, who continue to face unacceptable risks as they carry out their invaluable work.”

Source: United Nations report ,General Assembly, ‘The situation in Afghanistan and its implications for international peace and security’ pp.9-15 (3 September 2019). Available at: https://digitallibrary.un.org/record/3826445/files/A_73_990%26S_2019_703-EN.pdf

- **“[W]omen’s rights activists reported that they were often stigmatized and harassed by members of their communities, including their own families, for promoting or defending women’s rights...**

Anti-government armed groups subjected journalists to intimidation, deliberate attacks and killings. In 2016, 12 journalists (9 men and 3 women) were killed. Of that total, seven were killed by the Taliban because of their association with the media ...”

Source: United Nations report, General Assembly, ‘The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights’ pp.13-14 (11 January 2017). Available at: https://digitallibrary.un.org/record/861012/files/A_HRC_34_41-EN.pdf

- **“Journalists were abducted, beaten or killed in politically motivated attacks by government forces and insurgent groups.** According to Nai, an Afghan media watchdog, 80 journalists were attacked and three killed. **In areas controlled by the Taleban and other armed groups, journalists were actively prevented from reporting and were frequently attacked.** The government failed to fully investigate and prosecute perpetrators of attacks on journalists, human rights defenders and others peacefully exercising their right to freedom of expression.”

Source: Amnesty International report 2012, p.56. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- **“The Taleban attempted to disrupt media coverage of the elections.** Media workers faced intimidation and interference from supporters of President Karzai and other candidates, in particular rival presidential candidate, Abdullah Abdullah. Two journalists and two media workers were killed by government forces and armed groups, and many more were physically attacked. As in previous years, the government failed to thoroughly investigate killings of and attacks on journalists.”

Source: Amnesty International report 2010, p.56. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- **“At least 10 journalists were killed during the year. In April the Taliban beheaded journalist Ajmal Naqshbandi in Helmand Province.** He had been abducted on March 4, with Italian journalist Daniele Mastrogiacomo and their driver, Sayed Agha. After a personal appeal by the Italian Prime Minister to President Karzai, Mastrogiacomo was released on March 19 in exchange for Taliban prisoners. In June Shakiba Sanga Amaj, **a female reporter for Shamshad Television, was killed.** Authorities arrested two men, and an investigation into the case is ongoing. Also in June Zakia Zaki, head of the local Radio Peace station, was killed in Parwan Province. Zaki had been critical of local warlords and had received threats. Authorities arrested three men and charged them with the crime. Court proceedings continued at the end of the year.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2007. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

Educational facilities and personnel continued to be attacked and threatened with violence.

- **“The task force verified 59 incidents affecting education and education-related personnel, including attacks on schools and education-related personnel, incidents of threats, intimidation and harassment, and abduction of education-related personnel.** This represents a decrease of 12 per cent compared with 2019, when 67 incidents were verified.

The task force attributed 36 incidents affecting education and education-related personnel to anti-government elements and 19 to pro-government forces. In addition, two were jointly attributed to both anti-government elements and pro-government forces, and two to undetermined perpetrators. For example, on 1 May, in the western region, **the Taliban planted remote-controlled improvised explosive devices around a girls' primary school, which detonated and destroyed 4 of 14 classrooms.** No one was harmed, as the school was not in session, owing to restrictions related to the COVID-19 pandemic.”

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ p.5 (15 January 2021). Available at: https://digitallibrary.un.org/record/3899858/files/A_HRC_46_69-EN.pdf

- **“Between 1 July and 30 September [2020], the country task force verified 25 attacks against schools,** more than four times the number in the previous quarter. Attacks were attributed to the Taliban (11), the Afghan National Army (6), joint operations by multiple pro-government forces (2), undetermined armed opposition groups (2), crossfire during operations between armed opposition groups and pro-government forces not able to be attributed to either side (2), ISIL-K (1) and undetermined pro-government forces (1).”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.8 (9 December 2020). Available at: https://digitallibrary.un.org/record/3894602/files/A_75_634--S_2020_1182-EN.pdf

- **“Between 1 April and 30 June 2020, the country task force verified nine incidents of attacks against schools.** Attacks were attributed to the Afghan National Army (two), undetermined armed opposition groups (two), the Taliban (two), two jointly attributed to the Afghan National Army and the Taliban, and one attributed to international forces. The nine incidents included two attacks deliberately targeting schools, resulting in two students injured, and seven attacks causing incidental harm to schools, resulting in seven students killed and seven injured.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.8 (18 August 2020). Available at https://digitallibrary.un.org/record/3885181/files/A_75_378--S_2020_809-EN.pdf

- **“The Taliban also attacked schools, radio stations, and government offices.** On February 3, the Taliban burned a girls’ school in Takhar Province. In July the Taliban burned a school in the same province after using it as cover to attack ANDSF. On August 20, **the Taliban prevented approximately 200 female university applicants in Badakshan Province from taking their university entrance exams by threatening them with fines.** Some of these women were ultimately taken to another location in the province to take the exam.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2020, p.18. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“Violent attacks on schoolchildren, particularly girls, hindered access to education, particularly in areas controlled by the Taliban. The Taliban and other extremists threatened and attacked school officials, teachers, and students, particularly girls, and burned both boys’ and girls’ schools.** In February, Taliban militants set fire to a girls’ school in Takhar Province, burning all equipment, books, and documents.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2020, p.37. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“During the reporting period [Between January and 30 November 2019], the task force verified 179 incidents affecting education and education-related personnel. Such incidents included attacks on school and education-related personnel, incidents of threats, intimidation and harassment, abduction of education-related personnel and the military use of schools.”**

Source: • United Nations report, General Assembly, ‘The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights’ p.6 (28 January 2019). Available at: https://digitallibrary.un.org/record/3792458/files/A_HRC_40_45-EN.pdf

- **“According to MoE’s database, in 1394 (2015) a total of 677 female students and 9 female teachers who were poisoned, were treated after the administration of the necessary medications. One student was gang raped by unknown persons and two female teachers were threatened, warned and beaten.”**

Source: United Nations report, Convention on the Elimination of All Forms of Discrimination against Women, ‘Third periodic report submitted by Afghanistan under article 18 of the Convention, due in 2017’ p.31 (24 January 2019). Available at: https://digitallibrary.un.org/record/3798776/files/CEDAW_C_AFG_3-EN.pdf

- **“The Taliban and other extremists threatened and attacked school officials, teachers, and students, particularly girls, and burned both boys’ and girls’ schools. In May a rocket struck a school in Logar Province, killing a teacher and two students. In July a bomb detonated in front of a school in Kandahar Province, killing three children and injuring six others. In the same month an unknown motorcyclist threw acid into the eyes of three female high school students in Herat Province. No group took responsibility for the attacks.”**

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2015, p.45. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“The Ministry of Interior’s Anticrime Police reported 102 abductions during 2012, as the Taliban targeted construction and mining projects, teachers, and citizens perceived to be cooperating with the international community (see section 1.b.). The actual number of cases may have been much higher, and this trend continued during the year.”**

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2013, p.17. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“Violence impeded access to education in various sections of the country, particularly in areas controlled by the Taliban. The Taliban and other extremists threatened and attacked school officials, teachers, and students and burned both boys’ and girls’ schools. For example, in August alone there were reports of killings of principals of girls’ schools in Balkh Province and Faryab Province. In a range of cases between April and July, the government alleged that insurgents poisoned more than 1,000 students, mainly in northern provinces. However, with a lack**

of clear physical evidence to substantiate the poison claims, the World Health Organization alleged that the incidents resulted from the psychological trauma of a war-torn environment, a phenomenon called “mass psychological illness.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2012, p.41. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

Two conflicting currents were observed regarding the situation of women during the interim years: significant efforts were made by the government to enhance the protection of women from violence and promote women’s participation in public life (following their erosion under the previous Taliban rule); however, other government actions were counter-productive and women still faced threats and stigmatization, among other institutional and cultural obstacles in accessing opportunities. *(This is an additional conclusion relating to the wider situation for women in the interim years (please note this conclusion is not in the main body of the report, as it does not directly relate to the threat faced by Westernised individuals from the Taliban).)*

- **“Women and girls continue to face challenges in accessing justice for crimes of violence and, more broadly, in enjoying their fundamental rights.”**

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ p.12 (15 January 2021). Available at: https://digitallibrary.un.org/record/3899858/files/A_HRC_46_69-EN.pdf

- **“Women’s Rights [...] Several legislative developments relevant to the protection and promotion of women’s rights occurred in 2020. On 28 June, the **Ministry of Justice presented to the Cabinet Legislative Committee a draft family law**, which had been under development for a decade. Stakeholders, including civil society and the Afghanistan Independent Human Rights Commission, were given one month to review and provide comments on the draft. The **current draft raises serious human rights concerns**, including discriminatory treatment in violation of the Convention on the Elimination of All Forms of Discrimination against Women, to which Afghanistan is a party, and of the Constitution. **In particular, the draft permits polygamy and provides that children under the age of 18 can be married with the permission of their father or grandfather and a court.** In addition, **the draft impinges upon the rights of women, including enjoyment of the rights to personal security, freedom of movement, freedom of expression, equal protection under the law, and privacy.** As of December, following comments from civil society organizations and Government bodies, the draft law was again under review by the Ministry of Justice.**

On 14 August, the **President of Afghanistan issued a decree establishing a High Council for Women**, to be chaired by the Office of the President and the Ministry of Women’s Affairs. The purpose of the Council is to promote women’s empowerment, in coordination with national and international partners, through policymaking and implementation of the Government’s commitments regarding women’s rights. The membership, authority and tasks of the Council are yet to be clarified. **Civil society actors have raised concerns about the need for another distinct institution to address women’s rights, rather than focusing efforts on mainstreaming gender equality in established entities.**

On 17 September, a **presidential decree stipulated that national identification cards should also include the name of the individual’s mother, a change long sought by civil society groups, but one that remains optional.**

On 29 June, the Cabinet obliged all ministries and governmental institutions to share information with the Ministry of Women’s Affairs on the number of women in each entity, their positions, and plans for special initiatives for women’s empowerment and participation. In July, the President decreed the establishment, in all 34 provinces, of an additional deputy provincial governor post to be reserved for women. The posts are expected to focus on social and economic affairs and the advancement of women’s rights. [...]

The Ministry of Women’s Affairs Legislative Committee continued its review, begun in April 2019, of the 2009 Elimination of Violence against Women Law, which started in April 2019.

The Ministry plans to establish protection centres for female survivors of violence. On 7 December, UNAMA/OHCHR released a public report on the judicial response to violence against women and girls, which had been criminalized under the 2009 Elimination of Violence Against Women Law.

The Government continued its efforts to combat impunity for sexual harassment and abuse.

In July 2019, the Office of the Attorney General **established a dedicated Anti-Harassment Directorate**, with its first General Director appointed in May 2020. Mandated to prevent and prosecute sexual harassment in public and private organizations, **it is staffed largely by men and has processed very few cases so far.** The High Commission for the Elimination of Harassment against Women and Children, constituted pursuant to the Anti-Harassment Law, met only once in 2020.

Survivors’ access to justice increased with the prosecution offices now operational in all 34 provinces established under the Elimination of Violence against Women Law, at both primary and appellate levels. At the primary level, 32 of these offices are headed by women. Afghan National Police Family Response Units are also operational in all 34 provinces. Of the 442 members of staff in those units, 178 are women. Moreover, Elimination of Violence against Women Law Courts were established in all provinces, at the primary and appellate levels.

On 3 September, the **Cabinet Legislative Committee proposed an amendment to the Penal Code provision concerning so-called virginity testing**, which would require a court order and a woman’s consent for such a “test” to be carried out. The amendment came into force through a presidential decree gazetted on 29 September. The amendment falls far short of the need to prohibit the practice, which has long been called for by the Afghanistan Independent Human Rights Commission, women’s rights organizations and the Committee on the Elimination of Discrimination against Women. On 11 October, the Afghanistan Independent Human Rights Commission released a report on forced gynaecological examinations of women in contact with the law. The report was prepared on the basis of a survey of women in places of detention or women’s protection centres who had been subjected to a gynaecological examination in the previous three years. According to the report, 92.3 per cent of the women had undergone such examinations, without having provided their consent or pursuant to a court order, thereby rendering the examinations to be in violation of the Penal Code. At least 24 per cent of the tests were conducted to “determine” virginity.”

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ pp.8-9 (15 January 2021). Available at: https://digitallibrary.un.org/record/3899858/files/A_HRC_46_69-EN.pdf

- **“Women and girls continue to face serious barriers to the full enjoyment of their rights. The presidential decree stipulating that an individual’s mother’s name should be included on national identity cards is an important step towards the empowerment of women in the public sphere...”**

Source: • United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.15 (9 December 2020). Available at: https://digitallibrary.un.org/record/3894602/files/A_75_634--S_2020_1182-EN.pdf

- **“Since 2006 and based on an agreement between MoE and AIHRC, the Commission has included human rights subjects such as basic human rights, children rights and women rights in curriculum of MoE to educate the pupils with basic values of human rights which is enshrined in the Afghan Constitution and other laws and regulations...”**

AIHRC provides **human rights guidelines** to the police academy **to educate young police officers** on observing human rights standards in general and children rights in particular. This guidance is also incorporated in the curriculum of MoE and taught in schools all over the country...

During their education in **military school**, students receive **human rights and international humanitarian law training.**”

Source: United Nations report, Convention on the Rights of the Child, ‘Report submitted by Afghanistan under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, due in 2005’ pp.5-9 (13 November 2020). Available at: https://digitallibrary.un.org/record/3892509/files/CRC_C_OPAC_AFG_1-EN.pdf

- **“Despite some progress, women continued to face obstacles to their participation in civic and public life, including in social and economic activities, and in their access to justice.** Challenges include ongoing insecurity and related restrictions on movement, lack of legal awareness owing to the high levels of female illiteracy, conservative sociocultural mores regarding gender norms manifested in discrimination against and the ill-treatment of women and girls, including harmful traditional practices, and discrimination in public and private sector services delivery. **These factors considerably weaken the enforcement of legislation and policies enabling women’s rights, rendering them ineffective for most women.** Improvement in the rights-enabling environment is thus essential to closing the gender gap, in voice and agency.[...]

“Elimination of violence against women and promotion of women’s rights...The Government continued its efforts to advance the promotion and protection of women’s rights. On 4 March, a cabinet committee on gender signed a memorandum of understanding with relevant ministries regarding the implementation of the policy on women’s inheritance and property ownership, 7 and approved, in principle, a policy on the protection of women in war and emergency situations, and another on increasing women’s participation in elections. [...]

Elimination of violence against women. Throughout the period under review, the Ministry of Women’s Affairs Legislative Committee continued its review of the Elimination of Violence against Women Law of 2009. In January, at a national coordination and rule of law conference on combating violence against women convened by the Office of the Attorney General, delegates representing the prosecution office, police, courts, the Ministry and provincial departments of women’s affairs concluded that all cases of violence against women should be addressed pursuant to the law of 2009; mediation should be undertaken only in relation to civil – and not criminal –

cases; and that cases involving girls (such as forced or underage marriage or giving away girls for dispute resolution (baad)) would be treated as rape, given that a child is unable to give informed consent to sexual relations.

The Government took steps to combat impunity for sexual harassment and abuse. On 11 July, a case of sexual harassment of female footballers was referred to the court responsible for judging cases of violence against women in Kabul. Although six individuals were charged with rape, sexual harassment, abuse of jurisdiction and concealment of the crime, three suspects remain at large. In October, the Office of the Attorney General established the General Directorate on Anti-Harassment. Intended as a deterrent to curb the crime and signal the Government's seriousness in prosecuting perpetrators, the Directorate is empowered to address cases that are outside the competency of the anti-harassment complaint committees in workplaces and in institutions of higher learning.

The cabinet committee on legislative matters proposed an amendment to article 640 of the 2017 Penal Code to retain the possibility of a court-ordered "virginity test". That article allows for such tests only pursuant to court order or consent by the victim. The Afghanistan Independent Human Rights Commission and civil society organizations called upon the Government to prohibit – in law and practice – all forms of forensic "virginity testing".

The criminal justice system infrastructure that supports survivors' access to justice was further strengthened, with the recruitment of 92 additional prosecutors, resulting in 32 of the 34 provincial violence against women prosecution units headed by female prosecutors. The Government also provided incentives for the recruitment and retention of female prosecutors, such as the recruitment of a male family member in provinces where maharams (male escorts) are expected by the community, and special consideration is given for female applicants in entrance exams. The Office of the Attorney General is working towards reaching its 23 per cent target of female personnel, in accordance with the structural reform outlined in the National Justice and Judicial Reform Plan (2017–2021).

The expansion of courts to hear cases of violence against women continued across Afghanistan; six new courts were established during the period under review. There are now two such courts in 28 provinces: a primary court and an appeals court.

Five of the courts are headed by female judges (the Appeal Courts of Takhar, Parwan and Kapisa provinces, and the Primary (city) Courts of Kabul and Balkh provinces). [...]

On 28 February, around 4,000 women from all walks of life across Afghanistan rallied in Kabul to submit a 15-clause resolution to President Ghani, addressed to the Government of Afghanistan, the Taliban and the international community. The resolution, the outcome of a six-month national consultation with 15,000 Afghan women across 34 provinces, emphasized the need for women's participation in the peace process and the protection of their rights during peace talks. The communiqué of the Consultative Peace Loya Jirga, held from 29 April to 3 May, included a 23-point resolution, with two articles referring specifically to women and women's rights. Women comprised 30 per cent of delegates, chaired 13 of the 50 committees, and two women were elected as deputy heads of the assembly (out of five members). 56. Women's participation in law enforcement slightly increased, from 3,200 policewomen in 2018 to 3,617 policewomen at the time of writing. Harassment in the workplace remained a concern for female security sector personnel. In March 2019, the Ministry of Interior Affairs endorsed its internal sexual harassment complaint mechanism for policewomen, 9 a gender policy and a policewomen incentive policy."

Source: United Nations report, General Assembly, ‘Situation of human rights in Afghanistan, and technical assistance achievements in the field of human rights’ pp.8-10 (16 January 2020). Available at: https://digitallibrary.un.org/record/3863515/files/A_HRC_43_74-EN.pdf

- “The MoE has developed its third **National Education Strategic Plan (2017–2021)** with its **main goals** [...] (2) Increasing the ratio of girls’ admission to technical and vocational institutions from 17% in 2015 to 26% by 2021 (3) Conducting on job trainings for newly recruited female teachers as well as provision of literacy courses for women and raising it from 60% to 100% by 2021 (4) Increasing the number of female literacy students from 53% in 2015 to 60% by 2021 and provision of emergency educational programs for children of IDPs and Repatriates. (50% of which is for girls) (5) Launching awareness raising programs on the importance of education for girls, provision of financial incentives and stipends for female teachers during on-job trainings (6) Provision of pre-work courses for female students and provision of Master’s degree education for the instructors of teacher training institutions that include women (7) Provision of health services in the schools for both male and female and provision of literacy classes across the country aimed at increasing the rate of female admission in the literacy courses from 53% to 60% by 2021 (8). Increasing percentage of female teachers in Schools to 34%.”

Source: United Nations report, General Assembly, ‘National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 – Afghanistan’ p.15 (13 November 2018). Available at: https://digitallibrary.un.org/record/1655279/files/A_HRC_WG-6_32_AFG_1-EN.pdf

- “**On 14 October, the Ministry of Justice finished the translation from Dari into Pashto and the printing of the new penal code**, which was decreed in March 2017 and is scheduled to enter into force in February 2018. **The chapter on the elimination of violence against women was removed during the translation of the code.** Its deletion, which was criticized by many within Afghan civil society and the international community, will require judges and prosecutors to continue to apply the weaker protection standards provided for in the separate 2008 Law on Elimination of Violence against Women.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ p.10 (15 December 2017). Available at: https://digitallibrary.un.org/record/1327364/files/A_72_651%26S_2017_1056-EN.pdf

- “On 22 November 2016, President Ghani appointed 12 new commissioners to the IEC and the ECC, including three women. The commissioners were appointed through a selection process that was open to civil society and the international community, in consultation with political figures, and following interviews by President Ghani, Chief Executive Abdullah and other stakeholders.[...]

In an effort to improve the quality of service delivery in the public service, the Civil Service Institute trained 2,572 civil servants in computers applications, English language, human resource management and admin/finance management. The number of staff trained represents 89 percent of the target number of 2,879. Out of the 2,572 trainees, 1,488 were from the central Government and 1,084 from the provincial administrations. Women represented 30 per cent of the participants.”

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ pp.18-20 (3 March 2017). Available at: https://digitallibrary.un.org/record/861589/files/A_71_826-EN.pdf

- “At the end of October 2016, women’s presence in the Afghan National Police increased to 2,880, equal to only approximately 1.8 per cent of the total force. Consultations carried out by UNAMA/OHCHR in June 2016 with 314 women police officers and Afghan National Police officials in 19 of the country’s 34 provinces revealed that measures taken by the Ministry of the Interior to integrate women into the Afghan National Police had produced observable progress in the professionalization and empowerment of women police officers. Concerns remain, however, regarding their protection, particularly their harassment in the workplace, and regarding the implementation of gender policies at the district level.”

“The Government stepped up efforts to ensure women’s representation in the public sphere. Notably, the election law that was approved on 22 August 2016 and published on 25 September 2016 contains temporary special measures, such as reserving at least 25 per cent of seats for women representatives in the provincial, district and village councils. However, numerous obstacles continue to hamper women’s entry and increased representation in Government institutions.”

“On 3 February 2016, the Government identified the former governor of Bamyan Province and current adviser to the Chief Executive on women’s rights, Dr. Habiba Sarabi, as the person to represent women in the negotiating team for future peace talks. She was also appointed, on 21 February 2016, as one of six deputies to the new head of the High Peace Council.⁸ In addition, joining four male advisers, two women — the director of the Afghan Women’s Network and a presidentially appointed Senator — were asked to play an advisory role to the Council. The Afghanistan peace and reconciliation strategy envisions a 30 per cent participation by women in the Council at both the central and local levels.”

Source: United Nations report, General Assembly, ‘The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights’ p.11 (11 January 2017). Available at: https://digitallibrary.un.org/record/861012/files/A_HRC_34_41-EN.pdf

- “**Women active in public life** continued to face levels of threats and violence and were the **targets of attacks by the Taliban** and other insurgent groups. **Most female parliamentarians reportedly experienced some kind of threat or intimidation, and many believed that the state could not or would not protect them.** In August Fariba Kakar, a female member of parliament, was **kidnapped at gunpoint in Ghazni and released in exchange for Taliban** fighters one month later.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2013 p.28. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

1995-2001 (THE PREVIOUS TALIBAN REGIME)

Persecution of, and violence against, individuals, particularly women, for dressing or behaving in breach of religious laws or norms was widespread.

- “In Kabul the soldiers allegedly searched homes for evidence of cooperation with the former authorities or for violations of Taliban religion-based decrees, including the ban on the possession of depiction of living things (photographs, stuffed animals, dolls, etc.). **Members of the Ministry for the Promotion of Virtue and Suppression of Vice, the Taliban’s religious police, beat individuals on the streets for infractions of Taliban rules concerning dress, hair length, and facial hair, as well as for the violation of the prohibition on women being in the company of**

men who were unrelated to them. The Taliban required women to wear a burqa, a tent-like outer garment that covers a woman from head to toe, when in public (see Section 5). Men are required to have beards of a certain length or longer, not to trim their beards, and to wear head coverings. **Men whose beards did not conform to the guidelines on beard length set out by the Taliban were subject to imprisonment for 10 days and mandatory Islamic instruction.**

There also are credible reports that **Taliban members gave forced haircuts** to males in Kabul. Enforcement of Taliban social strictures is much stricter in the cities, especially Kabul.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 1999. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “A number of **women in Kabul whose veils were deemed insufficiently long were reportedly beaten on the street with chains.** During his visit to Herat, the Special Rapporteur was informed that a woman's arm was broken in two places for no apparent reason while she was shopping in a marketplace. He was also informed about the **women who participated in the peaceful demonstration in Herat to protest against the closing of female bathhouses who were severely beaten and doused with water from a fire hose. In addition to chains and whips, people were allegedly also beaten with water hoses filled with pebbles.**”

Source: United Nations, Economic and Social Council, ‘Final report on the situation of human rights in Afghanistan submitted by Mr. Choong-Hyun Paik, Special Rapporteur, in accordance with General Assembly resolution 1997/293’ (20 February 1997). Available at: https://digitallibrary.un.org/record/238514/files/E_CN.4_1997_59-EN.pdf

- “**Over 1,000 men** were detained briefly and **beaten for alleged un-Islamic behaviour** or for not complying with policies which discriminate against women. In July alone, Taleban radio announced that some **700 men** travelling from Kabul to Kandahar had been “**punished** in accordance with Islamic law **for trimming or shaving their beards**”. **Others beaten in public included taxi drivers for carrying women passengers, shopkeepers for selling goods to women, children for flying kites or playing other games in the street, and teachers for giving English lessons**”

Source: Amnesty International report 1998, p.76. Available at: <https://www.amnesty.org/en/latest/page/5/?qresource-type=2134>

- “Women were encouraged not to leave their houses and are reportedly required when they do go out to wear a burqa or veil which covers the face completely. **It has been alleged that violations of the dress code would be punished severely. A number of women are reported to have already been beaten with chains by Taliban guards in the streets of Kabul. Taliban guards have also allegedly entered offices to see whether any women had come to work.** It has been reported that the Taliban did not wish to promise to respect international human rights standards, including those having to do with women, and that issues concerning their access to employment and education would be regulated on the basis of Islamic principles through religious decrees.[...]

As has been the case in other areas under the control of the Taliban movement, women in Kabul were asked not to report to work and educational facilities were closed. Women have reportedly been urged to leave their homes wearing a veil which completely covers their faces. **A number of women were allegedly beaten in public in Kabul for violating the dress code.** Many women

with whom the Special Rapporteur met voiced their fears for the future of Afghanistan - and of its women in particular - in which an entire younger generation had been deprived of an education and the current generation of qualified workers had retired.”

Source: Situation of human rights in Afghanistan: Note by the Secretary-General, in accordance with Commission on Human Rights resolution 1996/75 of 23 April 1996 and Economic and Social Council decision 1996/280 of 24 July 1996 (11 October 1996). Available at: [A_51_481-EN.pdf](#)

Women’s ability to work outside the home was severely restricted. In addition to the direct impacts, this also significantly reduced the ability of the assistance and healthcare community to help Afghan women (as only female aid workers were permitted to work with female beneficiaries, and male and female health services were entirely segregated). Many destitute women, especially widows, were reduced to begging.

- “On July 6, the Taliban issued an edict banning women's employment (except in the health care sector) by U.N. agencies and NGO's. Implementation remains erratic, but the U.N. and NGO's kept their female staff at home to avoid open confrontation with the Taliban. On August 16, the Taliban issued an order closing down the World Food Program's (WFP) 25 widows' bakeries, which provide food to the neediest citizens, including many war widows and other female-headed households. On August 17, the Taliban reversed the previous day's decision to close the widows' bakeries, apparently accepting the WFP's explanation that the female staff of the bakeries were not direct hire WFP employees and therefore not subject to the July 6 edict. **The arrest in July of a foreign aid worker long resident in the country (see Section 1.d.) and the sudden closure of the widows' bakeries, served as reminders to the international relief community that their programs are at constant risk of closure by the Taliban.**”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2000. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “The Taliban increased enforcement of strict dress codes and maintained the prohibition against women working outside the home except in strictly limited circumstances in the health care field and in some humanitarian assistance projects. **The Taliban appeared to reverse a 2-year trend of relaxing enforcement of restrictions on women and girls and increasingly restricted female education and participation in the labor force.**”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 2000. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- “Women were expected to leave their homes only while escorted by a male relative, further curtailing the appearance and movement of women in public even when wearing approved clothing. Women appearing in public without a male relative ran the risk of beatings by the Taliban. Some observers reported seeing fewer and fewer women on the streets in Taliban-controlled areas. Women are not allowed to drive, and taxi drivers reportedly are beaten if they take unescorted women as passengers. Women only may ride on buses designated as women's buses; there are reportedly not enough such buses to meet the demand, and the wait for women's buses can be long. In December 1998, the Taliban ordered that bus drivers who take female passengers must encase the bus in curtains, and put up a curtain so that the female passengers cannot see or be seen by the driver. Bus drivers also were told that they must employ boys under the age of 15 to collect

fares from female passengers, and that neither the drivers nor the fare collectors were to mingle with the passengers.”

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 1999. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- **“The prohibition on women working outside of the home has been especially difficult for the large numbers of widows left by 20 years of civil war; there are an estimated 30,000 widows in Kabul alone. Many women reportedly have been reduced to selling all of their possessions and to begging to feed their families.”**

Source: US State Department Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights and Labor, Afghanistan, 1999. Available at: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

Aid workers and journalists, along with others with connections to “Western” organisations or regimes, were regularly persecuted. In some instances, foreigners were accused or spreading Christianity or Judaism under the guise of providing humanitarian assistance, and Afghans working with them were accused of the capital offence of apostasy (converting from Islam to Christianity or Judaism).

- **“On 9 January 2001, Mullah Omar declared conversion or propagation of conversion of Muslims to Christianity or Judaism punishable by death. The edict has led to restrictions on the activities of NGOs for fear that their association with the Afghan people may be misinterpreted.”**

Source: United Nations report, General Assembly Security Council, ‘The situation in Afghanistan and its implications for international peace and security’ pp.8-9 (19 April 2001). Available at: https://digitallibrary.un.org/record/438154/files/A_55_907_S_2001_384-EN.pdf

- **“[R]eportedly, the Taliban’s religious police arrested a United States citizen who had been working with Afghan widows through an organization she founded, Physiotherapy and Rehabilitation Support for Afghanistan (PARSA). Seven Afghan women working for her were also arrested.”**

Source: • United Nations report, Economic and Social Council, ‘The Implementation of Human Rights with Regard to Women – Report of the Secretary-General on the situation of women and girls in Afghanistan, submitted in accordance with Sub-Commission resolution 1999/14’ p.9 (21 July 2000). Available at: https://digitallibrary.un.org/record/420160/files/E_CN.4_Sub.2_2000_18-EN.pdf

- **“Five Afghan and two French employees of the aid organization International Action Against Hunger were arrested in Kabul on 21 February 1997, after a lunch organized by the organization's foreign female staff for its Afghan female staff. Although the seven men had not attended the lunch, they were sentenced for being in the same compound as unveiled Afghan women... The five members of the Afghan staff were sentenced to one-and-a-half months of imprisonment and to between 9 and 29 lashes. [...]**

On 24 May 1997, members of the Taliban religious police in Kabul stopped a minibus carrying five Afghan employees of the non-governmental organization CARE International. The women were taken out of the vehicle and beaten, in spite of the fact that their organization had obtained written permission from the authorities allowing them to work.”

Source: United Nations Report, General Assembly, ‘Interim report on the situation of human rights in Afghanistan submitted by Mr. Choong-Hyun Paik, Special Rapporteur, in accordance with General Assembly resolution 1997/293’ (16 October 1997). Available at: https://digitallibrary.un.org/record/246003/files/A_52_493-EN.pdf