



General Assembly

Distr.: General
30 August 2022

English only

Human Rights Council

Fifty-first session

12 September–7 October 2022

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Partners For Transparency, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2022]

* Issued as received, in the language of submission only.



The Human Rights Situation in Afghanistan

Preamble

According to the reports of the international organizations dedicated to protecting the rights of refugees, there were about 2.2 million Afghan refugees in neighboring countries in 2021, and 3.5 million others were forced to flee their homes within Afghanistan's borders. In addition, five million Afghans have left the country. The number of refugees is on the rise, especially in light of the escalation of armed conflicts, the unstable political and military situation, extreme weather events and climate change-related phenomena such as drought and poor economic conditions. All these contributing factors exacerbate the crisis of Afghan refugees and displaced persons(1), whose numbers have unprecedentedly increased in 2022. Today, there are about 5.7 million Afghan refugees waiting for humanitarian assistance in neighboring countries, and over 9 million are internally displaced; millions of children are out of school, and tens of thousands at risk of death; as for women and girls, they are the most vulnerable group and the worst affected by the grave violations that deprive them of their basic human rights. Adding to the above, armed conflicts and climate change-related crises have had a devastating toll on the country's basic infrastructure and public service sectors, including health and education, which brings Afghanistan closer to an imminent humanitarian crisis(2).

Partners for Transparency presents this written intervention in order to draw the attention of the Council to the fact that decades of conflict and instability in Afghanistan as well as recurring drought have left millions of people on the brink of hunger and starvation. The current unparalleled situation, which has been exacerbated by the Covid-19 economic repercussions, requires international solidarity to support Afghanistan's humanitarian response plan. Partners for Transparency is particularly worried about the desperate situation of Afghan women under the Taliban hardline rule, which restricted women's movement, banned them from appearances on television and media, eliminated the Ministry of Women's Affairs, banned girls from secondary education by shutting down most secondary schools for girls, prohibited women's work, and imposed restrictions on dress and gender segregation(3).

Violation of the rights of Afghan refugees and displaced persons

The Afghan refugee and IDP crisis is one of the biggest humanitarian crises we face today. More than 6 million Afghans have been driven out of their homes and country, due to armed conflicts, widespread violence, deteriorating economic conditions, and severe climate changes such as recurrent drought and earthquakes. Women and children, who represent about 80% of the newly displaced Afghans, are the worst affected and the most likely to face increased risks such as family separation, psychological stress, trauma, exploitation and gender-based violence, which is inconsistent with the provisions of the 1951 Refugee Convention and its 1967 Protocol. This Convention provides for the right not to be expelled except under certain strictly defined conditions; the right not to be punished for illegal entry into a state; the rights to work, housing, education, public relief assistance, freedom of religion, access to the court system, freedom of movement within the territory and receiving identity and travel documents.

Regrettably, many Afghan refugees, including those in Iran (Islamic Republic of), Pakistan, Uzbekistan, Tajikistan, Malaysia, and Türkiye do not enjoy their rights under international law. They continue to face brutality, violence, ill-treatment and pushbacks. They face discrimination and struggle to access basic services, education, work, identity and travel documents. In the worst cases, they face arbitrary detentions, penalties and forced deportation. Between 2019 and early 2021, the Islamic Republic of Iran forcibly deported nearly 1.5 million Afghan refugees. Partners for Transparency calls on all countries worldwide to uphold their commitments and respect basic human rights, including the right to life, the right to seek asylum, and the right to receive basic support services, as well to ratify the 1951 Refugee Convention and its 1967 Protocol.

Violation of Afghan women's rights

Afghan women continue to suffer from multifaceted violations that completely detract from their rights. In September 2021, the Taliban movement eliminated the Ministry for Women's Affairs, which was established in 2001, and repurposed its building as the Ministry for the Propagation of Virtue and Prevention of Vice(4). In the same month, the de facto Minister of Education of the Taliban announced that they would allow Afghan female students to continue their university education, but only in segregated classes and according to the Islamic dress code, which is abaya robe and niqab. Therefore, gender separation became mandatory(5). Unfortunately, the Taliban movement took actual steps to prevent girls' education by closing most secondary schools, causing 1.2 million Afghan girls to drop their education(6). In addition, Afghan women were banned from playing sports, under Taliban decree. In November 2021, the Taliban unveiled new rules banning women's appearance in TV series and films, and ordered female journalists and TV presenters to wear headscarves. Most Afghan women stopped working in media organizations after the Taliban seized power in Afghanistan(7). In December 2021, the Taliban imposed a ban restricting women's traveling for more than 72 km unless they are accompanied by a male relative(8), and forced many women to leave their jobs. Given the above circumstances, the international community must act immediately to stop the violations against Afghan women, especially with the escalation of domestic violence, the exacerbation of unemployment among women, and restrictions on movement and clothing, which increases psychological burdens on Afghan women, and contradicts all international conventions and treaties, especially the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Recommendations

Partners for Transparency recommends the following:

- Afghanistan must show commitment to legal obligations under international treaties, provide support for the displaced, and eliminate discrimination against women;
- Allowing Afghans to cross into neighboring countries, and ensuring that they enjoy all refugee rights including keeping the border crossings open for them, speeding up visa procedures, providing the necessary support for evacuations, and supporting resettlement operations;
- Countries must immediately stop the forcible returns of Afghan refugees, support Afghanistan's humanitarian response plans, and allow all Afghan asylum seekers access to a clear, transparent and effective asylum system;
- Afghanistan must allow women to have political, social and economic participation on an equal basis with men;
- Afghanistan must open secondary schools for girls, provide quality of education without any discrimination, and remove restrictions on women's freedom of movement, including the abolition of the requirement to have a male with them, or the obligation to cover their face with the niqab, and enabling them to have the right to find work;
- Opening immediate, effective and transparent investigation into all alleged violations of international human rights and humanitarian law, including conflict-related sexual violence to hold perpetrators accountable.

(1) <https://bit.ly/3dznuLN>

(2) <https://bit.ly/3pAc0L2>

(3) <https://bit.ly/3T4lmvY>

(4) <https://p.dw.com/p/40TgX>

(5) <https://bit.ly/3Az3UZh>

(6) <https://bit.ly/3QXFUUT>

(7) <https://bbc.in/3QU2xti>

(8) <https://bit.ly/3dKYKR4>