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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**

**Situation of human rights in Afghanistan****Report of the Special Rapporteur on the situation of human rights in  
Afghanistan, Richard Bennett\****Summary*

In the present report, prepared pursuant to Human Rights Council resolution 57/3, the Special Rapporteur on the situation of human rights in Afghanistan provides a general overview of the situation of human rights in Afghanistan, with a specific focus on women and girls, civic space and minorities. The report mainly covers the period between 1 August and 31 December 2024 and builds on previous reports submitted to the Council and the General Assembly. The Special Rapporteur has also prepared a separate study, in accordance with resolution 57/3, on the law on the promotion of virtue and the prevention of vice.<sup>a</sup>

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<sup>a</sup> [A/HRC/58/74](#).

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\* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

## I. Introduction

1. The human rights crisis in Afghanistan has deepened continuously since August 2021, when the Taliban seized power in Afghanistan. Since the Special Rapporteur's previous report,<sup>1</sup> systematic gender oppression has been further expanded and institutionalized through new measures, including the so-called law on the promotion of virtue and the prevention of vice.<sup>2</sup> Civic space in Afghanistan has continued to shrink drastically, with the Taliban restricting media and civil society organizations from operating freely, while journalists, activists, academics, writers and artists are at serious risk of arbitrary detention and ill-treatment. Minorities experience marginalization, underrepresentation, discrimination and lack of protection. As time goes on, more girls are being denied their right to education beyond the sixth grade. Other approaches to learning, such as madrasas, online platforms and other alternatives, cannot fill the gap. There is a heightened risk of child marriage, child labour, abuse and trafficking. Former government officials and security personnel continue to suffer retaliation. A humanitarian and economic crisis, caused by a combination of international restrictions and Taliban policies and exacerbated by climate change and environmental degradation, continues to deeply affect the rights of Afghans to food, health and work.

2. When human rights issues are raised, they are often met with fierce denial or non-engagement by members of the Taliban, who refer to violations as "domestic issues" and critiques as "anti-Islamic". The Taliban claim to protect human rights but only within their strict interpretation of sharia law. People in Afghanistan live with a lack of legal certainty and in a climate of surveillance and fear due to harsh and inconsistent enforcement, including through corporal and capital punishments.

3. Despite the above-mentioned negative trends, the international community seems to be inching towards the normalization and de facto recognition of the Taliban regime. Meanwhile, much-needed funding to meet the humanitarian and other basic needs of Afghans is diminishing, leaving millions at risk.

4. Many Afghans, especially women, living in the country or in exile, have told the Special Rapporteur that they feel neglected and unrepresented in discussions about their country's future. They rightfully demand meaningful participation in all international processes, including in the implementation of the recommendations contained in the Security Council-mandated independent assessment on Afghanistan,<sup>3</sup> the Doha format meetings, and the women and peace and security agenda.

5. There are some signs of hope. The economy seems no longer to be in free fall, partly owing to revenue generation by the de facto authorities and anti-corruption measures. However, to date, that has barely translated into any improvements in the economic, social and cultural rights of Afghans. More resources are urgently required to ensure food security, healthcare, education and protection for the people of Afghanistan. The production of narcotics has remained at far lower levels than previously, following a ban introduced by the Taliban; however, those who were previously involved in opium cultivation continue to lack sustainable alternative livelihoods.

6. The Special Rapporteur has also observed progress in international accountability efforts, in particular the arrest warrants requested by the Prosecutor of the International Criminal Court and the launch of an accountability initiative under the Convention on the Elimination of All Forms of Discrimination against Women, which may result in a case being brought before the International Court of Justice. These developments mark an important beginning in holding to account those who have contributed to the suffering and injustice faced by the people of Afghanistan and in compensating those who have suffered so much.

7. The Special Rapporteur is constantly impressed by the resilience of those Afghans who remain steadfast in their quest for a better future based on respect for human rights. He continues to engage with young Afghans who are determined to improve the situation in their

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<sup>1</sup> [A/79/330](#).

<sup>2</sup> For more information, see [A/HRC/58/74](#).

<sup>3</sup> See [S/2023/856](#), annex.

country and with protesters and others who are unwavering in their efforts to stand up for their human rights; it is essential to amplify their voices.

## II. Working methods

8. In the present report, submitted pursuant to Human Rights Council resolution 57/3, the Special Rapporteur builds on previous reports submitted to the Council and the General Assembly and employs the same working methods.<sup>4</sup> The Special Rapporteur notes that more information on the law on the promotion of virtue and the prevention of vice can be found in a separate study on the topic,<sup>5</sup> also mandated by the Council in resolution 57/3.

9. The present report outlines specific areas of focus; the topics covered under these areas of focus will alternate in forthcoming reports. This approach enables the Special Rapporteur to deliver reports containing in-depth coverage and perspectives on distinct topics. He underscores that the non-selection of certain topics in a particular report does not imply any diminished concern.

10. The Special Rapporteur has continued to engage extensively, in person and online, with a wide range of Afghan stakeholders inside and outside Afghanistan. He expresses his gratitude to the respective States for facilitating his official visits to Türkiye (August 2024), Qatar (September 2024) and Canada (October 2024) and his travel to various countries across Asia, Europe and North America to meet recently arrived Afghans and to participate in meetings and conferences.

11. During the reporting period, the Special Rapporteur further strengthened the documentation and preservation aspect of the mandate through additional travel for documentation purposes, in addition to conducting online interviews, as well as the documentation of open-source and non-public information through a secure digital repository.

12. The Special Rapporteur continues to call upon the de facto authorities to reconsider their refusal to grant him entry to Afghanistan. He reiterates that their position is not in the interests of the people of Afghanistan and that it sends a negative signal about the Taliban's ability and willingness to meet their international obligations. The Special Rapporteur remains committed to engaging with the de facto authorities, including by sharing draft reports, statements and news releases, submitting allegation letters on individual cases and seeking human rights-related information.

## III. Focus areas of the report

### A. Women and girls

13. The Taliban have continued to implement their deeply misogynistic system of oppression of and discrimination against women and girls that is unparalleled in any other country. The Taliban's use of gender oppression and discrimination is both widespread and systematic and may constitute crimes against humanity, in particular the crime of gender persecution, on the grounds of which the Prosecutor of the International Criminal Court has requested arrest warrants for two Taliban leaders. The Special Rapporteur also reiterates his support for the codification of gender apartheid as a crime against humanity.

14. In August 2024, the Taliban announced the enactment of the law on the promotion of virtue and the prevention of vice, which sets out wide-ranging restrictions affecting almost every facet of life for women and girls, as well as prescribing restrictions for men, religious minorities and the media, among others.<sup>6</sup> For women and girls, many of the restrictions had previously been introduced, some of them based on oral instructions with provincial

<sup>4</sup> A/79/330, paras. 6–10.

<sup>5</sup> A/HRC/58/74.

<sup>6</sup> See A/HRC/58/74.

variations; other restrictions, however, were new, such as prohibitions on women and girls singing or speaking outside their homes and the requirement for them to travel with a *mahram* (male guardian), whatever the distance involved.

15. The law on the promotion of virtue and the prevention of vice will have a deep impact on all aspects of the lives of women and girls. Shortly after the law was announced, the Special Rapporteur began to receive reports from women and men, from different provinces in Afghanistan, who had noted a visible increase in the presence of *muhtasibs*,<sup>7</sup> who are responsible for enforcing the law, and stricter enforcement of restrictions. The impact of the law should not be measured solely by the enhanced enforcement efforts of the de facto authorities. In many instances, Afghans cope through self-regulation or enforcement by family members to avoid any potential confrontation with the Taliban.

### Right to health

16. In early December, the de facto authorities announced a new directive aimed at preventing women from attending classes at private medical educational institutions, affecting an estimated 35,000 women who enjoyed one of the few exemptions to the education ban. The move prompted widespread outcry and led to protests, including in Badakhshan, Faryab, Herat and Takhar Provinces.

17. The directive marked a further unjustifiable restriction on women's and girls' rights to education and healthcare and on women's right to work. It is especially concerning given that cultural norms limit the treatment of women by male doctors in Afghanistan. Women health workers in Afghanistan play a critical role in ensuring not only that women receive adequate healthcare, including sexual, reproductive and maternal healthcare, but also that children are vaccinated, as well as providing wider health services and community education.

18. If maintained, the directive will have an adverse impact on the health outcomes of women and children for generations to come. The Special Rapporteur and other special procedure mandate holders have warned that the denial of healthcare to women and girls in Afghanistan could amount to femicide.

19. The ban on medical training for women further complicates the existing significant challenges faced by women and girls in gaining access to healthcare, including gender segregation, poverty and a lack of resources and capacity, in particular a severe shortage of women doctors, nurses, midwives and psychologists.

20. Women's lack of autonomy, restrictions on their movement and the financial cost of treatment – including additional expenses resulting from the *mahram* requirement – mean that women face enormous barriers in gaining access to healthcare. The presence of a *mahram* also limits women's and girls' ability to seek information about their sexual and reproductive health and can make it extremely difficult to report domestic or intimate partner violence and other forms of gender-based violence.

21. The situation is exacerbated by dwindling international aid, as the Afghan health system is heavily reliant on donor funding. Patriarchal gender norms have long been obstacles to Afghan women's autonomy to make decisions about their health and the health of their children. However, women's access to health has been severely reduced since the Taliban took power. Women in poor and rural areas and women with disabilities are disproportionately affected.

22. The Special Rapporteur remains extremely concerned about the impacts on the mental health of women and girls of the Taliban's system of gender oppression. He continues to receive alarming reports of stress, anxiety, depression, suicide and suicidal ideation, especially among young women and girls. The situation is exacerbated by limited mental health and psychosocial support services. As a young woman in Kabul told the Special Rapporteur: "I want to go to school, to laugh with my friends and to be someone who can

<sup>7</sup> Inspectors of the de facto ministry responsible for the promotion of virtue and the prevention of vice; see [A/HRC/58/74](#).

make a difference. But the restrictions make me feel trapped, like my thoughts and hopes are locked inside.”

23. Access to healthcare for women and girls is further undermined by the ban on their access to education. Health workers have warned the Special Rapporteur that a lack of education on issues such as personal hygiene, nutrition, vaccinations and menstrual health will have devastating long-term effects – not only on women and girls but also on their children and for future generations. The denial of access to information, services and resources, including with regard to sexual and reproductive health, is a violation of the right to health and constitutes a form of reproductive violence.

## **B. Civic space**

24. The Taliban severely restrict freedom of expression, tolerating no opposition, dissent or even contrary views. They have clamped down on civic space through widespread censorship, threats and intimidation, violence, arbitrary arrests and the closure of institutions. Afghans still in the country who oppose the Taliban live in fear, with many resorting to self-censorship, moving locations regularly or fleeing the country. The coordinated suppression of dissent extends to all areas of public discourse, affecting journalists and media workers, human rights defenders, members of civil society and protesters, academics, writers, artists, booksellers and educators, as well as their family members.

25. Afghan-run hybrid media organizations are broadcasting or publishing from abroad using satellite television, radio and the Internet in order to bypass Taliban restrictions. Inside Afghanistan, the Taliban target those suspected of collaborating with these hybrid, as well as foreign, media, deeming such outlets to be “unauthorized” and prohibiting their activities. The Special Rapporteur recognizes the importance of the hybrid media, which, together with the Internet, provide an avenue for independent news reporting and expression of alternative or dissenting views. He acknowledges the courage of journalists inside the country who, despite challenges, persist in their efforts to provide accurate reporting.

26. Afghans have warned of the Taliban’s extensive use of digital and in-person surveillance, using informants to monitor dissent, including on social media. Media and civil society actors have told the Special Rapporteur that if they post criticism on social media they could be subjected to house searches, arbitrary arrest and detention, as could their family members. Many have reported that they take digital protection measures, noting that the Taliban might search mobile phones at checkpoints. The situation has created a climate of fear within communities and led to self-policing. Even Afghans abroad practise self-censorship due to safety concerns for their family members back in Afghanistan.

27. The collapse of civic space also severely hampers and complicates the documentation of human rights violations and abuses due to censorship, self-regulation and reprisals against Afghans and their family members on account of their cooperation with the United Nations, including with regard to the mandate of the Special Rapporteur.

28. The Special Rapporteur, the United Nations Assistance Mission in Afghanistan (UNAMA), other human rights mechanisms and media institutions have documented widespread arbitrary arrest, violence, torture and ill-treatment of journalists, activists and defenders. For example, the Taliban arbitrarily detained education activists Ahmad Fahim Azimi and Siddiqullah Afghan on 17 October 2023. They released Mr. Afghan on 9 April 2024 and Mr. Azimi on 26 September. In another incident, Jawed Kohistani, a prominent political commentator, was arbitrarily detained for 20 days for his alleged critique of the Taliban; he was released on 15 October.

29. In response to a UNAMA report on media freedom in Afghanistan, the Taliban stated that journalists and media personnel had been arrested for “encouraging people to act against the system, defaming the government, providing false and baseless report[s], cooperation with the enemies of the system in the media sector, and providing materials to media outlets against the system.”

30. For some time now, protesters have been moving demonstrations indoors for fear of retaliation. Afghan journalists, media workers and activists operating inside and outside the

country have raised concerns about their families' safety in Afghanistan and have resorted to changing their own names or withholding reports to protect their loved ones. One politically active Pashtun man told the Special Rapporteur that a fellow member of a non-violent political movement in eastern Afghanistan had been threatened by the Taliban because of his social media posts. "He is now in hiding", he said. "The family disowned him because of his actions for the movement. For their own safety, they want to have nothing to do with him."

### **Censorship, interference, closure**

31. "Free press is at zero level in Afghanistan", an Afghan journalist working for an Afghan media outlet outside Afghanistan told the Special Rapporteur. A combination of violence and intimidation against journalists and media workers, strict censorship and the closure of media companies has forced Afghanistan-based media outlets and their personnel to comply strictly with the Taliban's requirements.

32. The Taliban have imposed media restrictions through the issuance of guidance notes and procedures, as well as through the law on the promotion of virtue and the prevention of vice. The de facto authorities broadly forbid any publications that they deem to be against Islam or sharia law, that deride or are said to humiliate Muslims or that have a "negative impact" on public opinion. The harsh enforcement and overly broad and ambiguous nature of the guidelines force people to practise self-censorship.

33. Enforcement of the Taliban's rules includes extensive checks by different elements of the de facto authorities before broadcasts, as well as *post factum* intimidation and penalties. An Afghan journalist now based abroad told the Special Rapporteur that: "The Taliban's restrictions on the press have made our work nearly impossible. We can no longer report freely, and fear of arrest or worse is constant. Our stories are silenced, and we are forced to navigate through a world where truth is a crime."

34. Existing restrictions on women journalists and media workers, and on women invited to participate in media programmes, have been exacerbated by the law on the promotion of virtue and the prevention of vice, which has further institutionalized restrictions and has also prohibited women's voices from being heard in public. Its implementation and interpretation have so far been inconsistent, with marked provincial variations. The owner of a radio station in northern Afghanistan told the Special Rapporteur that, despite full segregation in compliance with earlier Taliban guidelines, tighter restrictions had made the continued broadcasting of a women-only radio programme unfeasible. Reports indicate that women journalists are sometimes dismissed or not hired by media outlets on the basis of their gender.

35. Media outlets are required to invite commentators from a list of pre-approved candidates created by the Taliban or to request permission. News agencies in Afghanistan often refrain from having interactive segments, such as live interviews or radio phone-ins, due to protection concerns. A representative of an Afghan media outlet relayed to the Special Rapporteur what the Taliban had told him: "You can continue receiving phone calls. But then you have to record the phone number and ask them for their name and address. If they ask something about education or human rights, you can just share their details with us." The representative explained that doing so "would mean [that] we would actually be gathering intelligence for them".

36. According to surveys conducted by media organizations, over 300 media outlets closed in the first six months after the Taliban seized power owing to Taliban restrictions, financial struggles and personnel fleeing Afghanistan. That trend has continued, albeit at lower levels. According to estimations in 2024, more than 10 outlets were closed or suspended in 2024. For instance, in December, the Taliban shut down Arzoo TV, alleging that it had violated Islamic values and national traditions and claiming foreign involvement.

37. The law on the promotion of virtue and the prevention of vice prohibits the publication or broadcasting of images of living beings, practically forcing television stations to halt operations or switch to audio-only programming. Implementation of the ban is occurring gradually and unevenly. At the time of reporting, the ban had reportedly been put into effect in several provinces, including Badghis, Helmand, Kandahar and Takhar Provinces and partially in Nangarhar Province. Paradoxically, several spokespersons for the de facto authorities have continued to share videos and pictures of living beings on social media.

38. In addition to the media sector, civil society organizations and their members have also had their activities severely curtailed. For example, non-governmental organizations (NGOs) have been limited to humanitarian- and development-related activities. Since the end of 2023, when the de facto Ministry of Economy discouraged public awareness-raising, peacebuilding and advocacy activities, organizations that work on such issues, including on health and hygiene awareness-raising and the promotion of human rights, have limited their activities.

39. Quantitative and qualitative information indicates that restrictions on NGOs are being enforced, with NGO representatives noting challenges for initiatives involving women, the rejection of documents signed by women and the insistence that women in leadership positions in NGOs be replaced with men.

40. While there are regional variations, representatives of national NGOs told the Special Rapporteur about gender segregation in offices, instances of women employees being unable to go to the office or the field, including due to the *mahram* requirements, and challenges in supporting women clients owing to the restrictions. The Special Rapporteur is aware of instances in which NGO activities and humanitarian aid for women have been redirected to their male family members. NGO representatives have expressed a fear of unannounced inspections by the Taliban.

41. The Taliban are also limiting the free flow of ideas among artists, such as poets, writers and musicians, many of whom have resorted to self-censorship. The Taliban have burned musical instruments and censored a wide range of books and other publications, including those on politics, women's empowerment and minority issues. The Special Rapporteur received a list of more than 400 banned titles; the Taliban cited as reasons for prohibition "[being] against national interests and beliefs", "controversial issues", "provoking public sentiments" and "negative influence on thoughts", among others.

42. Afghans have expressed concerns to the Special Rapporteur about the situation at universities, where the de facto authorities have replaced professors and managers with Taliban affiliates who do not necessarily have the appropriate academic qualifications. A university lecturer stated that the Taliban had instituted a two-tier system in academia, noting that if someone "is not aligned with the Taliban, they face barriers to professional advancement", and that staff were subjected to intimidation, including "threats to demand resignations from professors over beard length". Many academics have fled the country.

43. The Taliban have also taken measures to limit different interpretations of Islam. According to the de facto Ministry of Education, all books that conflict with the beliefs of Sunni and Hanafi jurists are to be removed from educational institutions and libraries. In addition, the Taliban issued an edict, in September, urging scholars to desist from discussing contentious topics, as doing so could "mislead and generate discord and concerns within society, giving rise to turmoil".

### C. Minorities

44. Afghanistan is home to a diversity of ethnic, religious and linguistic communities that for centuries have contributed to the richness of its people, history, culture, heritage, cuisine and fashion. The Taliban have emphasized unity, stability and "equal rights in the Islamic system". However, a wide range of Afghan stakeholders have shared with the Special Rapporteur growing concerns about unaddressed grievances along ethnic and religious lines related to discrimination, exclusion, violence and the lack of protection, as well as lack of recognition of past violations. The de facto authorities frequently seem unwilling to acknowledge or address such grievances. The Special Rapporteur emphasizes that growing tensions and polarization based on ethnicity and religion are important early warning signs of future violence.

45. The Special Rapporteur stresses that minorities have the right to participate meaningfully in decisions affecting their communities and the regions where they live, both at national and regional levels. However, Pashtun men have taken up nearly all senior appointments. The lack of representation of minorities in de facto institutions has resulted in

credible allegations of marginalization, including regarding the distribution of humanitarian aid, social security, judicial decisions, media coverage, civil service employment, and government policies such as those on taxes, procurement and licensing.

46. Worsening representation in de facto institutions has contributed to the exodus of persons belonging to minority groups from the civil service since August 2021. Many have indicated being pressured to resign, with severe financial consequences. While, at technical levels, employment is still possible for persons belonging to minorities, jobs in the judiciary or the security forces are described as being “off-limits”. The new requirement for fluency in Pashto and the testing of religious knowledge in hiring criteria have further diminished chances for minorities to work in the de facto civil service.

47. That said, the Special Rapporteur warns against conflating Pashtun identity with support for the Taliban. Pashtuns regularly tell the Special Rapporteur that they face discrimination from other ethnic groups due to the false assumption that they support the Taliban. The Special Rapporteur recalls that many Pashtuns, including Pashtun women and girls, activists, former civil servants, security personnel, and judges and lawyers, have been severely affected by human rights violations committed by the Taliban.

48. According to multiple credible sources, the Taliban have increasingly insisted on the use of Pashto as the only official language of communication. For example, a Tajik woman from central Afghanistan recounted how her application for a building permit had been denied because it had been written in Dari and signed by her, the owner of the deed. She had had to ask a male family member to be the official applicant and arrange translation into Pashto before she could re-apply. Persons speaking minority languages have noted that media programming and education in their languages have become rarer.

#### **Violence and threats against minorities**

49. During the reporting period, Islamic State in Iraq and the Levant-Khorasan continued to claim attacks deliberately targeting members of religious minorities, especially Shia Muslims – who are predominantly ethnic Hazaras – and Sufis. The Special Rapporteur has also reported on attacks aimed at other religious minorities, such as the Sikh and Hindu communities, as well as Christians. For example, on 12 September 2024, armed men shot and killed 14 male Shia Hazara civilians in the Sang-e Takht district of Daykundi Province, near the Ghor Province border. At least four other Hazara men were injured. Islamic State in Iraq and the Levant-Khorasan claimed responsibility for the attack, citing “apostate *Rafidis*” – a derogatory term for Shias – as the target. Two and a half months later, on 21 November 2024, armed men shot and killed 10 Sufi men during their religious activities at a place of worship in the Nahrin district of Baghlan Province. Claiming responsibility, Islamic State in Iraq and the Levant-Khorasan stated that it had targeted members of a “polytheistic Saifia sect”, a group within Sufism.

50. The Taliban have publicly spoken out against the above-mentioned two incidents and have reportedly investigated them and made arrests; however, they seem to have avoided highlighting the minority status of the victims.

51. The Special Rapporteur reiterates that the series of attacks by Islamic State in Iraq and the Levant-Khorasan targeting specific religious groups, with Hazaras bearing the brunt of such attacks, have the hallmarks of international crimes. He calls for enhanced investigations, accountability and protection and reiterates his support for an international inquiry into attacks on ethnic and religious communities in Afghanistan.

52. The Special Rapporteur has received information from Panjshiris and Salafis who are targeted by the Taliban because their geographical origin or religion is unjustly conflated with allegiance to armed groups that are in conflict with the Taliban.

53. The Special Rapporteur has spoken to Afghan Christians and atheists who told him that, while they have never been free to express their beliefs publicly, they have come under increased pressure since the Taliban seized power and have taken additional measures to keep their beliefs hidden or have fled the country.

## IV. Groups of particular concern

### A. Children

54. The Special Rapporteur expresses alarm over worsening harm to Afghan children. The Taliban's redefinition of the child, so that the end of childhood is based on signs of puberty instead of on reaching 18 years of age, breaches international obligations and denies children their rights to appropriate protection, support and care. The situation is exacerbated by continued education bans, a deepening humanitarian crisis, increasing rates of child marriage, continued abuse, such as *bacha bazi*,<sup>8</sup> and hazardous child labour.

#### Grave violations

55. The Special Rapporteur stresses the urgency of ending and preventing grave violations against children,<sup>9</sup> as Afghanistan continues to be one of the worst countries in the world in that regard. The number of children killed and maimed in Afghanistan by explosive ordnance remains alarmingly high. Two thirds of districts in Afghanistan remain contaminated by explosive hazards, causing a civilian casualty rate of more than 50 individuals a month. The vast majority of casualties are children, who accounted for about 86 per cent of casualties between January 2022 and February 2024, disproportionately boys.

56. The continued recruitment and use of children and the exploitation of children in armed actors' propaganda remain of grave concern. The Special Rapporteur positively notes that, in 2023, following United Nations engagement, the Taliban released 333 children who were active in combat and support roles. In 2022, the Taliban issued command orders prohibiting the recruitment of children who were not showing signs of puberty. The Special Rapporteur underscores that more measures, such as the use of age assessment procedures, are needed to stop the recruitment and use of all persons below 18 years of age. He calls for the immediate release of all children associated with armed groups to appropriate protection partners, in accordance with international obligations.

57. Armed actors, including the Taliban, continue to occupy and use schools, especially in Panjshir Province. Afghans have shared with the Special Rapporteur accounts of child marriage, including allegations against Taliban members. For example, an Afghan man told the Special Rapporteur about an incident in 2024 whereby a Taliban commander had insisted on marrying a 14-year-old girl against her and her mother's will: "The Taliban commander is middle-aged and already has two wives. Elders from a neighbouring village gathered and also spoke to him. But the commander stood firm. ... He sent them goats, sheep and rice. However, the girl committed suicide before the wedding could take place."

#### Right to health and education

58. The Special Rapporteur highlights severe threats to Afghan children's health due to worsening restrictions, including the ban on medical training for women and girls introduced in December 2024. Humanitarian agencies indicate that 12.4 million children need assistance and 3.5 million children are acutely malnourished. The Special Rapporteur is also concerned about the suspension, in September 2024, of house-to-house polio vaccinations. Cases of polio increased to 17 in 2024 from 6 in 2023. Current mosque-based vaccinations are a significant backwards step in terms of vaccination access, particularly for infants and girls.

59. Education is a fundamental right and critical for protection from harm. The Special Rapporteur is gravely concerned by the ongoing ban on women's and girls' education beyond the sixth grade. In August 2024, the United Nations Educational, Scientific and Cultural Organization reported that at least 1.4 million girls had been denied access to education due to the ban. In a December 2024 instruction from the de facto authorities in Herat Province it is explicitly stated that the ban also extends to private education centres. Those who defend women's and girls' right to education, including teachers and activists, are at risk of threats,

<sup>8</sup> A practice in which men buy and keep boys for entertainment and sexual exploitation.

<sup>9</sup> For more information on grave violations, see <https://childrenandarmedconflict.un.org/six-grave-violations/>.

intimidation and arbitrary detention. The Special Rapporteur supports those who speak out in favour of women's and girls' equal right to education, including majority Muslim States who continue to indicate that it is a fundamental obligation in Islam,<sup>10</sup> as well as voices within the Taliban.

60. Since the Taliban takeover, the educational landscape of Afghanistan has shifted dramatically, with madrasas becoming a central focus. In September 2024, the de facto Ministry of Education announced an increase in Islamic education centres to 21,257, including 19,669 madrasas, exceeding the total number of public and private schools, at 18,337.

61. Analysis reveals a wide variance in the style and approach of madrasas: some are regulated by de facto line ministries, others are privately run; some are community-based, others are residential. Madrasas have been integral to community life and cultural identity for centuries and are centres of religious education, social support and moral guidance.

62. Afghans have raised concerns with the Special Rapporteur about mismanagement, corruption, abuse and exposure to age-inappropriate and "jihadi" teaching in madrasas. They have stressed the urgency of balancing religious education with a broader curriculum, teaching critical thinking, science and humanities. Some Afghans have warned the Special Rapporteur that the prevalence of madrasa education as an alternative to modern public education, combined with an economic crisis, creates a risk of radicalization and may be a destabilizing factor in Afghanistan and the region.

63. Other Afghans have stated that madrasa education can offer an alternative for those children unable to gain access to mainstream education and an opportunity for girls to build confidence and find community, at a time when that is otherwise inaccessible.

64. The Special Rapporteur notes that madrasa education may enhance cultural and spiritual development but cannot replace broad-based mainstream education. The Special Rapporteur urges the de facto authorities to fulfil their obligations to ensure that education is holistic, rights-based and inclusive, nurturing children's potential and fostering respect for human rights.

## **B. Young people**

65. The young people of Afghanistan are the leaders of tomorrow. They have been particularly active in civil society since the Taliban seized power, including in protests that have been met by the Taliban with violence, arbitrary arrests and criminalization. Despite those challenges, Afghan young people continue to demonstrate resilience and ingenuity. They have expressed their desire to be actively involved in finding solutions for their country's future. However, many consider that youth perspectives are largely excluded from international forums and decision-making processes on Afghanistan, leading some to advocate an international youth congress. As a young Afghan woman who has fled the country told the Special Rapporteur: "We do not live in the past, we think for the future. We want to be empowered."

66. The Special Rapporteur also highlights the struggles faced by young people of all genders in Afghanistan due to systemic oppression and an economic and humanitarian crisis. Young women are bearing the brunt of the Taliban's oppression, dramatically affecting their mental health, with alarming reports of high rates of depression and suicide or suicidal ideation.

## **C. Sexual orientation and gender identity**

67. LGBT+ Afghans continue to be persecuted on the basis of their sexual orientation and gender identity. The law on the promotion of virtue and the prevention of vice further affirms their criminalization. The Special Rapporteur is particularly alarmed by the use of corporal

<sup>10</sup> See, for example, the Islamabad declaration on girls' education in Muslim communities, adopted on 12 January 2025.

punishment for allegations of homosexuality. For example, on 12 December 2024, the Supreme Court announced that three men in Kunduz had each been sentenced to 39 lashes and between four and seven years' imprisonment for "sodomy".

68. The Special Rapporteur has continued to document cases of the arbitrary arrest and detention, torture and ill-treatment, including sexual violence, of LGBT+ Afghans since the Taliban retook power. Relatives of LGBT+ Afghans, including family members of those who no longer reside in Afghanistan, also face reprisals, including arbitrary detention, threats and physical violence. A transgender woman told the Special Rapporteur that her family members in Afghanistan had been detained, beaten and harassed by Taliban-affiliated individuals after she fled the country: "They do not see us as human. They targeted me and my family because of my gender identity."

#### **D. Persons with disabilities**

69. The marginalization in Afghanistan of persons with physical disabilities and persons with intellectual and/or psychosocial disabilities is not new. While the de facto authorities have announced the registration of persons with disabilities and the payment of allowances, the Special Rapporteur still receives reports of non-payments, inconsistencies and unequal support, with pro-Taliban families allegedly given favourable treatment.

70. Persons with disabilities often face intersecting forms of discrimination, including on the basis of age, gender, ethnicity and socioeconomic status. Afghan women and girls with disabilities are particularly vulnerable to abuse and violence and face more difficulties in gaining access to essential services and humanitarian aid. A female Afghan aid worker in Afghanistan, with a disability herself, told the Special Rapporteur that: "Some girls with disabilities do not go out of their houses for months. They often suffer from loneliness, depression and a lack of confidence."

#### **E. Older persons**

71. The Special Rapporteur is concerned about the situation of older persons in Afghanistan, as they are particularly exposed to abuse and neglect. They often require specific support in relation to healthcare and mobility; in general, they have more difficulties in gaining access to adequate humanitarian assistance and are often highly dependent on family members.

72. Older persons have been severely affected by the Taliban's abolition of the State pension system in April 2024. Many pensioners had already gone without payments for months or years. Around 150,000 pensioners, including widows, had stopped receiving their monthly pensions after the Taliban took power, resulting in worsening financial hardship and leading retirees to protest over unpaid pensions. In December, the Taliban issued a decree setting up specialized courts to handle pension claims. The decree states that, after a successful application, pensions may be paid in a manner that does not put undue pressure on the general budget. At the time of drafting the present report, no progress had been reported and the situation of beneficiaries remained unclear.

#### **F. Internally displaced persons**

73. Over 4 million Afghans are experiencing protracted displacement due to decades of conflict, economic instability, natural disasters and political turmoil. The International Organization for Migration forecasted an additional 900,000 newly displaced persons for 2024. Displaced persons, especially displaced women and children, are one of the most vulnerable populations, including in relation to food security, sexual violence and gender-based violence, and access to housing, education, employment and health services.

74. Exacerbating the situation are forced evictions of internationally displaced persons residing in informal settlements (for more information, see sect. VI.C, below) and the high volume of returnees, despite the no-return advisory issued by the Office of the United Nations

High Commissioner for Refugees. The International Organization for Migration documented over 1.2 million undocumented returnees from the Islamic Republic of Iran in 2024, while the Iranian authorities have announced that 2 million Afghans will be expelled by March 2025. After the Government of Pakistan announced a plan, in September 2023, to repatriate persons without valid documentation, some 780,000 Afghans left Pakistan for Afghanistan, including Afghans who had never lived in Afghanistan and Afghans with valid documentation. Despite the efforts of humanitarians and the de facto authorities to manage the situation, the high number of returnees puts pressure on the dwindling humanitarian funding.

## G. Refugees

75. Worldwide, there are more than 6 million Afghan refugees.<sup>11</sup> Many Afghans who left their country, especially through informal pathways, have shared with the Special Rapporteur details of harrowing experiences, including violence and intimidation by the authorities, host communities and, in some instances, smugglers. Women and children are particularly vulnerable to exploitation and trafficking.

76. The Special Rapporteur recognizes the long history and important role that Iran (Islamic Republic of), Pakistan and Türkiye have played in hosting the vast majority of Afghan refugees. Nonetheless, Afghans who reside in those countries have frequently reached out to the Special Rapporteur to express their fear of persecution if forced to return to Afghanistan. That includes individuals who require heightened international protection, such as women and girls, LGBT+ persons, former civil servants, military personnel, judges, prosecutors, minorities, human rights defenders, activists and journalists. Some Afghans escaped to neighbouring countries after receiving indications of resettlement in a third country, only to be faced with rejection or negatively modified resettlement programmes.

77. Afghans at risk of deportation have highlighted difficulties and arbitrary treatment when trying to obtain or renew essential documentation. Some have indicated that they avoid leaving their homes to limit the risk of arrest, extortion and deportation. The Special Rapporteur is concerned about reported violence and harassment against Afghans in host countries, including by border guards, at border crossings, and during deportations or house searches.

78. Many Afghans have been excluded from or have difficulties in gaining access to basic services in the host country. Lacking the means to support themselves and their families, they have resorted to informal labour arrangements. The Special Rapporteur has also heard testimonies about the consequences of coerced returns and accounts of families being torn apart following the deportation of a single parent. The Special Rapporteur warns of the impact on mental health and the risk of domestic violence in such circumstances.

79. The Special Rapporteur is concerned about the reported killing and injuring of Afghans travelling through the remote Kalagan area of Sistan va Baluchestan Province, Islamic Republic of Iran, on the night of 13 October 2024. The Government of the Islamic Republic of Iran has denied responsibility, claiming that Iranian border guards were not involved. The Taliban formed a committee to investigate the incident, which subsequently reported that it had repatriated 2 dead Afghans and 34 witnesses, some of whom had sustained injuries. While initial reports alleged hundreds of casualties, those claims remain unverified at the time of writing. The Special Rapporteur calls for full transparency in the investigations, accountability for those responsible and urgent measures to protect migrating Afghans.

80. The Special Rapporteur calls upon all States to respect the non-return advisory of the Office of the United Nations High Commissioner for Refugees and to scrupulously meet their non-refoulement obligations, specifically warning against returns without conducting individual risk assessments. He reiterates his call for States further afield to provide more support to host countries and to offer more resettlement opportunities to Afghans.

<sup>11</sup> See [www.unhcr.org/refugee-statistics/download](http://www.unhcr.org/refugee-statistics/download).

81. The Special Rapporteur welcomes the ruling of the Court of Justice of the European Union, in October 2024, by which gender and nationality alone were sufficient for female Afghan refugees to be granted asylum, and encourages all States to adopt the same approach. The policy, while a welcome one, does not guarantee safe pathways or protection outside the European Union.

## V. Civil and political rights

### A. Right to life and security of the person, extrajudicial executions, torture and ill-treatment

82. In the second half of 2024, the Taliban continued to accelerate the imposition of corporal punishments that amount to torture and other ill-treatment. Between July and December 2024, at least 311 persons (264 men and 47 women) received corporal punishments, according to announcements made by the de facto Supreme Court. The vast majority received more than 30 lashes in addition to prison sentences. The figures indicate a concerning 22 per cent increase compared with the first half of 2024, when 254 persons (216 men and 40 women) received such punishments. The “crimes” that led to such punishments included theft and “moral corruption”, as well as adultery, sodomy and illicit relationships. LGBT+ and young unmarried persons are particularly vulnerable.

83. On 13 November, the de facto authorities carried out its sixth public execution, in a stadium in Gardez, Paktiya Province, under the guise of punishment for *qisas* (retribution in kind) offences, in the presence of the general public and senior members of the de facto authorities. The Special Rapporteur reiterates that public executions violate the right to life and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. He is particularly concerned about reports that approximately 30 other cases of capital punishment will be enforced after leadership approval and calls for the immediate cessation of all corporal and capital punishments.

84. In addition to de facto court-sanctioned corporal and capital punishments, the Special Rapporteur remains concerned about torture and ill-treatment occurring in detention centres, including unofficial places of detention, especially during interrogations, despite clear prohibitions having been issued by the de facto authorities. Former government officials and former members of the military and police are at particular risk of arbitrary arrest and detention, torture and ill-treatment, as well as extrajudicial execution, despite a declared amnesty. Many former officials, including women who served in the police, have appealed for resettlement abroad for their own and their family’s safety, but their appeals often go unheeded. The Special Rapporteur has received reports of former officials living in hiding for years. A former member of the military who lives in hiding in central Afghanistan told the Special Rapporteur: “I have been moving from place to place for months. But the Taliban still came by my parents’ house last week to ask them where I was.”

85. Recent civilian casualties from attacks in Afghanistan have been attributed to various actors, including the Taliban, Islamic State in Iraq and the Levant-Khorasan and opposition groups, and to cross-border attacks from Pakistan. The Special Rapporteur reiterates that all parties should abide by international humanitarian law and international human rights law, including the duty to distinguish between civilians and combatants and the prohibition on indiscriminate attacks and the targeting of civilians.

### B. Rule of law and administration of justice

86. The Special Rapporteur continues to be concerned about the lack of legal certainty, arbitrary actions during enforcement and the right to a fair trial without discrimination, with vulnerable groups, such as women, children and minorities, especially affected.

87. Since the Taliban seized power, they have “suspended” previous laws, including the Constitution and the Penal Code. Despite claims of a review of those laws and unconfirmed

reports of the drafting of a constitution, no substantial progress has been announced and no consultations with stakeholders have been held.

88. The de facto authorities are given broad discretion and disproportionate power to implement and enforce edicts with little or no oversight. For example, under the law on the promotion of virtue and the prevention of vice, *muhtasibs* have been provided with wide discretionary powers, without the necessary checks and balances to ensure accountability and keep abuse of power in check.

89. The Special Rapporteur has also received information that punishments and other actions are being carried out by Taliban members, without due process or contrary to established legal procedures. Afghans have specifically raised concerns about violent home invasions being carried out without a clear legal order.

90. Many Afghans have also made clear to the Special Rapporteur that they have lost trust in the judiciary after the Taliban systematically replaced female and male judges and prosecutors with men who often lack legal training.

91. The ability of defence counsel to function professionally is unclear and inconsistent across the provinces. In some provinces, male, but not female, lawyers may represent their clients in civil and criminal courts. The Special Rapporteur received information that in Herat and Kabul, women can represent clients in domestic violence cases, while in Jalalabad, both male and female lawyers are banned from representation. In Mazar-e Sharif, some women lawyers have reportedly been allowed to represent clients in both criminal and civil cases.

92. While there are mechanisms for addressing grievances within the Taliban's justice system, they are plagued by the absence of independent oversight, limited appeal options and discriminatory practices. The inclusion of military courts within the judiciary, combined with arbitrary and corporal punishments and a lack of transparency, makes it unlikely that those structures will provide for fair trials or accountability.

## **VI. Economic, social and cultural rights**

### **A. Economic situation**

93. Afghanistan continues to face a severe humanitarian and economic crisis influenced by multiple factors, including climate change, natural disasters and decades of conflict, as well as Taliban policies and shrinking international support. After two years of significant economic decline, the country's gross domestic product increased by 2.7 per cent in the fiscal year 2023, recovering a mere 10 per cent of the gross domestic product lost in the preceding two years. While analysts have observed signs that local economic activity may be greater than official figures indicate, Afghans continue to struggle with poverty, unemployment, food insecurity and a lack of access to health and education.

94. Although the Taliban have claimed steady increases in national revenue, they have not disclosed details of their government spending or budget. Economists suggest that public expenditure is focused on the security sector and, albeit to a far lesser extent, on basic needs, such as healthcare and education. The lack of transparency in terms of budgetary allocations makes it difficult to assess the potential impact on human rights.

95. Female-headed households and displaced populations continue to bear the brunt of the economic hardship due to high levels of unemployment or underemployment, limited social protection and specific restrictions on women. The system of gender oppression not only harms women and their families but also sets back the economic development of Afghanistan.

96. For a sustainable recovery that would be felt by all Afghans, drastic policy changes that support women's rights to work and education, without discrimination, would be required, as would consistent international support for the basic needs of the Afghan people that includes, but goes beyond, humanitarian assistance. The Special Rapporteur reiterates the need for companies to conduct business in Afghanistan in accordance with the Guiding Principles on Business and Human Rights.

## B. Humanitarian crisis

97. The alarming levels of food insecurity and malnutrition in Afghanistan are projected to continue in 2025. Despite incremental improvements, including due to food and agricultural aid, about one third of the population, nearly 15 million people, are faced with acute food insecurity during the winter of 2024–2025. Some 3 million children under 5 years of age and 1 million pregnant and lactating women are facing acute malnutrition. Women and girls face particular barriers owing to restrictions that prevent them from earning income, gaining access to aid and markets, and securing food.

98. Restrictions on female aid workers impede the effectiveness of humanitarian assistance programmes for vulnerable women and children. In December 2024, the de facto Ministry of Economy announced in a letter addressed to the Agency Coordinating Body for Afghan Relief and Development, an NGO coordination platform, that it would revoke the operating licences of NGOs if they employed women, thereby reiterating the ban on women working in the sector, introduced two years earlier. The Office for the Coordination of Humanitarian Affairs has already noted stricter *mahram* requirements that further impede essential aid for women. At the time of writing, the situation seemed largely unchanged, but the impact of the de facto Ministry's letter remained unclear.

99. In the health sector, the situation worsened in 2024, including through the closure of 288 healthcare facilities, affecting 3.3 million persons. Persons living in remote and underserved areas are most in need, particularly women, adolescent girls, children, displaced persons and persons with disabilities (for more information, see sects. III.A, IV.A and IV.D, above). The Special Rapporteur is particularly concerned about the current and future shortage of medical professionals and the related deterioration in mental and physical healthcare.

100. Vulnerability to and lack of preparedness for climate change and environmental degradation are substantial impediments to the realization of economic, social and cultural rights in Afghanistan. Afghanistan is affected by climate-related droughts and floods, as well as environmental concerns, such as air and water pollution and deforestation, affecting food security, health and poverty, with children particularly affected. In 2024, international humanitarian funding remained at approximately \$1.6 billion, 52 per cent of the requested amount, similar to in 2023. The Special Rapporteur urges the international community to expand humanitarian funding to address critical gaps in food security, healthcare and social protection, and to give priority to gender-sensitive programming.

101. Humanitarian access has been severely hindered, with the Office for the Coordination of Humanitarian Affairs recording more than 1,600 access incidents in 2024, mostly related to interference in the implementation of humanitarian activities, including many gender-related incidents. The de facto authorities' attempts to influence programmes, its demands for staff information and its restrictions on female workers have led to the suspension of numerous humanitarian projects.

102. The Special Rapporteur has frequently encountered misinformation and erroneous views about cash shipments to Afghanistan. Such shipments are destined for use by United Nations entities and international agencies; they are not directed towards the Taliban, as has sometimes been falsely claimed. For more information, the Special Rapporteur refers to the UNAMA explanatory note of January 2023 on the handling and destination of cash shipments.<sup>12</sup> He encourages the United Nations and NGOs to continue to monitor the spending of international funds and to communicate transparently and publicly thereon.

103. The Special Rapporteur supports the continuation of Security Council sanctions against designated members of the Taliban and associated persons and entities, while also noting the important exemption made for humanitarian assistance and basic human needs. He reiterates the risk of overcompliance with sanctions regimes.

104. Many stakeholders wonder how the frozen assets of Afghanistan will be used. The Special Rapporteur urges the administrators of the Fund for the Afghan People, currently

<sup>12</sup> See <https://unama.unmissions.org/cash-shipments-un-afghanistan-%E2%80%93-info-sheet>.

amounting to \$3.89 billion, to rapidly implement proper safeguards, including anti-money-laundering and countering the financing of terrorism measures, to expedite the disbursement process to support the people of Afghanistan.

### **C. Housing, land and property rights**

105. Afghans from around the country, especially those belonging to minority groups, have increasingly raised concerns with the Special Rapporteur about cases of land disputes. The cases mostly relate to land claims by third parties, infrastructure projects carried out by the de facto authorities and the confiscation of what the Taliban consider to be usurped land, leading to forced evictions and displacement, as well as loss of livelihoods, especially in cases involving pastureland. The Special Rapporteur is particularly concerned about the disproportionate impact that such disputes have on the human rights of minorities and displaced persons.

106. Minorities, in particular, are confronted by persons and groups who consider that their land claims were unjustly denied by the previous Government and have renewed their claims since the Taliban seized power. Hazaras, Uzbeks and Turkmen have shared credible information with the Special Rapporteur about claims to the land where they reside by persons perceived to have Taliban support. In some situations, specific committees or de facto courts decide on such claims; however, defendants consider that those processes are not fair and impartial.

107. In many such cases, however, the dispute does not reach court, but is decided through violence, threats and intimidation. An Uzbek person from northern Afghanistan told the Special Rapporteur how a nomadic group claimed his family's land: "In the local mosque, it was announced that a Kuchi person had claimed our land. When the workers went to work on the land that same day, armed Kuchis denied them access. When they resisted, the Kuchis shot at them. ... We informed the Taliban, but they did not help us."

108. In urban areas in particular, the de facto authorities have also claimed land for infrastructure projects and to recover what they claim are misappropriated public lands. These activities generally occur without the required safeguards, such as consultations and compensation, to avoid forced evictions, displacement and loss of livelihoods. While the Taliban state that they provide compensation, in practice victims are often unable to apply for compensation due to a lack of documentation acceptable to the Taliban. Displaced persons housed in informal settlements in strategic locations around cities are most at risk of forced evictions. According to media investigations in Kabul, areas inhabited by displaced persons and ethnic minorities are disproportionately affected by land clearances for infrastructure development.

### **D. Cultural rights**

109. The rich cultural heritage of Afghanistan continues to face significant challenges. Policies suppress artistic freedom under the guise of protecting the population from "moral corruption". Artists in Afghanistan must practise strict self-censorship to avoid being perceived as "un-Islamic". Restrictions on artistic expression and cultural activities have stifled creativity and access to cultural life, with photographers, musicians, artists and craftspeople subjected to arbitrary arrest and detention, censorship, harassment and destruction of property, including musical instruments, books and films. The law on the promotion of virtue and the prevention of vice has exacerbated the situation, as it has banned the publication or broadcasting of images of living beings and prohibited music emanating from gatherings or from the home.

110. The Special Rapporteur is especially concerned about the potential long-term impacts of the de facto authorities' restrictions on artistic and musical expression. Cultural erasure not only deprives communities of their shared heritage but also undermines social cohesion and identity. International support is essential to preserve the artistic and musical traditions of Afghanistan and to provide safe spaces for cultural practitioners, both within and outside the country.

## Sports

111. The Taliban have maintained their ban on women's and girls' participation in sport, thereby excluding young enthusiasts, joyful amateurs and seasoned professionals alike from an essential component of social and cultural life, with detrimental impacts on their physical and mental health.

112. During the 2024 Olympic and Paralympic Games, only Afghan women athletes who were based abroad were able to compete. Afghan women athletes living in exile told the Special Rapporteur that they continued to aim to represent Afghanistan. That has proven to be challenging, however, due to a lack of support from international sports bodies, despite gender-equality commitments. For example, Afghanistan does not have an officially recognized women's cricket team, despite a requirement of the International Cricket Council that its full members, including Afghanistan, participate internationally in women's cricket, have "satisfactory women's pathway structures in place" and abide by its anti-discrimination policy, which makes reference to gender discrimination.<sup>13</sup>

113. The Special Rapporteur has urged international sports bodies to uphold their commitments regarding the participation of women and girls and to take decisive action in consultation with Afghan women.

## VII. Accountability and international response

114. The human rights crisis in Afghanistan is rooted in decades of conflict, with all parties, including the Taliban, violating human rights. The climate of impunity has allowed those violations to persist, undermining peace and justice. Accountability efforts inside Afghanistan are limited, with no genuine investigations into alleged human rights violations and international crimes. The failure to address impunity harms victims and hinders stability in Afghanistan and the broader region. It is crucial to send a strong message to violators of human rights that their actions will have consequences.

115. The Special Rapporteur echoes the recommendation of Afghan civil society activists and the United Nations High Commissioner for Human Rights for a comprehensive approach to accountability, in accordance with the Special Rapporteur's "all tools" approach. Consultations with Afghans inside and outside the country indicate that Afghans require not only access to criminal justice but also the enjoyment of human rights, truth-telling, reparations, inclusiveness, memorialization and perhaps eventually reconciliation.

116. International justice efforts progressed during the reporting period. At the end of January 2025, the Prosecutor of the International Criminal Court announced the first two applications for arrest warrants in relation to the investigation into the situation in Afghanistan. The warrants for the Supreme Leader of the Taliban, Haibatullah Akhundzada, and the Chief Justice, Abdul Hakim Haqqani, cite criminal responsibility for the crime against humanity of persecution on gender grounds. The Prosecutor has indicated that further applications against Taliban members will soon follow. In addition, in September 2024, some Governments decided to hold Afghanistan accountable for violating the Convention on the Elimination of All Forms of Discrimination against Women; there is a possibility that the matter may be referred to the International Court of Justice. The Special Rapporteur supports such developments and looks forward to tangible progress. He particularly emphasizes the importance of ensuring clear communication with and the inclusion of Afghans, especially Afghan women and marginalized communities, in all justice efforts.

117. The Special Rapporteur encourages States to explore universal jurisdiction for violations by all parties to the conflict, as well as reviewing their own history in Afghanistan, with a view to providing for accountability, truth and reparations, where relevant. For example, the Government of Australia has created a scheme to compensate victims and families on the basis of the outcome of an Afghanistan inquiry.

<sup>13</sup> See the International Cricket Council membership criteria and its anti-discrimination policy for international cricket.

118. Documentation of human rights violations is key to accountability efforts. Well-resourced institutions are essential, as are well-equipped civil society organizations and the media. While existing mechanisms, such as the International Criminal Court, UNAMA and the Special Rapporteur, engage in various degrees of documentation, the Special Rapporteur supports calls, being made particularly by Afghan and international civil society, to bolster documentation efforts, including by maintaining a strong Special Rapporteur mandate, while also creating a well-funded, independent investigation mechanism, with a comprehensive mandate and broad scope, that will support efforts towards criminal accountability. That said, there is no panacea, and a collaborative “all tools” approach that takes a broader transitional justice approach remains needed for durable peace.

119. In December 2024, the General Assembly adopted resolution 79/122, on the United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes against Humanity, paving the way for a legally binding instrument on the prevention and punishment of crimes against humanity by 2029. The Special Rapporteur regards that development as a unique opportunity for the codification and international recognition of gender apartheid as a crime against humanity.

120. The Special Rapporteur reiterates that any normalization of engagement with the de facto authorities should be based on demonstrated, measurable and independently verified improvements in human rights. Only within that framework can the international community respond with the seriousness and urgency that the situation demands.

121. The Special Rapporteur notes that, in the framework of the Doha format, two technical working groups were established with the participation of certain States and the Taliban to focus on the private sector and on counter-narcotics. Afghans inside and outside the country have raised serious concerns regarding their lack of inclusion and representation in the Doha format. As a woman in Balkh Province stated: “No one is asking Afghan women what we want. At the moment, we have no voice.”

122. The Special Rapporteur urges the meaningful participation of Afghans in discussions about the future of Afghanistan, especially Afghan women, young people and minorities. Greater efforts are needed to ensure their equal, meaningful and safe participation, as well as diversity in terms of backgrounds and ages.

## VIII. Conclusions

123. **In the more than three and a half years since the Taliban seized power, the human rights situation in Afghanistan has steadily deteriorated. Despite initial promises to uphold their obligations under international human rights treaties, the Taliban have steadily and systematically escalated their oppression of women and girls, with no sign of reversing their draconian measures. The international community’s failure to hold the Taliban accountable has emboldened them.**

124. **The absence of a coordinated, robust international strategy to improve the human rights situation in Afghanistan and the continuing cycle of impunity for abuses have devastating consequences for the Afghan people. States are failing to uphold their obligations, including in relation to the women and peace and security agenda. The continued neglect of the Afghanistan human rights crisis is a failure that will reverberate through the lives of the country’s citizens, particularly women and girls, and across borders, with broader implications for global stability and gender equality.**

125. **The Special Rapporteur underscores the urgent necessity of a principled, rights-centred approach to engaging with the Taliban. Any steps towards normalization must be based on demonstrable, verifiable improvements in human rights. Inaction in the face of the ongoing crisis will not only prolong the suffering of millions but also embolden oppressive regimes elsewhere, setting a dangerous precedent for the rolling back of human rights and women’s rights globally.**

## IX. Recommendations

126. The Special Rapporteur notes with concern that most recommendations made to the Taliban in previous reports have remained unaddressed and unimplemented. He reiterates his recommendations from those reports, including those related to dismantling the system of institutionalized gender oppression and discrimination,<sup>14</sup> the ban on girls' education, the restrictions on the right to work and freedom of movement of women and girls, protection of children, discrimination against minorities, public executions, torture and ill-treatment, arbitrary detention and arrest, and economic, social and cultural rights. The recommendations contained in the Special Rapporteur's study on the law on the promotion of virtue and the prevention of vice should be read in conjunction with the recommendations below.

127. In addition to the above-mentioned recommendations, the Special Rapporteur urges the de facto authorities to take immediate steps:

(a) To end the system of institutionalized gender oppression and discrimination, including by repealing the law on the promotion of virtue and the prevention of vice and reversing the recent ban on health education for women;

(b) To ensure the right to the highest attainable standard of physical and mental health, including sexual and reproductive health, considering in particular gender- and age-specific needs as well as the rights of persons with disabilities;

(c) To ensure that children are protected from harm, including by providing access to quality education without discrimination of any kind, which promotes respect for human rights and cultural diversity with a broad curriculum that prepares children for a responsible life in a free and peaceful society;

(d) To end censorship and the crackdown on dissent; release all those who have been detained for exercising their rights, including to freedom of expression, ensure that journalists, media workers, civil society activists, academics, political activists and others are able to operate free from harassment, intimidation, arbitrary detention, and torture and ill-treatment; and promote freedom of expression and freedom of assembly;

(e) To ensure that all people belonging to minorities can freely enjoy their own culture, religion and language and are provided with protection from attacks and discrimination, including through genuine consultations, with a view to enabling their effective participation in decision-making;

(f) To reprioritize spending by allocating available resources transparently and to their fullest extent to progressively realize economic, social and cultural rights without discrimination of any kind, including in relation to the rights to food, health and education, as well as sustainability and development;

(g) To adhere to international standards and obligations regarding housing, land and property rights to prevent forced evictions, especially of displaced persons and minorities;

(h) To take effective measures to ensure the meaningful participation in public affairs of all people from Afghanistan, particularly women, young people and minorities.

128. The Special Rapporteur recommends that States urgently take steps:

(a) To ensure the equal, meaningful and safe participation of Afghans, especially Afghan women, minorities and marginalized groups, in all deliberations concerning the country's future;

(b) To adopt a comprehensive action plan to address the situation in Afghanistan, with human rights benchmarks, timelines and monitoring mechanisms, thereby ensuring that any normalization of engagement with the de facto authorities is

<sup>14</sup> Including the recommendations contained in [A/HRC/56/25](#).

based on demonstrated, measurable and independently verified improvements in human rights;

(c) To support and strengthen survivor-centred pathways for accountability for current and past violations and crimes as part of a broader transitional justice approach, with a view to contributing to durable peace, such as through international and national courts and institutions, and by expanding documentation efforts, truth-finding and reparation initiatives, including through a well-resourced United Nations-led independent investigation mechanism with a comprehensive mandate and broad scope;

(d) To support the codification of gender apartheid as a crime against humanity;

(e) To increase sustained support to media and civil society organizations in the country and in exile, especially women-centred and women-led organizations, through easily accessible funding;

(f) To provide sustained funding for the basic needs of the people of Afghanistan that includes, but goes beyond, humanitarian assistance, such as for climate and environmental action;

(g) To uphold the human rights of Afghans within their jurisdiction, including the principle of non-refoulement; refrain from violence, discrimination, harassment and intimidation against Afghans; and provide enhanced pathways for resettlement and support for host countries.

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