DEATH IN SLOW MOTION

WOMEN AND GIRLS UNDER TALIBAN RULE

AMNESTY INTERNATIONAL

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An Afghan woman poses for a portrait in her home .
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Maymana
KABUL
Jalalabad
Herat
AFGHANISTAN
Gardez
Ghazni
Khost
Kandahar
PAKISTAN
INDIA
IRAN
200 km
Basemap data: ESRI

1. EXECUTIVE SUMMARY

"For women in Afghanistan, it's death in slow motion."

Adila, journalist

In less than a year, the Taliban have decimated the rights of women and girls in Afghanistan. Soon after they took control of the country's government, the Taliban said they were committed to upholding the rights of women and girls. Yet they have violated women's and girls' rights to education, work and free movement; demolished the system of protection and support for women and girls fleeing domestic violence; arbitrarily detained women and girls for infractions of the Taliban's discriminatory rules; and contributed to a surge in the rates of child, early and forced marriage in Afghanistan. Women who peacefully protested against these restrictions and policies have been harassed, threatened, arrested, forcibly disappeared, detained and tortured.

The scope, magnitude and severity of the Taliban's violations against women and girls are increasing month by month. Within a year of its takeover of Afghanistan, the group's draconian policies are depriving millions of women and girls of the opportunity to lead safe, free and fulfilling lives. They are being sentenced, as one Afghan woman put it, to death in slow motion. This death sentence for Afghan women and girls can only be lifted by major and wide-ranging policy changes by Taliban. The international community must urgently develop and implement a robust, coordinated and effective strategy that pressures the Taliban to bring about these changes.

Amnesty International conducted research on the situation of women and girls under Taliban rule from September 2021 to June 2022, interviewing a total of 90 Afghan women and 11 girls. The ages of these women and girls ranged from 14 to 74 years old, and they lived in 20 of Afghanistan's 34 provinces. Amnesty International also interviewed six current or former staff members of Taliban-run detention centres; 22 staff members of national and international NGOs and UN agencies and mechanisms; and 10 Afghan and international experts and journalists. The research was conducted through in-person interviews in Afghanistan from 4 to 20 March 2022, as well as through remote interviews.

This report describes a web of interrelated restrictions and prohibitions in which Afghan women and girls

are trapped. It shows how the Taliban's violation of any single right can have pernicious implications for the exercise of other rights. Cumulatively, Taliban policies form a system of repression that discriminates against women and girls in Afghanistan in almost every aspect of their lives.

On 1 July 2022, Amnesty International communicated the key findings detailed in this report in letters addressed to Minister of Foreign Affairs Amir Khan Muttaqi and Minister of Labor and Social Affairs Abdul Wali. No response had been received as of 15 July 2022, when the report was finalized.

TALIBAN RESTRICTIONS ON WOMEN AND GIRLS

Since their takeover, the Taliban have issued a series of policies, decrees and guidelines that violate the human rights of women and girls in Afghanistan, including those related to education, work, free movement and clothing.

In the area of education, the Taliban have prevented the vast majority of girls at the secondary level from returning to school. The Taliban called girls at the secondary level to return to school on 23 March 2022, only to send them home the same day, citing a "technical issue" related to their uniforms. Fatima, a 25-year-old high school teacher based in Nangarhar province, summarized the feelings of her students: "These young girls just wanted to have a future, and now they don't see any future ahead of them... There are millions of Afghan girls waiting for action."

At the university level, the Taliban's harassment of female students as well as restrictions on students' behaviour, dress and opportunities have contributed to an unsafe environment where female students are systematically disadvantaged compared to male students. As a result, many female students have either stopped attending or decided not to enrol in university. Other challenges affect girls' and women's access to education at all levels, including restrictions on their movement, teacher shortages and students' lack of motivation due to limited career options under the Taliban.

The Taliban have prevented women across Afghanistan from working. Most female government employees have been told to stay at home, with the exception those working in certain sectors such as health and education. In the private sector, many women have been dismissed from high-level positions. The Taliban's policy appears to be that they will allow only women who cannot be replaced by men to keep working. Women who have continued working told Amnesty International that they are finding it extremely difficult in the face of Taliban restrictions on their clothing and behaviour, such as the requirement for female doctors to avoid treating male patients or interacting with male colleagues.

Taliban restrictions on work have created a desperate situation for many women who were their families' sole or primary wage-earner. For instance, Farida, an office worker, said: "When Nangarhar collapsed, the office was closed down… because men and women can't work together… [My family] spent two weeks without food in our household. Previously, I couldn't even think that we wouldn't have food on the table."

Taliban restrictions on women's and girls' freedom of movement have become increasingly repressive. Initially, they ordered women and girls to be accompanied by a *mahram*, or male chaperone, for long-distance journeys. Most recently, they decreed that women should not leave their homes unless necessary. Women and girls told Amnesty International that in light of the numerous and evolving restrictions on their movement, any appearance in public without a *mahram* carried serious risks. They also said that the *mahram* requirements made their daily lives almost impossible to manage.

The Taliban have enforced increasingly strict guidelines on permissible clothing for women and girls. On 7 May 2022, the Ministry of Vice and Virtue issued a decree requiring women to cover themselves from head to toe. Male family members were made responsible for women's adherence to the new rules, and can be detained if women and girls in the family refuse to comply. Zainab, a 27-year-old woman based in Daikundi province, shared her reaction to the decree: "Why would we cover our faces and hide who we are?… I have worn a [head scarf] all my life, but I do not want to cover my face... I can't breathe now that I'm trying to talk about covering my face."

GENDER-BASED VIOLENCE

Before August 2021, women and girl survivors of gender-based violence had access to a nationwide network of shelters and services, including legal representation, medical care and psychosocial support. Specialized prosecution units and courts dealt with cases involving violence against women and girls. While the system had its limitations, it served thousands of women and girls each year. As the Taliban took control of Afghanistan, this system collapsed. Shelters were closed, and many were looted and appropriated by members of the Taliban. In some cases, Taliban members harassed or threatened staff. As shelters closed, staff were forced to send many women and girl survivors back to their families. Other survivors were forced to live with shelter staff members, on the street or in other unsustainable situations. Incomprehensibly, as the Taliban advanced across the country, they also systematically released detainees from prisons, many of whom had been convicted of gender-based violence offenses.

Survivors of gender-based violence and the women who worked within the system of protective services are now in grave danger. Meanwhile, women and girls who have fled violence since the Taliban's takeover have nowhere to turn. Fariha was nine months pregnant when she spoke to Amnesty International. She was desperately seeking a safe place to live after escaping her husband's abuse. "Before, there was a shelter, and I went to that place," she said. "They said it's not running now, and they can't accept any new cases. There are no options for me now."

ARBITRARY DETENTION OF WOMEN AND GIRLS FOR "MORAL CORRUPTION" AND FLEEING ABUSE

According to four individuals who worked in Taliban-run detention centres, the Taliban have arbitrarily arrested and detained women and girls for violating their discriminatory policies, such as the rules against appearing in public without a *mahram* or appearing in public with a man who does not qualify as a *mahram*. Those arrested have usually been charged with the vague and ambiguous "crime" of "moral corruption". The four prison staff members also told Amnesty International that survivors of gender-based

violence who were formerly based in the shelters are now being detained in the same two detention centres in Afghanistan. Women and girls arbitrarily detained due to alleged "moral corruption" or for fleeing abuse have been denied access to legal counsel and subjected to torture and other ill-treatment as well as inhuman conditions in detention.

One university student was detained in 2022 on charges related to the Taliban's *mahram* restrictions. She said that soon after her arrest, Taliban members "started giving me electric shocks [with a taser]… on my shoulder, face, neck, everywhere they could… They were calling me a prostitute [and] a bitch… The one holding the gun said, 'I will kill you, and no one will be able to find your body.'" She said that like all women and girls detained by the Taliban, her detention would stigmatize her for life. "For an Afghan girl, going to prison is no less than death… Once you enter the door, you are labelled, and you cannot erase it."

CHILD, EARLY AND FORCED MARRIAGE

According to Amnesty International's research, corroborated by national and international organizations operating in Afghanistan, local activists and other experts, the rates of child, early and forced marriage in Afghanistan are surging under Taliban rule. This increase is due to several interrelated drivers, many of which are attributable to the actions and policies of the Taliban and its members since they seized control. The most common drivers include the economic and humanitarian crisis; the lack of educational and professional prospects for women and girls; families' perceived need to protect their daughters from marriage with a Taliban member; families forcing women and girls to marry Taliban members; and Taliban members forcing women and girls to marry them.

Khorsheed, a 35-year-old woman from a central province of Afghanistan, told Amnesty International that as a result of the economic crisis in Afghanistan, she had been forced to marry her 13-year-old daughter to her 30-year-old neighbour in September 2021, in exchange for a "bride price" of 60,000 Afghanis (around US$670). She said that after her daughter's marriage, she felt relieved. "She won't be hungry anymore," Khorsheed said. She said she was considering marrying off her 10-year-old daughter as well, but she was reluctant to do so, as she hoped this daughter might provide for the family in the future. She explained, "She went all the way to fifth grade. I wanted her to study more. She would be able to read and write, and speak English, and earn… I have a hope that this daughter will become something, and she will support the family. Of course, if they don't open the school, I will have to marry her off."

PEACEFUL PROTESTERS

The systemic discrimination imposed by the Taliban has led to a wave of peaceful protests by women and girls across Afghanistan. The Taliban has violated the rights of these women and girls to freedom of expression, association and assembly, and subjected them to harassment and abuse during protests, including beating and electric shocks by tasers.

On 30 May 2022, Taliban Foreign Minister Amir Khan Mutaqqi said, "In the past nine months, not a single woman has been imprisoned in the jails of Afghanistan either due to political opposition or raising

Afghan women pose for a portrait. © Kiana Hayeri / Amnesty International

voice against the government." This is not true. Based on interviews with 12 women who were involved in protests after the Taliban's takeover, five of whom were detained, Amnesty International has found that many women protesters in Afghanistan have been subjected to arbitrary arrest and detention, enforced disappearance and torture and other ill-treatment.

One woman who participated in several peaceful protests was arrested and detained for 10 days in 2022. She described her treatment during detention: "[The Taliban guards] kept coming to my room and showing me pictures of my family. They kept repeating… 'We can kill them, all of them, and you won't be able to do anything… Don't cry, don't make a scene. After protesting, you should have expected days like this.'"

She said that while in detention, she was severely beaten on two occasions. "They locked the door," she said. "They started screaming at me… [One Taliban member] said, 'You nasty woman… America isn't giving us the money because of you bitches'… Then he kicked me. It was so strong that my back was injured, and he kicked my chin too… I still feel the pain in my mouth. It hurts whenever I want to talk."

Women protesters who were detained by the Taliban said they had inadequate access to food, water, ventilation, sanitary products and medical care. To secure their release, the women were forced to sign "agreements" that they and their family members would neither protest again nor speak publicly about their experiences during detention.

ACTION REQUIRED

The Taliban, as the de facto authorities of Afghanistan, must uphold the rights of women and girls to access education, work, and move freely, as well as the right to access support and legal redress after fleeing violence. The Taliban must also immediately cease practices of arbitrary arrest and detention, and protect the right of all people, including women and girls, to protest peacefully. The Taliban is depriving millions of women and girls of rights enshrined in international law, and they must urgently change course.

Jamila, the principal of a primary and secondary school, told Amnesty International: "[The world] doesn't hear or see what is happening to us, because they are not affected themselves. Only if this happened to them would they understand." The international community must demonstrate to Afghan women and girls that it understands their plight. States and international organizations must send a clear, coordinated and resounding message to the Taliban that their current policies on women and girls will never be accepted and take concrete steps that impose consequences on the Taliban for their conduct. Such steps should include identifying and using forms of leverage that may influence the Taliban without harming the Afghan people, such as targeted sanctions or travel bans applied through a UN Security Council Resolution.

For their part, donor states must urgently address the humanitarian and economic crisis unfolding in Afghanistan, which they had a role in creating, and which also undermines the rights of women and girls.

Donor states must ease existing financial restrictions on Afghanistan, which are blocking the provision of healthcare, food and other essential services. They must also strengthen systems for the equitable and adequate distribution of urgent financial support and humanitarian aid in consultation with UN agencies, NGOs and humanitarian agencies operating in Afghanistan, local women activists, and organizations supporting other at-risk groups.

The stakes could not be higher. If the international community fails to act, it will abandon millions of women and girls across Afghanistan and embolden others to undermine the human rights of women and girls around the world. As Sabira, a journalist, said, "Our rights are your rights… You must support the rights of women and girls in Afghanistan."

2. METHODOLOGY

This report is based on research carried out between September 2021 and June 2022. Amnesty International delegates conducted research in Afghanistan from 4 to 20 March 2022. The remainder of the research was carried out through remote interviews.

In total, Amnesty International interviewed 90 Afghan women and 11 girls for this report. Their ages ranged from 14 to 74 years old. Amnesty International attempted to interview women and girls of diverse age, class, and ethnicity. Amnesty International also tried to reach women in rural settings as well as urban centres, and from as many provinces as possible.

For this research, Amnesty spoke to women and girls based in following provinces: Badakhshan, Badghis, Balkh, Bamiyan, Daikundi, Ghazni, Ghor, Helmand, Herat, Kabul, Kunduz, Laghman, Nangarhar, Nuristan, Paktika, Panjshir, Sar-e Pul, Takhar, Uruzgan and Wardak.

In some cases, the woman or girl had recently fled the province where she was formerly based and was in a new location when she spoke with Amnesty International. Almost all of these women and girls were still in Afghanistan. The rest had fled to third countries since the Taliban's takeover.

For interviews related to child, early and forced marriage and freedom of movement, Amnesty International spoke with three men and one boy who were witnesses to violations against women or girls or who were family members of survivors.

The majority of the interviews undertaken for this report were conducted with interpretation from Dari or Pashto to English. The remainder of the interviews were conducted in English, without interpretation.

In addition to the interviews described above, Amnesty International interviewed six current or former staff members of detention centres, four of whom work in detention centres for women and girls; eight staff members of national NGOs; 14 members of international NGOs or the UN; and 10 independent Afghan and international experts and journalists with expertise on women and girls in Afghanistan. Amnesty International also reviewed reports from UN agencies, international and national NGOs and the media.

Almost every woman and girl interviewed requested anonymity, out of concern for their own security or the security of their family members. As a result, in this report Amnesty International has changed all of their names. To preserve their anonymity, the precise dates and locations of the interviews are not specified, nor whether the interview was conducted remotely or in Afghanistan. Key identifying details such as the interviewee's place of origin have also sometimes been omitted. The referenced age of interviewees is from the time of the interview. The names of prison staff members as well as several staff members of international and national NGOs have also been omitted at their request, in order to preserve their anonymity and ability to work in Afghanistan. In most cases, the dates of interviews with NGO staff, UN officials and other experts have been included.

Amnesty International informed interviewees about the nature and purpose of the research and about how the information would be used. Researchers obtained oral consent from each person prior to the interview. Each person interviewed was told they could end the interview at any time and could choose not to answer specific questions. No incentives were provided to interviewees in exchange for speaking.

For all relevant interviews, Amnesty International took precautions to try to avoid re-traumatizing the women and girls being interviewed. For children, face-to-face interviews were conducted in settings that were secure, private and familiar to the children and/or their guardians. Whenever possible, children were interviewed in the presence of a family member, caregiver, sibling, friend or other guardian.

On 1 July 2022, Amnesty International communicated the key findings detailed in this report in letters addressed to Minister of Foreign Affairs Amir Khan Muttaqi and Minister of Labor and Social Affairs Abdul Wali. No response had been received as of 15 July 2022, when the report was finalized.

3. BACKGROUND

The Taliban, who refer to themselves as the Islamic Emirate of Afghanistan, became Afghanistan's de facto authorities when they overthrew the previous government in August 2021. The armed group was founded in 1994, during the civil war that followed the Soviet Union's withdrawal from Afghanistan. Led by Mullah Mohammad Omar, the Taliban captured Kabul in 1996 and ruled most of Afghanistan until 2001.[1]

US and coalition forces, in cooperation with Afghan forces from the Northern Alliance, invaded Afghanistan in 2001 and ousted the Taliban from power.[2] Despite extensive and protracted military operations by the US-led coalition and Afghan national security forces, the Taliban gradually regained territory and expanded their influence in Afghanistan.[3] In February 2020, the USA and the Taliban signed an agreement laying out a timeline for the final withdrawal of all US and NATO forces from Afghanistan. In exchange, the Taliban agreed to prevent Al-Qaida from operating in areas under Taliban control and to engage in talks with the Afghan government.[4] The agreement failed to address any protections for women's rights, and women's rights activists and organizations were largely excluded from the negotiations that led to the agreement.[5]

In April 2021, US President Biden announced his plan to withdraw US forces from Afghanistan by 11 September 2021.[6] By July 2021, the USA and NATO had withdrawn almost all of their forces. During a bloody nation-wide offensive, the Taliban took control of their first provincial capital, Zaranj, in Nimruz province, on 6 August and swept through other major cities over the next nine days, taking Kabul on 15 August 2021.[7]

1 Carnegie Endowment for International Peace, "Who are the Taliban?", carnegieendowment.org/2009/10/22/who-are-taliban-pub-24029 (accessed 16 May 2022).

2 Council on Foreign Relations, "The U.S. war in Afghanistan", cfr.org/timeline/us-war-afghanistan (accessed 17 May 2022).

3 This international intervention caused significant civilian casualties. See Amnesty International, *Left in the Dark: Failures of Accountability for Civilian Casualties Cause by International Military Operations in Afghanistan* (Index: ASA 11/006/2014), 11 August 2014, amnesty.org/en/documents/asa11/006/2014/en/

4 New York Times, "Taliban and US strike deal to withdraw American troops from Afghanistan", 29 February 2020, nytimes.com/2020/02/29/world/asia/us-taliban-deal.html

5 Foreign Policy, "Women cut out of the Afghan peace process", 30 March 2021, foreignpolicy.com/2021/03/30/afghanistan-women-taliban-peace-talks-biden/

6 The White House, "Remarks by President Biden on the way forward in Afghanistan", 14 April 2021, whitehouse.gov/briefing-room/speeches-remarks/2021/04/14/remarks-by-president-biden-on-the-way-forward-in-afghanistan/

7 For more on the civilian cost of this offensive, see Amnesty International, see *No Escape: War Crimes and Civilian Harm During the Fall of Afghanistan to the Taliban* (Index: ASA 11/5025/2021), 15 December 2021, amnesty.org/en/documents/asa11/5025/2021/en/, Chapter 1.

Since then, no country has officially recognized the government installed by the Taliban.[8]

Even before the withdrawal of US and NATO forces, Afghanistan was one of the world's largest and most complex humanitarian emergencies, due to decades of war, drought, widespread food insecurity and internal displacement. In the year since the Taliban's takeover, Afghanistan has endured a catastrophic humanitarian and economic crisis.[9] According to the UN, Afghanistan now has the highest number of people in "emergency food insecurity" in the world, with around 19.7 million people in need of urgent assistance.[10] As of April 2022, around 95% of the population did not have enough food to eat.[11]

The near-collapse of Afghanistan's economy has been driven by a number of interrelated factors, including the suspension of most foreign aid, which previously made up 45% of Afghanistan's GDP; the major disruption to basic services such as healthcare and education, which depended on international support; withdrawal of recognition of Afghanistan's central bank; the freezing of Afghan government assets; and the country's recent loss of human capital, with tens of thousands of highly skilled Afghans fleeing the country and restrictions placed on women's participation in the private and public sectors.[12]

Prior to the Taliban's takeover, a number of legislative acts, institutions and systems addressed women's and girls' rights in Afghanistan. For instance, the Ministry of Women's Affairs, with its offices in the capital and in each of the country's 34 provinces, was dedicated to "secure and expand the legal rights of women and ensure the rule of law in their lives".[13] The Afghanistan Independent Human Rights Commission, which had a specialized Women's Rights Unit, conducted awareness-raising on women's rights and tracked violations against women through its eight regional and six provincial offices.[14] Survivors of gender-based violence had access to a network of shelters and services, including legal representation, specialized prosecution units and courts, medical treatment and psychosocial support.[15] Survivors' legal cases were supported by the 2009 Law on the Elimination of Violence Against Women, which made 22 acts of abuse toward women criminal offenses.[16] The limitations and shortcomings of these institutions and systems were well-documented, yet they provided important protections and safeguards for women's rights in Afghanistan.[17]

8 The Economist, "The Taliban crave recognition but refuse to do anything to earn it", 14 May 2022, economist.com/asia/2022/05/14/the-taliban-crave-recognition-but-refuse-to-do-anything-to-earn-it

9 Human Rights Watch, "Afghanistan: Economic roots of the humanitarian crisis", 1 March 2022, hrw.org/news/2022/03/01/afghanistan-hunger-crisis-has-economic-roots

10 "Integrated Food Security Phase Classification: Afghanistan", May 2022, ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Afghanistan_AcuteFoodInsec_2022Mar_2022Nov_report.pdf

11 UN News, "UN human rights experts urge United States to ease Afghanistan assets freeze", 25 April 2022, news.un.org/en/story/2022/04/1116852

12 World Bank, "The World Bank in Afghanistan", worldbank.org/en/country/afghanistan/overview#1 (accessed 17 May 2022). See also Amnesty International, "Afghanistan: Country must have access to funds to avoid humanitarian disaster", 23 November 2021, amnesty.org/en/latest/news/2021/11/afghanistan-country-must-have-access-to-funds-to-avoid-humanitarian-disaster/

13 "MOWA History", Ministry of Women's Affairs in Afghanistan, mowa.gov.af/en/mowa-history (accessed 29 June 2022).

14 "Afghanistan Independent Human Rights Commission", ecoi.net, ecoi.net/en/source/10940.html (accessed 29 June 2022).

15 Interviews, 2021 and 2022.

16 Law on Elimination of Violence against Women (EVAW), 1 August 2019.

17 See, for example, Human Rights Watch, *"I Thought Our Life Might Get Better": Implementing Afghanistan's Elimination of Violence against Women Law*, 5 August 2021, hrw.org/report/2021/08/05/i-thought-our-life-might-get-better/implementing-afghanistans-elimination

According to international protection actors, the Taliban reinstated a legal system in many areas of the country as of January 2022.[18] The Taliban has declared that its interpretation of Sharia law will regulate all matters of governance.[19] They announced that only Taliban-approved lawyers could work in their courts, effectively revoking the licenses of around 2,500 lawyers, and denounced the 2004 Constitution of Afghanistan. Instead, they said they would temporarily enact certain provisions from Afghanistan's Monarchy Constitution of 1964 as well as international laws and instruments that do not conflict with their interpretation of Sharia law.[20] The way in which this legal system functions is still in development, and appears to vary widely based on the location within Afghanistan. It is still unclear how the legal grievances of women and girls will be addressed by this system. However, the legislation, institutions and systems that existed to address women's rights before the Taliban's takeover are, to date, no longer functioning.[21]

18 Interviews by voice call with international protection actors, 7 March 2022 and 29 June 2022.

19 Washington Post, "The Taliban says it will rule under sharia law. What does that mean?", 19 August 2021, washingtonpost.com/world/2021/08/19/sharia-law-afghanistan-taliban/

20 Danish Refugee Council, *The Current State of Afghanistan's Judicial System*, March 2022, on file with Amnesty International. For more on the collapse of the system for survivors of gender-based violence, see Chapter 5.

21 Further research into the justice system under the Taliban is urgently required.

An Afghan woman poses for a portrait in her home. © Kiyana Hayeri / Amnesty International

4. TALIBAN RESTRICTIONS ON WOMEN AND GIRLS

"I see the future in Afghanistan as if I am sitting in a chair. My hands and legs are tied up, and I can't move. Then someone closes the window."

Lima, university professor[22]

4.1 BACKGROUND

Since the Taliban took control of Afghanistan in August 2021, they have issued a series of policies, decrees and guidelines that violence the human rights of women and girls. This chapter addresses Taliban restrictions in four areas: education, work, movement and clothing. It provides neither exhaustive coverage of all the restrictions issued by the Taliban since August 2021 nor a complete examination of the implementation and geographic variances for each of the four areas that are covered. The Taliban have also imposed restrictions in additional areas, including, for example, creating barriers to women and girls in accessing health care. Instead, the chapter outlines the restrictions the Taliban have put in place in these areas since August 2021 and explores the experiences of women and girls in relation to these restrictions.

Taliban policies on women and girls have often been communicated in decrees issued by the Ministry for the Propagation of Virtue and Prevention of Vice (Ministry of Vice and Virtue).[23] Women and girls interviewed by Amnesty International said the Taliban's policies are also regularly communicated via other channels, including traditional media sources, social media platforms and visits by Taliban members to public settings. Several of the women and girls interviewed by Amnesty International said the many channels of communication used by the Taliban make it difficult to decipher their latest rules. For instance, Yasamin, a 27-year-old NGO worker based in Kabul, said, "[The Taliban] will send a letter to the TV station, post on Facebook and in other media outlets… It's difficult to keep track."[24]

22 Interview, 2021. To preserve the anonymity of its sources, the precise dates and locations of the interviews are not specified, nor whether the interview was conducted remotely or in Afghanistan.

23 New Lines Magazine, "In Afghanistan, Vice and Virtue are front and center", 25 April 2022, newlinesmag.com/reportage/in-afghanistan-vice-and-virtue-are-front-and-center/

24 Interview, 2022.

The Taliban's enforcement of their policies has been carried out in a similarly decentralized and fluid manner, leaving broad discretion to Taliban members at checkpoints or in roaming patrols. Three women told Amnesty International that since March 2022, they had seen representatives of the Ministry of Vice and Virtue patrolling the streets of their cities. Huda, a 21-year-old financial advisor, described her experience with one of these patrols: "On their loudspeakers [they] were saying... 'Why you are wearing a short dress? Why are your feet visible? Fix your scarf. Why did you look at him? Where is your *mahram* [male chaperone]?'... They are everywhere."[25]

Women and girls said that the Taliban's new rules had also been enforced by neighbours or other members of their communities, in some cases of their own accord, and in other cases after receiving specific instructions from the Taliban. Feruza, a 22-year-old student at Nangarhar University, said that after she complained on Facebook about the problems she and others were facing as a result of the new rules on gender segregation at her university, she was called into her teacher's office. She explained:

> **[My teacher] said you shouldn't post anything about the Taliban... You should share *hadiths* and Islamic information... [He said] we don't want our students to be in trouble. If you raise your voice, they will expel you... [I realized] if I continue this way, I could be expelled, and my family could be punished. Now I don't post anything... My teacher... said that the Taliban had told him what to do. They didn't talk with me directly.[26]**

Women and girls interviewed by Amnesty International said that in many cases, the Taliban's rules have been enforced by their own family members. Asal, a 26-year-old university student from a central province in Afghanistan, shared her experience: "[Our families] tell us the Taliban took control, and we need to follow them. They have become like the Taliban themselves. They inherit their behaviour."[27] A staff member of UN Women in Afghanistan said similarly, "Family norms are getting tougher and tighter… It's an enabling environment for misogyny, and women's space is getting smaller."[28]

Several women and girls told Amnesty International that the decentralized manner in which the new rules are communicated and enforced has contributed to an atmosphere fraught with tension and fear, which leads them to constrain their activities and behaviour even beyond what has been ordered or enforced by the Taliban. For instance, Hanifa, a 22-year-old university student living in Laghman province, said, "They tell us [about the rules] through local TV, and then Instagram and Twitter. There's no one place where we are told… Most of the announcements are vague… That can make it really confusing... There are no set checkpoints either. The location is always changing. So the fear is always there."[29]

25 Interview, 2022.

26 Interview, 2022.

27 Interview, 2022. For more details, see Wall Street Journal, "After Taliban return, Afghan women face old pressures from fathers, brothers", 15 December 2022, wsj.com/articles/after-taliban-return-afghan-women-face-old-pressures-from-fathers-brothers-11639564204

28 Meeting with UN Women, 17 March 2022, Kabul.

29 Interview, 2022.

4.2 EDUCATION

> *"Getting an education is a very basic right for a human, but we don't have this right in our country."*
>
> **Jamila, school principal[30]**

After the Taliban were removed from power in 2001, steady and significant progress was made in girls' access to education, particularly at the secondary level, with nearly 40% of girls enrolled in school in 2018 compared to 6% in 2003.[31] Still, before the Taliban seized control of the country, Afghanistan had one of the biggest gender gaps in education levels in the world. This was due to several interconnected factors, including prolonged conflict and discriminatory norms and practices regarding the role of women and girls in society.[32] These factors led to a context where, prior to August 2021, only 37% of teenage girls could read and write, compared with 66% of boys.[33]

Yet even with Afghanistan's gender gap in education prior to August 2021, girls' and women's access to education has been restricted to a staggering degree since the Taliban took control. As a result, many of the gains made after 2001 have now been drastically reversed. This section details the ways in which girls and women are being blocked from accessing education at all levels, particularly the secondary and university levels. These blocks result from either the de facto ban on girls' secondary education or other factors that prevent students from attending, including restrictions on clothing and permissible behaviour for women and girls within universities and schools. While some of the Taliban rights violations documented in this section also affect boys' and men's access to education, the section focuses on the experience of women and girls.

4.2.1 SECONDARY SCHOOL LEVEL

On 17 September 2021, the Taliban Ministry of Education released a statement ordering the return of all male teachers and male students to secondary schools, making no mention of female students or teachers.[34] This statement marked the beginning of the Taliban's de facto ban on girls attending secondary school.

Like many Taliban policies, this ban has not been applied consistently. After September 2021, government secondary schools for girls were able to operate in several provinces, as a result of pressure by teachers,

30 Interview, 2022.

31 Thomson Reuters Foundation, "Taliban u-turn leaves Afghan girls shut out of school", 23 March 2022, news.trust.org/item/20210831110425-cvykj/

32 UNICEF, "UNICEF: Education in Afghanistan", www.unicef.org/afghanistan/education (accessed 2 June 2022). For more on child, early and forced marriage, see Chapter 7.

33 United States Agency for International Development and European Commission, "Afghanistan Gender Country Profile—final report: short version," 21 September 2016, cited in Human Rights Watch, *"I Won't Be a Doctor, and One Day You'll Be Sick": Girls' Access to Education in Afghanistan*, 17 October 2017, hrw.org/report/2017/10/17/i-wont-be-doctor-and-one-day-youll-be-sick/girls-access-education-afghanistan

34 BBC Persian, مدارس افغانستان باز شدند اما بدون حضور دختران, 18 September 2021, bbc.com/persian/afghanistan-58608405

girls, and community members or because of supportive local Taliban leadership.[35] The Taliban Foreign Minister announced in December 2021 that government secondary schools were open for girls in 10 of 34 provinces in Afghanistan.[36] Numerous private secondary schools also remained open to girls across the country, particularly in urban centres like Kabul.

After months of signalling and positive commitments from various Taliban representatives, the Ministry of Education announced on 21 March 2022 that both boys and girls would return to class at the start of the spring semester, on 23 March 2022.[37] Yet at 9am on 23 March, the Taliban announced it would keep girls' secondary schools closed. Taliban spokesperson Suhail Shaheen attributed the postponement to a "technical issue", and said that the Ministry of Education was working on developing a plan for standardized uniforms in line with "Afghan customs, culture and sharia".[38]

Female teachers and students expressed their despair and impatience in response to the continuing de facto ban. Sara, a 16-year-old girl living in Kabul, told Amnesty International:

> **[This] is the worst experience of my life. I am so angry. Why am I not going, and why do they not let me go?... They are saying wait for one week, one month, and another. Finally a year will be gone. Then they will say next year... What is the preparation they need to do?... Do they think we are nothing? Girls have tried their best to improve their country, so why are they stopping us from going?[39]**

Fawzia, 17, said she had returned to Kabul from Nuristan province in March, to begin grade 11. She told Amnesty International: "I was so excited to go back to school, but they did not allow us to enter our classrooms. The Taliban told us that we should wait until the next announcement, and go back home... What can I do with my life inside my house?... If I cannot become a nurse, a doctor, an artist, an engineer, who will I be?"[40]

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35 Afghan Analysts Network, "The ban on older girls' education: Taleban conservatives ascendant and a leadership in disarray", 29 March 2022, afghanistan-analysts.org/en/reports/rights-freedom/the-ban-on-older-girls-education-taleban-conservatives-ascendant-and-a-leadership-in-disarray/

36 AP, "Taliban seek ties with US, other ex-foes", 14 December 2021, apnews.com/article/afghanistan-united-states-only-on-ap-kabul-taliban-c0475a3370ea219aabb3ded311911cc1. Amnesty International has received reports that since March 2022, many or most government secondary schools for girls have closed in several of these provinces, including in Herat and Balkh provinces. Interviews, 2022. Furthermore, while government secondary schools re-opened in some provinces, the quality of the education available at these schools, and girls' access to it, remains questionable. Amnesty International spoke with five teachers and students based in Kunduz province, where, according to the Taliban, schools have been open since October 2021. These teachers and students reported that attendance rates were extremely low for girls and that the Taliban ordered girls to skip their exams and be automatically passed to the next grade. According to a biology teacher in a government school, "Only a few of [the girls] went to school… From 40-50 students [before], maybe 15 would be present… [The Taliban] asked teachers to give exams to the boys but not girls… Their excuse was, 'We are nice to girls… [W]e care about them and we are flexible, so they can start the next grade, next year.'" Interview, 2022.

37 Reuters, "Taliban orders girls' high schools to remain closed, leaving students in tears", 24 March 2022, reuters.com/world/asia-pacific/taliban-orders-girl-high-schools-remain-closed-leaving-students-tears-2022-03-23/

38 Amnesty International, "Afghanistan: Taliban's backtrack on school re-opening for girls irreversibly impacts their future", 28 March 2022, amnesty.org/en/latest/news/2022/03/afghanistan-talibans-backtrack-on-school-re-opening-for-girls-irreversibly-impacts-their-future/

39 Interview, 2021.

40 Interview, 2022.

Fatima, a 25-year-old high school teacher based in Nangarhar province, said, "I am in contact with my students. Some of them came to my house yesterday. Most of them are feeling hopeless. My students wanted to become journalists, engineers, doctors... These young girls just wanted to have a future, and now they don't see any future ahead of them... There are millions of Afghan girls waiting for action."[41]

Several teachers also noted that the impact of the de facto ban was particularly harmful in light of the closure of schools before the Taliban's takeover due to the Covid-19 pandemic. Naghma, the principal of a high school in Helmand, explained, "This is a terrible setback. Last year, they sat at home for eight months for Covid, and now with this situation, they are sitting at home again."[42]

Teachers and students said that in defiance of the de facto ban, they were determined to continue their education, whether in underground schools, online lessons or by teaching themselves. Sara, who hopes to be a politician, said that she was spending hours each day on YouTube, trying to improve her English by watching the speeches given by former US presidents. "I love politics," she explained, "So I am always watching these speeches." Still, she said, "With only YouTube, it's difficult to learn... I am constantly switching... There are too many options."[43]

Yasamin, a 27-year-old former staff member of an NGO providing education and support to orphans, told Amnesty International that since the Taliban's takeover, she had set up a network of underground schools for girls from rural areas in Afghanistan who wanted to continue studying at the secondary level. She described her schools:

> **It's underground, in houses… We wanted them to be educated no matter what… We have fear all the time, that [the Taliban] will find out what we are doing. This is why we have to be low-profile. Even my family doesn't know what I do. The neighbours don't know who the girls are, we introduce them as our relatives… For the girls [in our schools] of course everything has changed… They do not want to be hopeless... I feel overwhelmed and emotionally wrecked. But I see that at least I am able to help this many girls. This is my hope.**[44]

41 Interview, 2021.
42 Interview, 2021.
43 Interview, 2021.
44 Interview, 2022.

THE STORY OF SORAYA, 16, PIANIST AND SECONDARY STUDENT[45]

I play piano at a school and institute for music. All the girls and boys [at my school] were studying together and learning music together. I was very young when I started practicing.

Since the Taliban took over, my life turned upside down. When the Taliban came to Kabul, they destroyed our instruments. No one was allowed to go to the institute after that. They turned [the school] into one of their military bases. It broke my heart to see that.

I had a piano at home, and I continued to practice. When I heard [the Taliban] were searching houses, I didn't want to put my family at risk.[46] We sent my piano away to hide it, but on the way, it broke, and I lost it. I loved that piano. When I heard it was broken, I couldn't move. I thought it was the end of my life, my world. I'm not sure if I will be able to buy a new one – if there are even any instruments to buy any more.

There have been a few incidents [with musicians]. The Taliban killed one artist, and there was another [incident] where some boys were playing music at their brother's wedding. [The Taliban] made them go around the city with the instruments around their neck, and say they were ashamed of what they had done.[47]

The Taliban took everything I had, all my dreams and hopes, but this is not the end. I'm getting better now. I'm not practicing piano, but I am studying Dari, mathematics and other subjects. I dream I will go back to school one day.

We women of Afghanistan will never surrender. The Taliban needs to know that women and girls will not be silenced. We are not weak. We are not victims. We will raise our voices against discrimination and inequality.

45 Interview, 2022. This interview has been condensed.

46 For more on the Taliban's search operation carried out in Kabul and other cities, see Al Jazeera, "Taliban conducting house-to-house sweep across Afghan capital", 27 February 2022, aljazeera.com/news/2022/2/27/taliban-conducting-house-to-house-sweep-across-afghan-capital

47 For more details on these incidents, see CNN, "Afghan folk singer taken from his house and killed by the Taliban", 31 August 2022, edition.cnn.com/2021/08/30/asia/fawad-andarabi-afghan-folk-singer-killed-intl/index.html and ThePrint, "Taliban humiliates musicians by hanging instruments around their necks", 5 March 2022, theprint.in/world/taliban-humiliates-musicians-by-hanging-instruments-around-their-necks/860218/?amp

4.2.2 UNIVERSITY LEVEL

After the Taliban's takeover, they kept public universities closed to both male and female students for months, finally allowing them to open in February 2022.[48] Many private universities reopened soon after August 2021 to both male and female students.[49] Current and former university students interviewed by Amnesty International said that the Taliban's restrictions on their behaviour, dress and opportunities in both public and private universities have contributed to an environment where they do not feel comfortable or safe. As a result, many women have either stopped attending or opted not to enrol in university.[50]

The restrictions the Taliban have imposed on women attending university are numerous, continue to evolve and vary by region and university. The restrictions most commonly relate to gender segregation and dress code. In terms of gender segregation, many universities must ensure that female students are taught by female teachers, that female and male students use separate entrances and exits, that male and female students attend university in separate shifts or days, or, when such measures are not possible, that curtains or other physical barriers are erected between male and female students. In terms of dress code, many universities now require female students to wear a burka or a long, black veil covering the body from head to toe.[51]

Female university students told Amnesty International that among other new restrictions, they had been prevented from using their smart phones on campus, speaking in class, making presentations, attending conferences, meeting male teachers one-on-one or visiting administrative offices.[52] Farida, a 19-year-old student at Nangarhar University, described her experience of one of these new rules: "I went to my teacher yesterday to say I wanted to give a presentation on mental health. The teacher said I couldn't speak in front of the class. Girls are no longer allowed to do this."[53]

Many female students and academics interviewed by Amnesty International said that the rules on gender segregation were problematic, as the universities did not have the funds or personnel they would need to follow such guidelines and therefore disadvantaged the female students. "There is not enough equipment, enough time or enough teachers to have this separation," explained Huma, describing the situation at Takhar University.[54] Feruza, a 21-year-old student at Nangarhar University, said that as a result of the Taliban's rules on gender segregation, her university had forced women to leave certain departments.

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48 Voice of America, "All public universities in Afghanistan open to male, female students", 26 February 2022, voanews.com/a/all-public-universities-in-afghanistan-open-to-male-female-students/6461202.html

49 NDTV, "Curtains, strict rules for female students as Afghan universities reopen", 6 September 2021, ndtv.com/world-news/afghanistan-universities-women-students-curtains-strict-rules-for-female-students-as-afghan-universities-reopen-2531559

50 For more on Taliban restrictions at the university level, see Human Rights Watch, *Four Ways to Support Girls' Access to Education in Afghanistan*, 20 March 2022, hrw.org/news/2022/03/20/four-ways-support-girls-access-education-afghanistan

51 Rukhshana Media, "After the reopening of public universities, female students complain about restrictions on campuses", 10 March 2022, rukhshana.com/en/after-the-reopening-of-public-universities-female-students-complain-about-restrictions-on-campuses. For more on restrictions on clothing, see section 4.5.

52 Interviews, 2021 and 2022.

53 Interview, 2022.

54 Interview, 2022.

A poster "recommending" appropriate dress for university. © Rukhshana Media

She offered an example: "There were only five girls studying agriculture... [The university] said all those girls should join the civil engineering department because they couldn't support their subject... They forced them to change their course because there weren't enough girls."[55]

Women staying in on-campus dormitories told Amnesty International that they are now facing a bleak existence, as they are constantly monitored. Two students said female students staying in dormitories had been prevented from leaving their dormitories, even for routine daily needs. Hanifa, a 22-year-old university student living in Laghman province, told Amnesty International: "If we need anything [the Taliban guards of the dormitory] would say, 'Why are you leaving the hostel?... If you want to go anywhere, they will ask you to have a *mahram* [male chaperone], which we don't have."[56] Hanifa noted that before she left university, a Taliban representative had visited her dormitory and threatened to expel female students who failed to respect the dress code or who left the dormitory without a *mahram*.

Female university students said that they had faced harassment and threats for perceived infractions of the various rules imposed on them by the Taliban. Brishna, a 21-year-old student at Kabul University described her experience:

55 Interview, 2022.

56 Interview, 2022. For more on restrictions on movement, see section 4.4.

> **[The] guards outside the university yell at us and say, 'Fix your clothes, your scarf... Why are your feet visible? Look at your trousers'… [The] head of our department came to our class and told us... 'Be careful – we can only protect you when you are inside the faculty building… [I]f Taliban members try to harm you or harass you, we won't be able to stop them.'[57]**

Brishna added that she had recently witnessed Taliban guards refuse entry to a group of female students because the bottom hems of their abayas fell less than 4cm above their feet.[58] Huda, a 21-year-old student of a private university in Kabul, had a similar experience: "When you enter [the university], you are like a prisoner, and you have to be like a soldier there... I didn't have the motivation to continue like this."[59]

4.2.3 ADDITIONAL CHALLENGES

In addition to the restrictions documented above, other challenges are affecting girls' and women's access to education at all levels, including the primary level. These challenges include the fear of being targeted by the Taliban, restrictions on freedom of movement, the humanitarian and economic crisis, teacher shortages and students' lack of motivation due to limitations on their future careers or occupations.

FEAR OF HARASSMENT OR HARM BY THE TALIBAN

Some female students and teachers have not been attending school, due to their own or their families' fears that they could be targeted by the Taliban for harassment or harm. For instance, Fariba, a teacher in Laghman province, told Amnesty International: "Families are concerned and not allowing their girls to go to school… The Taliban are holding weapons and walking on the streets. The people are fearful of what they might do, so they don't send their girls."[60] Sunbul, a 21-year-old teacher in a private high school in Kunduz said that although girls were allowed to attend her school, few did. "[I] had 40 to 50 students in my class. Fewer than five now attend the school... Others were scared to even go out," she said.[61]

These fears are not unfounded. Amnesty International and other monitoring organizations have documented several incidents of Taliban members subjecting students and teachers to harassment and violence, either on account of them being students or teachers, or for other infringements of Taliban restrictions.[62] For instance, Efat, a 22-year-old university student, and Naveed, her 16-year-old brother, said they were attacked by two members of the Taliban while going to an English class, which the Taliban members called "the language of infidels".[63] Efat described the incident, in which Taliban members fractured her hand and beat her brother unconscious, badly injuring his neck:

57 Interview, 2022.

58 Interview, 2022.

59 Interview, 2022.

60 Interview, 2021.

61 Interview, 2022.

62 See Amnesty International, "Afghanistan: Taliban must allow girls to return to school immediately", 13 October 2021. See also Human Rights Watch, *Four Ways to Support Girls' Access to Education in Afghanistan*.

63 Interview, 2021.

> **My brother and I were walking to our English course. I was walking behind him… One of the Taliban members stopped me… He said in Pashto, 'Where are you going?' He had a gun over his shoulder. I said I was going to my English course. He took his gun and hit me with it. Then my brother came and argued with the man… Another [Taliban member] came, and he hit my brother. He passed out. I fainted, and I woke up in the hospital… My brother was still on oxygen, and he was hurt badly. The local authorities didn't ask the cause of our injuries. I think they were afraid… We went back home, and we were still in shock.[64]**

Teachers have also been subjected to harassment and harm by the Taliban. For instance, Lina, a 26-year-old high-school teacher, said she had received multiple threats from the Taliban as a result of her prior teaching of coeducational sports, and had been summoned to the local court for prosecution.[65]

RESTRICTIONS ON MOVEMENT

Female students and teachers told Amnesty International that they were facing challenges attending school due to the requirement to be accompanied by a *mahram*, or male chaperone. The *mahram* requirement and other restrictions on movement are explored further in section 4.4. Farzana, a teacher in Kunduz, said that although secondary schools had been open for girls in her province, attendance was low. "I think one of the reasons for this is that the Taliban said women cannot leave the house without a *mahram*, and sometimes you can't find someone to take you to school," she explained. "This is a huge hassle for the teachers and the students."[66]

Brishna, a 21-year-old student at Kabul University, said that to avoid traveling alone, she regularly travelled to and from university with a group of other female students. On the way, however, they were regularly stopped and harassed at check points and asked why they were traveling without a *mahram*.[67] In light of these challenges, Brishna and other women interviewed were unsure about whether they would continue their studies.

HUMANITARIAN AND ECONOMIC CRISIS

The deepening humanitarian and economic crisis has meant that girls and women are not able access education, as many families are now unable to afford the costs associated with schooling, while many children are now required to earn money for the family. According to Save the Children, around one in every five families is now sending their children out to work in Afghanistan.[68] Pashtana Durrani, the director of LEARN Afghanistan, told Amnesty International: "People can't afford bread and eggs, so how

64 Interview, 2021. This incident was first documented in Amnesty International, "Afghanistan: Taliban must allow girls to return to school immediately", 13 October 2021.

65 Interview, 2021. This incident was first documented in Amnesty International, "Afghanistan: Taliban must allow girls to return to school immediately", 13 October 2021.

66 Interview, 2022.

67 Interview, 2022.

68 Save the Children, "Afghanistan: A fifth of starving families sending children to work as incomes plummet in past six months", 14 February 2022, savethechildren.net/news/afghanistan-fifth-starving-families-sending-children-work-incomes-plummet-past-six-months

can they afford school? Families can't afford to buy new shoes, pencils, copies or supplies."[69] Families struggling to meet education costs often prioritize boys over girls.[70] Baseera, 24, said she had to stop attending a private university in Kabul after her family's financial situation worsened. "I had just one year left to finish my education, but I couldn't manage it," she said. "[My father] didn't have enough money to pay for our family costs plus my studies… I try to study English, and read English books, but everything is uncertain. Before the Taliban, I had many plans... Now, after the collapse, everything is on pause."[71]

Several teachers told Amnesty International that they were forced to stop teaching after not receiving their salaries for several months. As of December 2021, more than 18,000 teachers and professors had not received their salaries for months.[72] Arifa, a 26-year-old biology teacher at a secondary school in Kunduz, reluctantly stopped working, after not receiving her salary for four months. She told Amnesty International:

> **[The Taliban] asked us to go and teach, with no salary... We kept going to school, but we had to sell everything. First we sold the refrigerator, then the TV, then our Afghan carpet, then our safe and then the dishes. We kept selling everything until we had nothing… We wanted to continue teaching the next generation of Afghanistan. We felt responsible to teach them... Later I saw some teachers who became beggars on the street. It might happen to me as well and my family.[73]**

TEACHER SHORTAGES

Women and girls told Amnesty International that teacher shortages have skyrocketed since the Taliban's takeover, which have led to the partial or total shut down of schools and universities at all levels. These shortages have resulted from a number of different factors, including the requirement that women are accompanied by a *mahram* in public, mentioned above, which makes getting to and from work particularly challenging; the humanitarian and economic crisis resulting in the non-payment of salaries, also mentioned above; the fact that many teachers and professors were internally displaced in the conflict leading up to the Taliban's takeover or were evacuated soon after; and finally the Taliban's requirement that female students are taught by female teachers at all levels of education, which puts more demands on staffing numbers.

Jamila, a 36-year-old principal of a primary and secondary school in Panjshir province, explained the problems she was facing as a result of the Taliban's insistence on gender segregation: "In the school, it used to be mixed, with both girls and boys, but now we have only grades one to six mixed," she said. "The Taliban keep coming to ask us to separate them. We are working on it... For this, we need more teachers, more personnel... I don't know how we will do it."[74]

69 Interview, 2021.

70 See, for example, Human Rights Watch, *"I Won't Be a Doctor, and One Day You'll Be Sick": Girls' Access to Education in Afghanistan*, Section II.

71 Interview, 2022.

72 Tolo News, "Herat teachers demand their salaries", 20 October 2021, tolonews.com/afghanistan-175104

73 Interview, 2022.

74 Interview, 2022.

An Afghan woman poses for a portrait in her workplace. © Kiyana Hayeri / Amnesty International

LACK OF MOTIVATION

Since the Taliban took control of Afghanistan, they have severely limited the fields in which women are permitted to work.[75] Women and girls told Amnesty International that these limitations had severely impacted their desire to study. Feruza, 22, who had been a student in political science, said:

> **After the Taliban came, in this field [political science], women don't have any jobs. They can't be a minister or a leader. It makes me so hopeless, so disappointed. I was trained to be a leader, but it's impossible now... If someone doesn't allow you do a job, to be independent, what is the point of the education? To achieve my goals I need a job. How can I achieve my goals in the home?... I feel I have been blown over, and I've fallen down.[76]**

Metra, a 21-year-old journalism student at a private university in Kabul, shared a similar concern. "Think about it – you study journalism knowing that you will not be able to work as a journalist. I thought it is useless to study if I am unable to do what I love, so I left university."[77] Metra added that her younger sister, who was in fifth grade, felt similarly. "She is not motivated at all to go to school because she knows that there is no future for her... She is no longer interested to study or attend her classes."[78]

The Taliban's restrictions on women's and girls' access to education are likely to have a detrimental effect on other rights of women and girls, including their ability to work and the likelihood of them being forced into marriage.[79]

75 For more on restrictions on work, see section 4.3.
76 Interview, 2021.
77 Interview, 2022.
78 Interview, 2022.
79 For more on restrictions on work, see section 4.3, and for more on child, early and forced marriage, see Chapter 8.

4.3 WORK

"If we work together, men and women, we can do something for this country. We just want the current government to let us work."

Wazhma, former government official[80]

"Women who worked as teachers, journalists, NGO workers, government workers... [T]hey are at home and they feel they are nothing… Along with their income, they lost their dignity."

Huma, humanitarian worker[81]

Women across Afghanistan have been prevented from working since the Taliban's takeover. The Taliban have not issued a nationwide policy on women and work, and women's ability to work has varied widely in different regions of the country. Yet some patterns have emerged in the Taliban's directives on this issue. Most female government employees have been told to stay at home, with the exception of those working in certain sectors such as health and education.[82] Women have been denied any position in the Taliban's cabinet.[83] The Ministry of Women's Affairs is no longer operating, and the ministry's former Kabul headquarters was repurposed to house the Ministry of Vice and Virtue, notorious for its discriminatory treatment and abuse of women and girls.[84] In general, the Taliban appears to permit women to work if, according to Taliban policies, they cannot be replaced by men or if the position is deemed not to be a "man's job".[85]

In the private sector, women's ability to continue working has also varied based on region, sector and individual workplace. However, women interviewed by Amnesty International said they had observed that workplaces in the private sector had dismissed many women in high-level positions. Huda, a financial advisor, said this change was evident when she was reviewing a website listing job openings. "You can see how the positions for women are limited," she explained. "I was using the same platform before, and there used to be high positions for women... [like] finance manager, HR manager, chief operating officer... but now it's all interns [and] assistants."[86]

80 Interview, 2021.

81 Interview, 2022.

82 Interviews, 2021 and 2022; see also AP, "Taliban-run Kabul city government tells female workers to stay home", 20 September 2021, nbcnews.com/news/world/taliban-run-kabul-city-government-tells-female-workers-stay-home-n1279616

83 New York Times, "Taliban complete interim government, still without women", 21 September 2021, nytimes.com/2021/09/21/world/asia/taliban-women-government.html

84 AFP, "Taliban replaces ministry of women's affairs with ministry of virtue and vice", 18 September 2021, firstpost.com/world/taliban-replaces-ministry-of-womens-affairs-with-ministry-of-virtue-and-vice-9975461.html

85 Interviews, 2021 and 2022. See also CBS, "Taliban tells women and girls to stay home from work and school", 20 September 2021, cbsnews.com/news/afghanistan-taliban-women-girls-work-school-sharia-rules/; CNN, "About the only job women can do for the Kabul government is clean female bathrooms, acting mayor says", 20 September 2021, edition.cnn.com/2021/09/19/asia/afghanistan-women-government-jobs-intl-hnk/index.html

86 Interview, 2022.

Many of the women who have continued working are finding it difficult and stressful because of Taliban restrictions on their clothing, behaviour and opportunities. For instance, Adila, a journalist, described the many restrictions female journalists are facing:

> **After August, they said women [journalists] could come back, but they must wear an abaya and full hijab. For news presenters, they had to hide their necks and hair, and the hijab had to be tightly wrapped. Then there was the second round of restrictions: if a female journalist wanted to cover an event, they will say... there should be no face-to-face interview with a female journalist. Then the third thing, if you want to try to get access to information, they don't allow you to access the records from the hospital or government.[87]**

The restrictions faced by female news presenters escalated further in May 2022, when the Taliban required them all to cover their faces on camera, leaving only their eyes visible.[88]

Several women working in the public and private sectors said they were subjected to random visits by members of the Taliban, who would monitor their clothing and behaviour. Elaha, 22, who works in customer service for a company in Kabul, described her experience: "Regularly, members of the Taliban come to our office, saying that we should wear this or that clothing, don't wear that colour of clothing, always go for dark, try to wear black and long clothes... They put wooden walls in the main office to segregate women and men, but the space was too small, so they took a new apartment to keep us separated… I hate these rules.[89]

Shabnam, a 25-year-old nurse in a government hospital in Kabul, said that Taliban members had also regularly visited her workplace:

> **They were saying we shouldn't work with men or communicate with them, and we should change our dress and clothes. Then one day they said I should not wear my uniform. I said I respect my uniform, because I worked so hard to get it, and they had no right to tell me what to wear… One of them slapped me in the face, and another pointed his gun at me, and said they could kill me, and I wouldn't be able to do anything.**
>
> **My colleagues were so scared. They were screaming.[90]**

After this incident, Shabnam participated in her first protest against the Taliban. Several days later, she found out that she had been fired from her job as a result of this incident and her participation in the protest. "[That job] was my only source of income," she said. "I passed the exams and the interviews. I was officially appointed to that position, and I got fired so easily."[91]

87 Interview, 2022.

88 AP, "Taliban orders female Afghan TV presenters to cover faces on air", 19 May 2022, theguardian.com/world/2022/may/19/taliban-orders-female-afghan-tv-presenters-to-cover-faces-on-air

89 Interview, 2022.

90 Interview, 2022.

91 Interview, 2022.

Many women working in healthcare, like Shabnam, are now being barred from caring for male patients or interacting with their male co-workers. Yasamin, a 27-year-old NGO worker, explained: "If the Taliban see a female doctor with a male doctor or patient, this is a big problem… The patients who came to the clinics are avoiding it now."[92] Rahila, a dentist, said similarly, "In the past I had male and female patients, but male patients stopped coming to my clinic, because they were afraid the Taliban would see them with us."[93]

Women said the Taliban's requirement to have a *mahram* in public also posed serious problems in their work lives. For instance, Adilia, the journalist, told Amnesty International: "If I need to go out for work around 4.30pm or 5pm, the Taliban members will say 'Why are you going out alone?' My father is dead, so he can't come with me."[94]

Women also said that the *mahram* restrictions made it difficult or even impossible to travel to and from work. For instance, Sunbul, a 21-year-old high school teacher based in Kunduz, said her school required all teachers to travel to and from work with a *mahram*. Her brothers and father were outside of Afghanistan, so this was impossible for her, and she ignored the rule for several weeks. When a Taliban member came to the school for monitoring, he confronted her and her colleague, who also was unable to travel with a *mahram*. "[He] said [my colleague and I] had no shame, no dignity… He wanted to attack us, or beat us. This is how we taught for one month and then we stopped."[95]

Taliban restrictions on work have created a desperate situation for many women who were their families' only wage-earner. The hardships these women are facing have been exacerbated by Afghanistan's humanitarian and economic crisis. According to a World Food Programme survey released in February 2022, nearly 100% of female-headed households are facing insufficient food consumption, and 85% are taking "drastic measures" to obtain food.[96] Farida shared her family's experience: "I was the main breadwinner... When Nangarhar collapsed, the office was closed down… because men and women can't work together… We spent two weeks without food in our household. I couldn't even think previously that we wouldn't have food on the table."[97]

Kubra, a 56-year-old former high-level official in the Ministry of Women's Affairs, was also the sole wage-earner for her family before the Taliban's takeover. She told Amnesty International: "My husband lost his legs in a suicide bombing, so all the responsibilities of the house are on me. I have two daughters who were students and they are sitting at home. My son is sitting at home… We are sitting inside, thinking what should we do?"[98]

92 Interview, 2022.

93 Interview, 2022.

94 Interview, 2022.

95 Interview, 2022.

96 World Food Program, *Afghanistan Food Security Update: Round Five January 2022*, 17 February 2022, reliefweb.int/report/afghanistan/afghanistan-food-security-update-round-five-january-2022

97 Interview, 2022.

98 Interview, 2021.

Elaha, an office worker who is also the sole wage-earner for her family, shared her fears of what would happen if she were forced to quit working. "If they don't let me work, I'm finished," she said. "Then I couldn't pay for my family and I couldn't pay for my studies. I'm afraid my father would tell me I have to get married."[99]

Women expressed grief at having to give up careers they had worked for years to build and sustain. For instance, Gul, a librarian, told Amnesty International:

> **I am not coming from a rich family or a middle-class family. I was the only woman in my family to be educated… Four months of university changed my life… My dream was and still is to expand my library… to travel to other provinces, and get the books to them. I had a salary. I had a job. I had a good life. I was independent… Now I've lost my hopes, my future and my identity.[100]**

Oqyanoos, a lawyer, expressed a similar sentiment:

> **I started from zero. I had no connections, no money, no support… [I]t's not easy to be a lawyer in Afghanistan, especially if you are a woman. You need to put in more effort than the men. You need courage, knowledge and bravery… I had six other lawyers who were working for me... When the Taliban came to power, everything changed... I heard about lawyers getting arrested and disappeared... I did not even go back to my office, because it was too risky. I always think about how independent I was before.'[101]**

Mursal, a radio presenter, told Amnesty International:

> **Before the Taliban came... I would play the songs, discuss the topics and invite callers... I miss my job. I wish I could just sit on my chair and say, 'Hello dear listeners. I am here to talk with you, about whatever you want'... I was going out, and working, and moving forward. Now I am trying to find another job, but I can't find anything… I didn't dream of this.[102]**

Taliban restrictions on women's right to work have the potential to affect other rights for women and girls, including their ability to access education, as many women were financing their daughters' educations and school fees or their own higher education. These restrictions are likely to increase the risk of women and girls being forced into marriage for economic reasons, as mentioned by Elaha, above.[103]

99 Interview, 2022.
100 Interview, 2022.
101 Interview, 2022.
102 Interview, 2022.
103 See section 4.2 for more on restrictions on education and Chapter 8 for more on child, early and forced marriage.

THE STORY OF KHATOOL, FORMER PRINCIPAL OF A PRIVATE SCHOOL[104]

Before, I was enrolled at two universities, studying Islamic studies and midwifery. I was studying two languages too. I was also the principal of a private school. The school taught grades 1-9 and had both boys and girls. I used to leave the house at 5am and come home at 6pm each day. I did the shopping, and I went out with friends. I was always moving around on my own.

After the collapse, my school was closed, and the universities were also closed. After my school reopened, they didn't invite me back. When women like me went back to their jobs, they closed the doors on them. They said women couldn't work in high-level positions. So my school is open now, and there is a new male principal… Before all the staff in the administration were female, and now they are all male.

Now they allow girls to go to the university, but I don't have my job any more, so how can I pay to study? They announced that a woman cannot go outside without a *mahram*. How can I pay my car fare, and the fare of the *mahram* as well, so that I can get to the university? If I want to go shopping, or go to a picnic, it's not possible. Now I have to wear this big coat. I didn't find time yet to buy an abaya [a loose-fitting, full-length robe], and I can't afford one anyway.

It's difficult to survive. My mental health has been destroyed, and my financial situation is terrible. My father is dead. Now I am unemployed, and I can't help my younger brothers to be educated. I can't help my mother either. She needs to go to regular check-ups to see the doctor, because she has a heart condition.

I feel like when you break something. From the inside, I am broken. I am not feeling well. I am a working woman, and I am sitting in my home with nothing to do. It feels all wrong.

I want the international community to stop everything that is going on in Afghanistan. We need the world to pay attention, and not look away.

104 Interview, 2022. This interview has been condensed.

4.4 MOVEMENT AND THE MAHRAM RESTRICTIONS

"All I see are the walls around me. I cannot even go out of the house. Is this life?"

Zohra, lawyer[105]

"This is like quarantine for Covid-19, but our whole lives are in quarantine."

Feruza, university student[106]

Since the Taliban's takeover, they have violated the right of women and girls to move freely, with their policies on this topic becoming increasingly repressive over time. In December 2021, the Ministry of Vice and Virtue issued guidance indicating that women must be accompanied by a *mahram*, or male chaperone, for journeys longer than 72km.[107] Taliban official Zabiullah Mujahid said in a previous interview that the Taliban's *mahram* requirements would not apply for daily activities such as traveling to work or school.[108] However, this statement was undermined by a decree issued on 7 May 2022 by the Ministry of Vice and Virtue that required women to cover their faces in public and stipulated that they should not leave their homes unless necessary.[109] The Taliban have also instructed airlines to prevent women from flying domestically and internationally without a *mahram* and they have ordered driving instructors in Herat to cease giving driving lessons and licenses to women.[110]

Many women interviewed by Amnesty International said that given these numerous and evolving restrictions, any kind of appearance in public without a *mahram* carried serious risks. Huda, a financial advisor, shared her experience:

> **What they say is different than what they practice. They say further than 72km, you have to have a *mahram*, but in practice, they can stop you within 1km. If you want to take a taxi, the driver will ask if you have a *mahram*, and if**

105 Interview, 2022.

106 Interview, 2022.

107 AFP, "No trips for Afghan women unless escorted by male relative: Taliban", 26 December 2021, france24.com/en/live-news/20211226-no-trips-for-afghan-women-unless-escorted-by-male-relative-taliban. A *mahram* is defined as a male relative it would be unacceptable to marry. For more details, see Wall Street Journal, "New Taliban rules impose chaperones on Afghan women", 25 March 2022, wsj.com/articles/new-taliban-rules-impose-chaperones-on-afghan-women-11648200600

108 The Daily, "How will the Taliban rule this time?", New York Times, 7 September 2021, nytimes.com/2021/09/07/podcasts/the-daily/afghanistan-taliban-government.html

109 BBC Persian, دستور طالبان به زنان برای پوشاندن صورتشان, 7 May 2022 (including the full Taliban decree), bbc.com/persian/afghanistan-61361210

110 "Taliban ban Afghan women from flying without male relative", 28 March 2022, france24.com/en/live-news/20220328-taliban-ban-afghan-women-from-flying-without-male-relative; public parks in Herat; AFP, "Taliban tells driving teachers To stop issuing licenses to women", 3 May 2022, ndtv.com/world-news/afghanistan-herat-taliban-tells-driving-teachers-to-stop-issuing-licenses-to-women-2942029. Women told Amnesty International that they have been denied access to driving lessons and licences in Kabul as well. Interviews, 2022. wionews.com/south-asia/no-amusement-taliban-dictate-different-days-for-men-and-women-to-visit-fun-parks-466242

you don't, they probably won't take you. But if they do, and if you are at a Taliban checkpoint, you can be stopped... I was asked [about this] at a checkpoint – I had to lie and say I was sick and there was no one to accompany me... I don't want to end up in prison. It will be a disgrace for my family even if I am arrested just once[111]… It can be any fighter who can stop you... Even if I go to the shop to buy a [sanitary] pad, I have to take my father with me.[112]

Afghan women and girls told Amnesty International that the *mahram* requirements made their daily lives almost impossible to manage. Farah, a 23-year-old woman from Logar province, said: "Three weeks ago, my father was sick and could not go out. We sent my sister to get the medicine. She went to the pharmacy, and the Taliban said at a checkpoint, 'Why are you alone? Next time, you must not go out alone'… If they arrest us, what will be the future for our family?"[113]

Farida, a 19-year-old university student from Nangarhar province, discussed some of the logistical problems of the *mahram* requirements: "In Afghanistan, we have so many widows, and so many lost husbands or sons in the war. It's impossible for every woman to get a man to take them out. The rule isn't practical either. If I have a job and my brother has a job, he will be late if he has to take me. This affects everyone – psychologically, practically, in every way," she said.[114]

Metra, a 21-year-old woman based in Kabul, said that the *mahram* restrictions had the potential to affect relations within families:

Think about families with more female family members… What should the father do? Go to work? Or accompany every single daughter? It slows life down [and creates] a lot of sacrifices… This will create more problems long-term. The society and families will start differentiating more and more between their sons and daughters… The Taliban are normalizing misogyny and it is dangerous… It makes me sad to even have this conversation in this century... You are nothing if you have no *mahram*. As a woman you have no rights or power without a man next to you.[115]

Women and girls told Amnesty International that due to Taliban restrictions on t heir movement, they now spend long periods of time indoors, a stark contrast to their lives before the Taliban's takeover. Huda, who previously worked as a financial advisor, described a typical day in her life:

I wake up early, since I was used to going to the office early. I start with cleaning, and cooking, and then, because I don't want to forget the things I studied, I review and read books from my university, and other books I have... [T]hen I continue with cooking and cleaning. Then I repeat the same thing the next day. It's very boring to do this instead of working and studying and being out... I used to be outside more than 12 hours, almost every day.[116]

111 For more on the arbitrary arrest and detention of women for violations of the *mahram* requirements, see Chapter 6.
112 Interview, 2022.
113 Interview, 2022.
114 Interview, 2022.
115 Interview, 2022.
116 Interview, 2022.

Feruza, a 22-year-old university student, said similarly: "If you are in university, you go out every day… I had a full programme, and I had a lot of friends… Now when I wake up in the morning, I don't have any schedule, any goals... If I just want to go buy some chocolate, I can't do this. Sometimes you need to breathe the air outside, but we are stuck inside... You need to see other people."[117]

When asked what she thought of the Taliban's *mahram* requirements, Sorayah, a 16-year-old secondary school student, responded: "We are in cages. The Taliban made Afghanistan a prison for all Afghan women."[118]

As described by the women interviewed, Taliban restrictions on movement have the potential to increase the rigidity of gender norms, increasing the control that male family members can exercise over the movement of female family members and entrenching a gendered division of labour within families.

In addition to harassment, women who appear in public without a *mahram* have been subjected to beatings by Taliban members. Men who are not considered to be a *mahram* and who accompany women have also been subjected to beatings. For instance, Elaha, a 22-year-old office worker in Kabul, said Taliban members beat the driver of her taxi after she was questioned at a checkpoint on why she was traveling without a *mahram*. "I cried all day, even when I went back home," she said. "Even when they beat him, [the driver] defended me."[119]

Asal, a 26-year-old woman from a central province in Afghanistan, was beaten after she tried to cross into Iran without a *mahram*.[120] In 2021, she started a master's programme in Iran, in part to avoid being married to someone from her village as her father was insisting. She visited her village in Afghanistan during the break between terms, and because her father was sick and did not have a passport, she had to travel back to Iran alone. When she reached a final check at the border crossing, a Taliban member discovered that she was traveling alone. She described her experience:

> **[The Taliban member] said I should go home. I was trying to explain… that I needed to go to Iran to get my education. He was really angry… I asked him to give me my passport back, and he kept saying that I am becoming western, and I was a *kafir* [infidel], an unbeliever. He slapped me then, in the face.**
>
> **He took me to another room … Another Talib was sitting there, and both of them started beating me... My scarf was not on my head, and they were beating me together… One of them had a chain in his hand, and another had a wire. Both were covered by fabric… I have beautiful hair, and they tore it out. The next thing I remember is there was a lot of blood coming from my nose. Everywhere looked black and blurry... They beat me until I fainted.**

117 Interview, 2022.
118 Interview, 2022.
119 Interview
120 Details such as the date, location and time of this incident have been withheld for security purposes.

When I opened my eyes, it was around 4.30pm, and I could not see anyone around… I put my scarf back on. I was in the room where they put the garbage, and I was surrounded by it... Maybe [the two Taliban members] thought I was dead.[121]

Asal managed to leave the room and convinced an official on the Afghan side of the border to find her passport and luggage. She crossed into Iran, where she sought medical treatment. "After an x-ray, it was confirmed that some of my bones had fractured," she said. "I wear a neck brace almost all the time, and I need physical therapy for my back... Three days after the incident, I had internal bleeding in my stomach and back, because they were kicking me."[122]

Asal said she wanted to speak publicly about the incident but worried about the consequences. "What if my family finds out?" she asked. "When you try to tell your story, people will ask more questions. They will assume I got raped. When you live in this society now, it can kill you before you actually die."[123]

Taliban restrictions on movement adversely affect women's and girls' enjoyment of other fundamental rights, including the right to education and the right to work, as discussed above in sections 4.2 and 4.3.[124] As discussed in Chapter 5, the Taliban's restrictions can also compromise women's and girls' ability to flee gender-based violence.

Taliban restrictions on movement also have the potential to pressure women and girls to enter into marriage, whether by their own choice or as a result of pressure or coercion from their family members. One woman who was arbitrarily arrested for being in public with a man who was not her *mahram*, explained: "If you want to go outside, you have to have a father, brother or husband with you… A father can't always go out with the daughter, a brother might be busy... This will pressure girls and women to marry, just so that they always have a *mahram*."[125]

Afshin, a 20-year-old women's rights activist from Herat, told Amnesty International that the Taliban's *mahram* restrictions were central to her decision to become engaged. After the Taliban's takeover, she felt stuck. Her family was in Iran, so to join them and continue her education there, she would need a *mahram* to cross the border. And if she stayed in Afghanistan to attend university, she would need a *mahram* to attend university and conduct her daily life. "I was forced by the Taliban, and my society, to have a *mahram*. I always wanted to finish my studies and then think about marriage, but then I found myself in this situation," she said. "It wasn't that I panicked, but this was the only choice I had… In life, sometimes you have to make sacrifices, and you have to forget some of your dreams."[126]

121 Interview, 2022.

122 Interview, 2022.

123 Interview, 2022.

124 Chapter 6 of this report explores in more detail the Taliban's arbitrary arrest and detention of women for violating the *mahram* requirements.

125 Interview, 2022. For more on how this woman was arbitrarily arrested, see Chapter 6.

126 Interview, 2022.

4.5 CLOTHING

> *"First we were not allowed to wear colourful clothing. Then they told us to stop wearing colourful scarves. Then we were asked to wear all black. Now it's the burka or the full face covering. What else is waiting for us?"*
>
> **Brishna, university student[127]**

After their takeover, the Taliban did not immediately release an official policy ordering women to dress a certain way in public. Instead, they launched campaigns "recommending" that women wear the burka or a long, black veil covering the body from head to toe. These recommendations were communicated through a variety of platforms, including billboards and public announcements, and they relied on individual Taliban members to enforce the restrictions, whether at checkpoints, in visits to public settings such as universities and hospitals, or in roaming patrols.

On 7 May 2022, the Ministry of Vice and Virtue drastically escalated its restrictions, issuing a decree requiring "mature" women to cover themselves from head to toe, again specifying that they should wear the burka or a long, black veil covering everything but their eyes. The decree also said that "the best way to observe the sharia hijab" was for women to not leave their homes. In the decree, women's male family members were made responsible for women's adherence to the new rules, and can be detained if their female family members refuse to comply with the rules.[128] This has the potential to increase the control that male family members can exercise over the day-to-day lives of female family members.

Several women interviewed by Amnesty International reacted to this decree with shock and anger. For instance, Brishna, a 21-year-old student at Kabul University, said:

> **Women and girls must decide what they want to do or wear... I want to have a hijab [head scarf], but I do not want to cover my face. These are two different things… I want to be known in society… If I cover myself, I will not be me any more... It is stupid to say that women should cover themselves so men aren't attracted to them. Men must stop this madness. Sorry, I will not cover myself, and put myself in a cage, because you [men] are too weak to control yourself… This is 2022, and the Taliban want Afghan women to wear black and no other colour. Seriously? It makes no sense to me... The Taliban know that we have no choice but to accept it… If I refuse the burka and leave university, they win. If I wear a burka, they win… I am the one who has to sacrifice.[129]**

Zainab, a 27-year-old woman based in Daikundi province, shared her reaction to the decree: "Why would we cover our faces and hide who we are?... I have worn a [head scarf] all my life, but I do not want to

127 Interview, 2022.

128 BBC Persian, دستور طالبان به زنان برای پوشاندن صورتشان, 7 May 2022 (including the full Taliban decree), bbc.com/persian/afghanistan-61361210

129 Interview, 2022.

cover my face... I can't breathe now that I'm trying to talk about covering my face... When women cover their faces... they won't hear anything, they won't see anything."[130]

Feruza, a 22-year-old university student based in Nangarhar, told Amnesty International: "I can't do it. When I cover my face, I don't feel well. I can't breathe. When someone forces you to do something, no one feels good about it. It makes you angry."[131] She continued:

> **They say [we have to wear] a black dress, simple clothes, no makeup and cover our faces. When you wear the same colour always, you feel very depressed... When it is the warm season, it annoys you because it can become so hot... I want to make my own choices on which colour I wear, and on how I cover myself.[132]**

Maryam, a 19-year-old woman from Kapisa province, told Amnesty International about her experience with the Taliban's restrictions on clothing. "[The Taliban members] stop us, and say we should not show any strand of our hair, and we shouldn't wear trousers," she said. "We shouldn't even wear shoes that make noise [as we walk]… We have faith in our hearts – we don't have to show it on our bodies. This came by force."[133]

Women have been harassed, threatened and subjected to beating for not complying with the Taliban's restrictions on their clothing. For instance, Brishna told Amnesty International that due to her clothing, she was not allowed to enter her university on the day of an important exam. She explained:

> **I was wearing a long and loose dress, but it was not the black niqab or the burka. I wanted to enter the university when the [female guard] held my hand and told me that I was not allowed to go in... My biggest dream was to enter Kabul University… I never imagined that one day Taliban will stop me outside the university and prevent me from taking the most important exam of the semester… I cried a lot that day. It happens to girls every day…. No matter what we do, the Taliban aren't happy with us.[134]**

Mursal, a 32-year-old journalist also based in Takhar province, was beaten for allowing her wrist to show in public in November 2021. The incident happened around 1.30pm, when she was walking down the road near her house on the way to the market. She told Amnesty International, "I was wearing my normal overcoat. I raised my arm, and my hand and wrist were visible. The Taliban member at the checkpoint said 'Why is your hand like this? It's naked.' Then he beat me with an iron rod."[135]

Taliban restrictions on clothing undermine the ability of women and girls to exercise other rights. The restrictions limit their freedom of movement, as many women feel they cannot safely leave their homes,

130 Interview, 2021.
131 Interview, 2022.
132 Interview, 2022.
133 Interview, 2022.
134 Interview, 2022.
135 Interview, 2022.

out of fear that they will be punished for violating these restrictions. Taliban restrictions on clothing can also affect women's and girls' rights to education.[136] These restrictions also affect women's right to work, as the face covering requirement in particular may infringe upon some women's ability to carry out the core functions of their jobs.[137]

THE STORY OF MEENA, 17, STREET ARTIST AND SECONDARY STUDENT[138]

We were a group of artists. We used to paint on the walls. It could be abstract or other forms. In our group there were three of us.

The Taliban destroyed everything since they came to power. Since they took over, there is no education for us, no painting like before. They hate art. They hate freedom of expression. The first thing they did when they arrived was to destroy the photos and paintings on the walls. If you are a woman and you are doing this, it's impossible. Everything is shut and closed now.

We Afghan girls worked hard to get where we are. But now we are stuck at home all day. I study at home. I try to read the books I have in the house. I try to paint to keep myself busy and calm. I clean all the time.

When I went to the bazaar a few weeks ago, I wore a proper scarf and abaya, but my jeans were visible. A Taliban member said, 'You cannot not wear jeans, it's *haram* [forbidden].' Whenever you go out in the city, you see billboards, and pictures of the burka and hijab, and it's written that this is how you should cover yourself. They monitor your movements. Whenever you go out, they stare at you, and they try to find a reason to harass you. That's why I don't go out much anymore. Even if it's an emergency or we are sick, taxi drivers won't pick us up alone. This is our reality.

When they were searching the houses in Kabul, my family got scared. [My family] burned all of the artwork I had. It destroyed me, but also made me stronger.

I was taking my exams when the Taliban came. The schools are still closed, even though they said they would open them.

136 For more details, see HRW, "Dress Restrictions Tighten for Afghanistan Girls' Schools", 27 April 22, hrw.org/news/2022/04/27/dress-restrictions-tighten-afghanistan-girls-schools. For more on restrictions on access to education, see section 4.2.

137 For more on restrictions on work, see section 4.3.

138 Interview, 2022. This interview has been condensed.

I want to continue. I'm not able to go to school, I will educate myself as much as I can. I have books, and I know how to read them. I know that I am not able to go and show my art in public as I did before, but I can still paint at home. This doesn't mean that I will not work to get where I want to be in life.

My mother sent me to Kabul to study [from a rural province]. She said to me, 'Yes we are losing. We lost a lot of things. If you can survive this, you can survive anything… Of course it's easier if everything is there for you, but if you can work on yourself now, you can achieve whatever you want in life. You just have to keep working.'

The world should know that we are not scared of the Taliban. We Afghan women are stronger than ever before. The Taliban don't know that pain makes us stronger. We will never accept this reality. We will find different ways to express ourselves, and we will find different ways to protest and fight against them. It can be true art, creativity, music, writing and other forms of expression. We know who we are and what we want. They think if they put restrictions they can stop us, but it won't happen. Afghan women are unstoppable.

5. GENDER-BASED VIOLENCE[139]

"In Afghanistan before... there were so many ways for men to abuse women. Now that the Taliban came, it broadens the scope to abuse women more."

Asma, psychologist for survivors of gender-based violence[140]

"If there is no system for survivors, and no place to go, there is no hope."

Parwin, judge for gender-based violence offenses[141]

Before the Taliban's takeover in 2021, Afghanistan had one of the highest rates of violence against women in the world, with nine out of 10 women experiencing at least one form of intimate partner violence in their lifetimes.[142] The frequency of such violence is horrifying, but many women and girls at least had access to a network of shelters and services, including pro-bono legal representation, medical treatment and psychosocial support. While the system had limitations, it served thousands of women and girls each year.[143] Women and girls who entered the shelters would often stay for months or even years, depending on their particular needs, and they were given training on professional skills or on other ways of generating long-term income. In some cases, survivors were also supported to find new places to live.[144]

Survivors were referred into the system from provincial and capital offices of the Ministry of Women's Affairs and the Afghanistan Independent Human Rights Commission, as well as from shelters, hospitals and police stations across the country. Survivors' legal cases were supported by the 2009 Law on the

139 For more information on the collapse of the system of services for women and girl survivors of gender-based violence in Afghanistan, see Amnesty International, "Afghanistan: Survivors of gender-based violence abandoned following Taliban takeover", 6 December 2021, amnesty.org/en/latest/news/2021/12/afghanistan-survivors-of-gender-based-violence-abandoned-following-taliban-takeover-new-research/

140 Interview, 2021.

141 Interview, 2021.

142 UNAMA, "UN calls for solidarity and commitment to end violence against women and girls amidst humanitarian crises", 25 November 2021, reliefweb.int/report/afghanistan/un-calls-solidarity-and-commitment-end-violence-against-women-and-girls-amidst

143 Interview by video call with UN Women, 23 November 2021. For more on the EVAW law and the system protecting survivors of gender-based violence prior to the Taliban's takeover, see Human Rights Watch, *"I Thought Our Life Might Get Better": Implementing Afghanistan's Elimination of Violence against Women Law*.

144 Interview by video call with UN Women, 23 November 2021, and interviews with service providers, 2021.

Elimination of Violence Against Women (EVAW), which made 22 acts of abuse toward women criminal offenses, including rape, battery, forced marriage and prohibiting a woman or girl from going to school or work.[145] Specialized prosecution units and specialized courts were responsible for enforcing the criminal provisions of the EVAW.

According to service providers interviewed by Amnesty International, the most common cases of gender-based violence involved beating, rape, and other forms of physical and sexual violence as well as child, early and forced marriage.[146] Survivors often needed urgent medical treatment. Abreshim, a 33-year-old service provider based in Nangarhar province, described the nature of the cases they addressed prior to the Taliban's takeover:

> **[The cases] were very extreme. We had a case where a man took the nails off his wife's fingers... [One] man took a crowbar and peeled off his wife's skin… [H]e peeled the skin off most of her body. It took us one year to treat her… There was one woman who faced a lot of abuse from her family. She couldn't even use the bathroom any more.[147]**

5.1 COLLAPSE OF THE SYSTEM, PERPETRATORS FREED

As the Taliban took over Afghanistan, the network of support for gender-based violence survivors – including legal representation, medical treatment and psychosocial support – collapsed. Shelters were closed, and many were looted and appropriated by Taliban members. In some cases, Taliban members harassed or threatened staff. As shelters closed, staff were forced to send many women and girl survivors back to their families. Other survivors were forced to live with shelter staff members, on the street or in other unsustainable situations.[148]

Habiba, a service provider based in Daikundi province, described what happened to the women and girls in her shelter: "We feared that the Taliban might attack the shelters… Some women were sent back to the families, and others to a safehouse in Kabul, but we don't know what happened to all of them. In the chaos we lost some [women and girls]."[149]

As the Taliban advanced across the country, they also systematically released thousands of detainees from prisons, many of whom had been convicted of gender-based violence offenses. A Taliban spokesperson denied this to Amnesty International, insisting that it was the previous government that had

145 Law on Elimination of Violence against Women (EVAW), 1 August 2019.

146 Interviews, 2021. In this report, the term "service provider" is used to refer to anyone who worked within the network of shelters and services for survivors of gender-based violence, such as shelter staff members, legal professionals including prosecutors and judges, healthcare professionals and staff members of the Ministry of Women's Affairs. The specific position of interviewees has usually been omitted for security reasons.

147 Interview, 2021.

148 Interviews, 2021 and 2022.

149 Interview, 2021.

opened the prisons.[150] However, testimony from witnesses and others with first-hand knowledge, as well as credible media reporting, shows that members of the Taliban were responsible.[151]

Habiba, the service provider from Daikundi province, told Amnesty International: "There were 353 prisoners [in the prison in Daikundi], and almost 100 of them were perpetrators of gender-based violence… When the Taliban took over, they opened the door to the prison, and the prisoners just ran out."[152] Parwin, a 48-year-old judge who specializes in gender-based violence cases, said she had been involved in the conviction of more than 3,000 perpetrators of gender-based violence in the year preceding the Taliban's takeover. She told Amnesty International: "Wherever [the Taliban] went, they freed the prisoners… Can you imagine? More than 3,000 released, in all the provinces of Afghanistan, in one month... There was no protection for the women, because there was nothing left of the system we built."[153]

5.2 SURVIVORS AT GRAVE RISK

The collapse of the system of protective services for survivors of gender-based violence, along with the release of thousands of men convicted of gender-based violence offenses, means that many survivors are now in grave danger. Zeenat, a woman from a northern province of Afghanistan, told Amnesty International that she was regularly beaten by her husband and brother before she took refuge in a shelter. When the Taliban arrived, she and several other women survivors fled, and they are now in hiding together. Zeenat said, "We came only with the clothes we were wearing… My brother is my enemy, and my husband is my enemy. If he sees me and my children, he'll kill us… I am sure they are looking for me because they know the shelter has closed."[154]

Horia, a shelter director who is in hiding with several survivors from her shelter, said, "We can't go out. We are so scared… Please bring us out of here. If not, then you can wait for us to be killed."[155]

Service providers said that many survivors of gender-based violence are now being hunted down by the husbands or family members the Taliban released from prison. Zargul, a 42-year-old service provider who was based in Bamyan, shared her fears about the safety of these women and girls: "After they were released, they found my [mobile] number and said they will kill me. Imagine if they can find my number, how easy it will be to go back to their wives and families and hurt them, or kill them?"[156]

150 Interviews by voice call with Taliban spokesperson Suhail Shaheen, 26 and 29 November 2021.

151 AP, "Once inmates, Taliban now in charge of a Kabul prison", 14 September 2021, apnews.com/article/prisons-afghanistan-kabul-taliban-a3de341dd61a335f4d6d711c38d71e4b, Tolo News, "1000 inmates freed as Taliban opens prisons in captured cities", 11 August 2021, tolonews.com/afghanistan-174157; BBC, "Afghanistan: Taliban militants 'free inmates from Kabul jail'", 15 August 2021, bbc.co.uk/news/av/world-asia-58220304

152 Interview, 2021.

153 Interview, 2021.

154 Interview, 2021.

155 Interview, 2021.

156 Interview, 2021.

An Afghan woman poses for a portrait in her home. © Kiyana Hayeri / Amnesty International

As mentioned above, many women were transferred from shelters to their natal families just before the Taliban's takeover. Service providers said these women are at serious risk of abuse. Asma, a psychologist for gender-based violence survivors, explained: "When a woman leaves her house because of abuse by her husband, her family – both her birth family and her in-laws – will not accept her back… She might even risk death... The only safe place for her is the shelter."[157]

Three gender-based violence survivors told Amnesty International that because of the collapse of accountability mechanisms that formerly existed, such as specialized prosecution units and courts, as well as the societal dynamics that shifted with the Taliban's takeover, their children were at risk of being forcibly taken from them by husbands they had separated from or divorced. Nargis, a 27-year-old woman from Logar province, was regularly beaten by her husband, who was a member of the Taliban, and his family members. She told Amnesty International: "I left my husband when my son was four months old. My husband had broken my nose and teeth… Even when I was breastfeeding my child, he would beat me."[158] After six years of abuse, Nargis separated from her husband and fled with her two children to her parents' house. She said that when the Taliban took power in Logar province, her husband sent her a message through her family members: because the Taliban was back in power, he now felt "free" to take his sons back, by force if necessary. As a result, she and her children almost never leave the house. "I am always worried about my husband coming and taking my sons," she said. "The only good thing in my life is my sons."[159]

157 Interview, 2021.
158 Interview, 2022.
159 Interview, 2022.

5.3 PROTECTORS IN NEED OF PROTECTION

Many women who worked within the system of protective services for gender-based violence survivors – including shelter staff, psychologists, doctors, lawyers, judges, employees of the Ministry of Women's Affairs and others – are also in serious danger. They face threats from the Taliban, convicted perpetrators of gender-based violence who were freed by the Taliban, family members of survivors and others.

Pariwash, a 40-year-old service provider based in Takhar province, described her situation: "After the Taliban takeover, I had to change my phone number and flee my house… I received so many threats. I remember one phone call from someone who was let out of prison… He said, 'Remember me? You are the one that put me in prison. Now that I am out, I will have my revenge.'"[160] Abreshim, a service provider based in Nangarhar province, said similarly: "I am getting threats from the Taliban, ISIS, perpetrators and the family members… on a daily basis."[161]

Kubra, a 56-year-old former high-level government official, told Amnesty International: "I just had a phone meeting with all the heads of the Ministry of Women's Affairs in the 34 provinces… They are all in hiding. We are all living in fear."[162]

These service providers issued a call for the international community to take action to protect them. Habiba, from Daikundi province, said, "We worked on women's issues for so many years, and we were on the front lines. The international community has abandoned us, and now we need its protection."[163]

5.4 NO SUPPORT FOR NEW CASES

For women and girls who are facing violence since the Taliban's takeover, options for support and protection have all but vanished. The Ministry of Women's Affairs and the Afghanistan Independent Human Rights Commission – two of the main referral points into the network of protection and services – are no longer in operation; specialized prosecution units and courts for gender-based violence have been shut down; the Taliban appears to be ignoring entirely the 2009 Law on the Elimination of Violence Against Women; and almost all shelters for survivors of gender-based violence remain closed. Asma, the psychologist who worked with gender-based violence survivors, summarized the situation: "The Taliban doesn't have any procedure of how to deal with these cases."[164]

Furthermore, Taliban restrictions on movement and requirements for women to be accompanied by a *mahram* have made it more difficult for survivors of gender-based violence to come forward for help.[165] Seetara, a 29-year-old prosecutor for cases involved gender-based violence, explained: "In the past,

160 Interview, 2021.
161 Interview, 2021.
162 Interview, 2021.
163 Interview, 2021.
164 Interview, 2021.
165 For more on restrictions on movement, see section 4.4.

women could go to the Ministry of Women's Affairs [which was abolished by the Taliban]. They could go alone and report their case. But now that women are not allowed to go anywhere without a *mahram*, this will make it really complicated."[166] Zargul, the service provider for gender-based violence survivors based in Bamiyan, said similarly, "Of course [The Taliban] say there aren't any new cases [of gender-based violence]. Women aren't even leaving their houses. They can't come forward for help."[167]

Women and girl survivors of gender-based violence told Amnesty International that they had nowhere to turn. In the months since the Taliban's takeover, Fariha told Amnesty International that she had been regularly beaten by her husband and his relatives. She said:

> **[My husband] would pick up whatever he could find, and he would hit me with it… Whenever he beat me, his family would get together and watch… It happened almost every day… The first time he beat me with a wire… I had bruises all over my body. My hands and my nails were scratched, all of them. After that, he beat me from my waist down only. He would tell me, 'I will hit you in these places [your genitals and buttocks] that won't be seen.'[168]**

Fariha was nine months pregnant when she spoke to Amnesty International, and desperately seeking a safe place to live after escaping from her husband. She said, "Before, there was a shelter, and I went to that place. I requested that they take me in. They said it's not running now, and they can't accept any new cases. There are no options for me now."[169]

Fariha said that when she went to the former shelter, she met another survivor of gender-based violence who had sought the Taliban's help after fleeing violence from her husband. The Taliban member offered to help the woman get a divorce, on the condition that the woman marry him instead. "We can't speak up," Fariha said. "If we do, we could be killed or forced to marry."[170]

No reliable data currently exists on whether the rates of gender-based violence in Afghanistan have increased after the Taliban's takeover. However, factors such as increased rates of unemployment and poverty, women's and girls' confinement within their homes due to the restrictions on movement and clothing discussed above, and the lack of the accountability mechanisms that formerly existed are all likely to increase the prevalence of gender-based violence within the country.

Amnesty International was told by four staff members of detention centres and one woman who was detained since the Taliban's takeover that some survivors of gender-based violence who were formerly based in the shelters, as well as women and girls subjected to gender-based violence after the Taliban's

166 Interview, 2021.

167 Interview, 2021.

168 Interview, 2021.

169 Interview, 2021.

170 Interview, 2021. For more on how survivors of gender-based violence have been arbitrarily detained and forced into marriage, see Chapter 6.

takeover, have been detained in at least two detention centres in Afghanistan. As detailed in Chapter 6, these women have been subjected to arbitrary detention and inhuman conditions, and they are at risk of forced marriage by Taliban members or other men.

Women who worked within the system of protective services for gender-based survivors were devastated to witness the collapse of the system they had painstakingly built over many years. Zargul, the service provider based in Bamiyan, told Amnesty International: "Even now, my voice is shaking, I am shaking as I speak with you. It's not just me, it's so many Afghan women who worked on this system, who created this system... We feel so depressed and so frustrated at the same time."[171]

Parwin, the judge for gender-based violence offenses, explained:

> **For 20 years, I was working to build everything from scratch... I was trying to convince everyone, so that we have a system and framework in place to protect women. Now we lost everything – everything we built, everything we had… We took so many risks... It takes a lot of courage, a lot of sacrifices and energy to build something from nothing – and then it becomes nothing again.[172]**

Rahima, a shelter director, said simply: "20 years of work. 20 years later we are back to square one. That's what breaks my heart. Every single one of those systems that were put into place for gender-based violence, they have disappeared."[173]

171 Interview, 2021.
172 Interview, 2021.
173 Interview, 2021.

6. WOMEN AND GIRLS ARBITRARILY DETAINED FOR "MORAL CORRUPTION" AND FLEEING ABUSE

"There were women who were arrested from the market, from the rickshaws, from the coffee shops... All of the women were saying, 'I don't know why I was brought here.'"

Staff member of Taliban-run detention centre[174]

According to four individuals who worked in Taliban-run detention centres for women and girls, the Taliban have arbitrarily arrested and, in at least two detention centres in Afghanistan, arbitrarily detained women and girls for infringements of the Taliban's discriminatory policies. Those arrested have usually been charged with the vague and ambiguous "crime" of "moral corruption". Amnesty International also interviewed two women who were arbitrarily arrested and detained by the Taliban on such charges. In addition to charges of "moral corruption", the prison staff members and one former detainee indicated that some survivors of gender-based violence who were formerly living in the shelters have been arbitrarily detained in those same two detention centres. Such practices may be occurring in other detention centres across Afghanistan.

The prison staff members an d the former detainees said that these women and girls detained on "moral corruption" charges or for fleeing abuse have been denied access to a lawyer and subjected to torture and other ill-treatment as well as inhuman conditions in detention.[175]

174 Interview, 2021-2022.
175 Interviews, 2021-2022.

Individuals with knowledge of these patterns, such as prison staff members, are difficult to identify and reluctant to be interviewed, as they face grave risks from the Taliban for speaking publicly. To maintain the anonymity of its sources, Amnesty International is not specifying the locations of the detention centres or the gender or specific role of the prison staff members, and it has not used pseudonyms for the witnesses in this section. It has also not distinguished which prison staff member offered which testimony, and it has omitted key details from the testimonies of the two women who were subjected to arbitrary arrest and detention. The findings in this chapter are based on interviews with six individuals, and are therefore preliminary. However, the consistency and gravity of their testimonies raise concerns about the Taliban's wider practices of arbitrary arrest and detention of women and girls. Further investigation is needed.

6.1 ARBITRARY ARREST AND DETENTION

Four prison staff members as well as one former detainee said there has been a drastic increase in the number of women being arbitrarily arrested and detained for appearing in public without a *mahram* or with a man who is not a *mahram*. Those arrested for these reasons are usually charged with "moral corruption" or "attempted *zina*" (attempting to engage in sex outside marriage). While the detention of women and girls for "moral crimes" such as *zina* has long been a problem in Afghanistan, arrests and detentions for violations of *mahram* restrictions were not common before the Taliban took control of Afghanistan. Such arrests and detentions are arbitrary, as the charges are not based on a recognizable international criminal offense, are linked to women's and girls' exercise of rights guaranteed under international human rights law, including freedom of movement and association, and are a form of discrimination.[176]

One prison staff member described the situation in their prison: "Sometimes they bring the boys and girls from the coffee shop, or the women and men who were in the market together, or if they see a woman who is not with a *mahram*, she can be arrested... Before these kinds of cases were not in the prison… The numbers are increasing each month."[177]

Another prison staff member shared similar observations: "We don't have cases like murder or kidnapping as much anymore. Now it's much more 'moral corruption'… There are those who went out without a *mahram*, to a restaurant or a café… They are being arrested randomly, when the Taliban are patrolling… There is a big difference from before. The number [of these cases] has increased."[178]

A third prison staff member described the types of detainees they encountered after the Taliban took control of their province:

176 For more on the detention of women and girls for "moral crimes" before the Taliban's takeover, see Human Rights Watch, *"I Had to Run Away": The Imprisonment of Women and Girls for "Moral Crimes" in Afghanistan*, 28 March 2021, hrw.org/report/2012/03/28/i-had-run-away/imprisonment-women-and-girls-moral-crimes-afghanistan

177 Interview, 2021-2022.

178 Interview, 2021-2022.

> **There was an older woman with a heart problem. She said, 'They took me from the market and brought me here'... There was a woman with two of her daughters, and they were out alone without a man... She was so upset. She said, 'We are not people who belong in the prison. What will the neighbours say? What will my relatives say?'[179]**

A university student told Amnesty International she was arrested and detained on charges of "attempted *zina*" in 2022 related to the Taliban's *mahram* restrictions. During her detention, she observed that "women were being arrested if they were out without a *mahram*, or if they were out with a man who was not their official *mahram*… This was happening more and more when I was in the prison… Only 10% of the people in the prison committed an actual crime, and 90% of them were there for 'moral crimes.'"[180]

Also in 2022, a case worker for an international NGO was riding in a taxi with her male colleague on her way to conduct a home assessment. At a Taliban checkpoint, their car was stopped, and the driver was questioned on whether the woman's colleague qualified as her *mahram*. The Taliban member asked her colleague to exit the car, and when he did, slapped him in the face. When she tried to defend her colleague, she said, "The Taliban member swore at me – 'You fucking woman, go back to your car', and he slapped my colleague another time… After that I was arrested."[181]

They were brought to the nearest police station, and she and her colleague were presented to the director of the station. She described what happened then:

> **The director said to his junior officer, 'Why did you bring these two here?' He said that we were in a relationship, and we were trying to have sex in the car… The station director said, 'Miss, you don't feel ashamed?' I said that I was studying Islamic studies, and that I know everything about my religion, and I know what is right and wrong for me to do… Every Talib was coming in and going out [of the police station], and laughing at me… They kept calling me bad names, like 'bitch'.[182]**

The woman and her colleague were detained for around three hours at the police station, and were finally released after an international staff member of her NGO spoke by phone with one of the Taliban members at the station. She told Amnesty International: "I didn't realize my fear during the day, but that night, I had nightmares… I decided to start carrying a knife around with me, so that if something like this happens again, I could commit suicide."[183]

All four prison staff members interviewed said that some survivors of gender-based violence who were formerly living in the shelters have been subjected to arbitrary detention. Staff members from one of the detention centres said that women and girls subjected to gender-based violence after the Taliban's

179 Interview, 2021-2022.
180 Interview, 2021-2022.
181 Interview, 2021-2022.
182 Interview, 2021-2022.
183 Interview, 2021-2022.

takeover have also been arbitrarily detained there. According to one of the prison staff members: "The women from the shelter are mixed in with the others... There are also women with new cases of gender-based violence in the prison. They faced violence from the husband or the husband's family, and they ended up in the prison... Some came by approaching the Taliban themselves, and asking 'Where is your shelter?' [The Taliban] had no place, so they ended up in prison."[184]

6.2 VIOLATIONS IN DETENTION

All four prison staff members interviewed by Amnesty International said that women and girls arrested by the Taliban – including those arrested for "moral corruption" as well those fleeing violence – are being subjected to torture and other ill-treatment in detention. Gendered tactics, such as forcibly separating women from their children, have been deployed against women detainees.

Prison staff members said that women are being subjected to beating and other forms of torture, most commonly during their interrogations or soon after they arrive at a detention centre. One prison staff member explained:

> **They beat them at the police station… After they beat them, they usually keep them [at the police station] for two or three weeks. In this time, the wounds heal, and only the bruises remain… The women say they were beaten to force them to accept that they did something, and to put their fingerprints on the paper. They say, 'Even if we didn't do it, we are forced to accept we did *zina.*'[185]**

Another prison staff member confirmed this pattern: "[The investigators] would use punching and kicking as well as cable and chains... [The] women were saying, 'We didn't do this, and we didn't want to confess… by force we accepted it'... They would hide them at first, after they were beaten. [The women] would come... with bruises."[186]

The woman who was detained in relation to the Taliban's *mahram* restrictions told Amnesty International that Taliban members subjected her to electric shocks with a taser soon after she was arrested:

> **They wanted to know all of the details of my [case]… They started giving me electric shocks… on my shoulder, face, neck, everywhere they could… They were trying to use it on my hands, because it causes more pain... I was not able to breathe properly. They were calling me a prostitute, a bitch and things like this. The one holding the gun said, 'I will kill you, and no one will be able to find your body, not even your family'… They were laughing.[187]**

184 Interview, 2021-2022.
185 Interview, 2021-2022.
186 Interview, 2021-2022.
187 Interview, 2021-2022.

A prison staff member said that after interrogation, women in their detention centre were routinely taken down to a basement room to be tortured. They explained:

> **They kept them in a basement in the prison, and they chained their hands and feet, and beat them with a cable hose. It was like a lash. They showed me their scars after. They had black bruises and marks on their feet, legs, back and arms… They were scared to talk about this… I would ask them, 'Why don't you want to talk to me?' And they would say, 'If I talk to you, they will take me downstairs.'**[188]

One of the women who was arbitrarily detained said that women and girls at her prison faced this method of torture. "[The prison guards] would use a water hose to beat us. [They] would tie your left hand to your left leg, and your right hand with your right leg in front of you, lock it with a chain, bend you over, and then beat you, mostly with the water hose."[189]

All four prison staff members said some of the detainees were subjected to solitary confinement, usually just after they arrived at the detention centre. A prison staff member described this practice:

> **They lock them in a dark… and cold room without any window… They give them some water or bread, so they don't die. They punish them for some time, and after that they can be with other prisoners… A few nights ago, they brought a woman in barefoot with her seven-month-old baby. Her punishment was to keep her away from the baby. She was locked in the dark room, and the baby was put with the other prisoners. They were both crying, but they couldn't be together. She was not allowed to breastfeed her own baby.**[190]

All the prison staff members interviewed said that women and girls in detention were subjected to inhuman conditions including overcrowding; lack of heating in the winter; inadequate quantity and quality of food; inadequate access to showers and a lack of hygiene products such as sanitary pads, shampoo and soap; and a lack of beds and blankets. Due to the poor conditions, many detained women and girls are affected by scabies and lice.[191]

One prison staff member described the conditions in their prison: "There is one bunk bed in each room, which is for only two women. The others have to sleep on the floor. Before organizations were bringing pads for the women and diapers for the kids. Now this isn't working."[192] Another prison staff member told Amnesty International:

> **Everything [in the prison] got transferred to the Taliban's families or soldiers, so there was nothing left... It was not warm enough in the cells in the winter, because there was just one stove [in each room], and… three women**

188 Interview, 2021-2022.
189 Interview, 2021-2022.
190 Interview, 2021-2022.
191 Interviews, 2021-2022.
192 Interview, 2021-2022.

were using one blanket… [The women and girls] don't have soap, shampoo, toothbrushes or toothpaste. The hygiene is very bad, and because of this scabies is common.[193]

One of the women who was arbitrarily detained described the conditions she faced during detention:

At night we could not lie down properly, because we did not have enough space. The blankets were not long enough, and it was very cold. We had the choice to cover our feet or our hands and shoulders...

[One woman] had two daughters, and she didn't have a place with the others, so she was sleeping and staying in the back corner of the bathroom. There was water everywhere there... The girls were very sick, because they were staying in that corner.[194]

One prison staff member said they had been regularly prevented from referring women with serious medical conditions to hospitals outside the prison: "They think if they send the person to the hospital, they don't have the fighters to look after them. This has happened with men, women and children several times a week. [This applied] even for serious cases, when they need an operation."[195]

All prison staff members interviewed by Amnesty International said that international monitors were not allowed to enter Taliban-run detention centres. One of the staff members explained: "A human rights monitor used to come to the prison, and everyone was scared of her, so no one was torturing [the detainees]. But now it's changed… Now no one is there to ask."[196]

6.3 RELEASE AND CONSEQUENCES OF DETENTION

According to the former detainee and one of the prison staff members, women and girls detained by the Taliban were able to expedite their hearings in front of a Taliban-led "commission" by paying bribes or asking influential contacts to intervene. The former detainee explained:

If your family loves you and looks after you, you will be able to get out of the prison in around three months, because you can push the investigation to happen in one or two months, and they will invite you to the commission. Otherwise it will go on for months.

Men and women in the prison, under the Taliban, cannot hire a lawyer for themselves, and they cannot defend themselves… If you have contacts with the Taliban it's easier for you to get out… But it's different from case to case, because the Taliban doesn't have a system.[197]

193 Interview, 2021-2022.
194 Interview, 2021-2022.
195 Interview, 2021-2022.
196 Interview, 2021-2022.
197 Interview, 2021-2022.

All the prison workers interviewed said that women and girls who are detained can be stigmatized and ostracized by family and community members for the rest of their lives. One prison staff member offered an example of the stigma faced by women and girls: "There were two families where the women [detainees] were getting threats from their own family. One woman's father said, 'If you send us my daughter… give me only the pieces [of her body]'… For women who are arrested for being without a *mahram* or being with a boyfriend, many families say they don't want them back."[198]

Due to the stigma she faced on her release, the woman who was arbitrarily detained was forced to flee to another province:

> **For an Afghan girl, going to prison is no less than death… Once you enter the door, you are labelled, and you cannot erase it for your whole life... My father wasn't talking to me for some time. One day he called me to his room, and asked only one question: why did I disgrace him?… My family is ashamed of me. I can't live with my parents any more… There is no confidence left in me, no self-respect, no pride… This broke me completely... This experience, going to the prison, it ruined my family and my future.[199]**

All of the prison staff members interviewed said that the Taliban had forced female detainees into marriage, whether to members of the Taliban or to others, as a way for them to be released from prison. This is particularly common for women who fled violence from their husbands or families. A prison staff member explained: "[The Taliban] say the women will not be allowed to go out [of the prison] without a marriage to an extended family member, or to them. The Taliban think marriage is the only solution to get these women out of the prison. This is happening even now."[200]

Amnesty International documented two cases in which Taliban members forced survivors of gender-based violence to marry members of the Taliban, in order to be released from the detention centre.[201] A prison staff member said, about the situation of these two women: "They came from the shelters and their families were not accepting them back. They thought they didn't have any other options, so they were forced to marry. Now there are 10 to 12 women [in the detention centre] in the same situation… I am worried they will be married to the Taliban as well."[202]

198 Interview, 2021-2022.
199 Interview, 2021-2022.
200 Interview, 2021-2022.
201 For more on child, early and forced marriage, see Chapter 7.
202 Interview, 2021-2022.

An Afghan woman poses for a portrait in her home. © Kiana Hayeri / Amnesty International

7. CHILD, EARLY AND FORCED MARRIAGE

"When the Taliban's policies exclude women and girls from society, create uncertainty and fear in communities and prevent girls from going to secondary school, vulnerable families find forcing their daughters into early marriage as the only option."

Basir Mohammadi, Regional Director, Too Young to Wed[203]

In December 2021, the Taliban issued a "special decree" on women's rights expressing their opposition to forced marriage. The decree stated "no one can force women to marry by coercion or pressure".[204] Protection actors told Amnesty International that at the local level, Taliban members have joined and even spoken at awareness-raising events sponsored by groups and organizations against child, early and forced marriage.[205]

Yet under the Taliban's rule, the rates of child, early and forced marriage in Afghanistan appear to have surged.[206] As discussed below, this increase is due to a number of interrelated drivers, many of which stem directly from the Taliban's restrictions and behaviour. Staff members of international and national organizations working on child, early and forced marriage, as well as Afghan women's rights defenders and other women interviewed by Amnesty International said some of the most common drivers of child,

203 Interview by video call, 11 April 2022.

204 Ministry of Information and Culture, "Special decree issued By Amir Al-Momenin on women's rights", 3 December 2021, moic.gov.af/en/special-decree-issued-amir-al-momenin-womens-rights#:~:text=1)%20Adult%20women's%20consent%20is,and%20or%20to%20end%20animosity

205 Interviews with local protection actors, 11 and 28 April 2022.

206 "Forced marriage" is defined as "a marriage to which one or both of the spouses did not give their free and full consent". Under international human rights law, child marriage is understood as the marriage of two persons, where at least one of the parties to the marriage is under the age of 18. However, under Article 70 of Afghanistan's Civil Law, which was in effect before the Taliban's takeover, the legal age of marriage is 16 for girls and 18 for boys. For the purpose of this report, the term 'early marriage' is used to encompass those marriages in which one or both spouses are below the age of 18 but have attained majority under State laws. Amnesty International uses the language "child, early and forced marriage" in this report to encompass all these forms of marriages that constitute a "harmful practice" under international law. For more on these terms, see Sexual Rights Initiative, Analysis of the Language of Child, Early, and Forced Marriages, August 2013, sexualrightsinitiative.org/sites/default/files/resources/files/2019-04/SRI-Analysis-of-the-Language-of-Child-Early-and-Forced-Marriages-Sep2013_0.pdf

early and forced marriage since August 2021 include the economic and humanitarian crisis; lack of educational and professional prospects for women; families' perceived need to protect their daughters from marriage with a Taliban member; families forcing women and girls to marry Taliban members; and Taliban members forcing women and girls to marry them.

Girls who are forced into marriage are left at increased risk of leaving school or university; facing gender-based violence by their husbands, including marital rape and other forms of sexual and domestic violence; and being unable to access reproductive health services and make their own reproductive choices.[207] Complications during pregnancy and childbirth are more likely at a young age, and are in fact the main cause of death among 15 to 19-year-old girls and women in low-income countries like Afghanistan.[208] Girls who marry early are also at greater risk of suffering obstetric fistula, a hole in the birth canal that leaves them leaking urine or faeces continuously.[209] Local and international protection actors also raised concerns that girls who are forced into marriage are at greater risk of being subjected to human trafficking, sexual exploitation and forced labour.

For this report, Amnesty International interviewed six women and girls who had been subjected to child, early and forced marriage; four women and girls who had recently escaped a child, early and forced marriage; and 10 family members of women and girls who were subjected to child, early and forced marriage.

7.1 SURGING RATES

Before the Taliban's takeover, Afghanistan's rates of child, early and forced marriage were already some of the highest in the world. For instance, around 28% of Afghan women and girls between the ages of 15 and 49 were married before the age of 18.[210] Since the Taliban took control, there has not yet been an assessment of nation-wide trends of child, early and forced marriage. However, several indicators point to increasing rates. In March 2022, UNICEF said that their implementing partners were reporting elevated rates of child marriage in cities, rural areas and among internally displaced families.[211] A staff member of the Danish Refugee Council also said they were seeing "a sharp increase" in the rates of child, early and forced marriage, based on reporting from their nationwide protection monitoring program.[212]

According to Too Young to Wed, an international organization working on forced and child marriage in Afghanistan, the rates of child, early and forced marriage have skyrocketed where they are working, in

207 Human Rights Watch, *Lives Taken: Violations of Women's and Girls' Human Rights in Child Marriage*, 2011, hrw.org/sites/default/files/related_material/2011_Child_Marriage_Briefing_WRD.pdf

208 UNICEF, *Addressing Child Marriage in Afghanistan: UNICEF's Response Strategy*, March 2022.

209 Human Rights Watch, *Afghanistan: Ending Child Marriage and Domestic Violence*, 2013, hrw.org/sites/default/files/related_material/Afghanistan_brochure_0913_09032013.pdf

210 UNICEF, "Girls increasingly at risk of child marriage in Afghanistan", 12 November 2021

211 Interview by video call with UNICEF staff members, 4 May 2022.

212 Interview by video call with DRC staff members, 19 May 2022.

Ghor, Herat and Badghis provinces.[213] Of the families they interviewed in a recent rapid assessment survey, nearly one third were on the verge of forcing their daughters into marriage. Too Young to Wed's director, Stephanie Sinclair, said the rise in rates was alarming but not unexpected: "In Afghanistan, it's a perfect storm for child marriage. You have a patriarchal government, war, poverty, drought, girls out of school – with all of these factors combined… we knew child marriage was going to go through the roof."[214]

During its research, Amnesty International received several other reports from protection actors and local activists that child, early and forced marriage rates had spiked in their areas, whether rural or urban.[215] For instance, a staff member of the Child Protection Network said child marriage "was happening before, but much less than now", and a local journalist said she had observed "there is now at least one forced marriage in every family", regardless of class background.[216]

7.2 DRIVERS OF CHILD, EARLY AND FORCED MARRIAGE

According to staff members of international and national organizations working on child, early and forced marriage, as well as Afghan women's rights defenders and other women interviewed by Amnesty International, some of the most common drivers of child, early and forced marriage since August 2021 include the following, which intersect and overlap: the economic and humanitarian crisis; lack of educational and professional prospects for women; families' perceived need to protect their daughters from marriage with a Taliban member; families forcing women and girls to marry Taliban members; and Taliban members forcibly marrying women and girls.

ECONOMIC AND HUMANITARIAN CRISIS

Since the Taliban's takeover, Afghanistan is facing a catastrophic humanitarian and economic crisis, with the UN estimating in April 2022 that around 95% of the population did not have enough food to eat.[217] According to national and international organizations working on child, early and forced marriage, as well as women's rights activists and media reports, the economic and humanitarian crisis is leading an increasing number of families to marry off their daughters, as a result of the "bride price" they receive.[218] Families are also turning to the practice to reduce their overall expenditures. Lima, a 32-year-old professor and women's rights defender from Panjshir province, explained: "They want fewer mouths to feed in their

213 Interviews by voice call, 11 and 15 March 2022.

214 Interview by voice call, 15 March 2022.

215 Interviews, 2022.

216 Interviews by voice call, 28 and 30 April.

217 UN News, "UN human rights experts urge United States to ease Afghanistan assets freeze", 25 April 2022, news.un.org/en/story/2022/04/1116852. See Chapter 3 for more on the humanitarian and economic crisis in Afghanistan.

218 For more details on marriage practices in Afghanistan, see Afghanistan Analysts Network, "The Bride Price: The Afghan tradition of paying for wives", 25 October 2016, afghanistan-analysts.org/en/reports/context-culture/the-bride-price-the-afghan-tradition-of-paying-for-wives/. For more coverage of Afghan families selling their daughters, see, for example, NBC News, "Desperate for cash, Afghan families are selling young daughters into marriage", 21 November 2021, nbcnews.com/news/world/afghan-families-sell-daughters-marriage-economy-collapses-rcna5829; Washington Post, "Through child marriage or paid adoption, Afghan girls bear brunt of crisis", 14 April 2022, washingtonpost.com/world/2022/04/14/afghanistan-girls-child-marriage-adoption/

families."[219] UNICEF in Afghanistan predicts that as the humanitarian crisis worsens, child marriage will increasingly become an option for families. In Yemen and South Sudan, for example, the conflicts resulted in an estimated 20% increase in child marriage.[220]

Turpikai, a woman in her 40s, told Amnesty International that she had forced her 16-year-old daughter, Laila, to marry, largely for financial reasons. Eight years ago, Turpikai was injured in an air attack near her home in Helmand province, which led her family to move to a camp for internally displaced people outside of Kabul. She said that after the Taliban's takeover, her work as a cleaner for families in her community had dried up, as families could no longer afford to hire her. She also has to repay a debt that her son had incurred to another family before he died in 2019. Before the economic crisis, she paid back the debt in monthly instalments. As economic conditions deteriorated, she was unable to pay these instalments. By marrying her daughter Laila to a member of the family to whom her son was indebted, she erased the debt of 300,000 Afghanis (around US$3,390). Laila shared her feelings on the marriage: "Before I could play, and now I am doing work for them [the family]… My heart didn't accept this."[221] Turpikai said she couldn't see another option. "It's good that I had a daughter to marry to them – otherwise how would I pay?" she asked.[222]

Turpikai said that she needed an operation on her breast to remove a tumour, which would cost around 70,000 Afghanis (US$790). To pay for the operation, she was considering marrying off her seven-year-old granddaughter, whom she had cared for after her son's death. "If I give my granddaughter to another family, I will get the money I need, and she will find a better place," she said.[223]

"The world is full of wishes," Turpikai told Amnesty International. "I just have this wish: that my children and grandchildren have a piece of bread to eat [and] shoes to wear… I can't sleep now… I put my head on the wall, and worry about whether I will be able to feed my children. Then I look at my watch, and realize it's the morning."[224]

Nazi Gul, a 50-year-old woman living in Uruzgan province, has been her family's sole wage-earner since her husband died seven years ago. She said that before the Taliban's takeover, she could live on the charity of her neighbours. "It has gotten a lot worse now… Before you would stand in front of a house, and they would bring something to you. Now they can't find anything to give you," she said.[225]

Nazi Gul said that to feed herself and the rest of her family, she had married off her seven-year-old daughter for a bride price of 40,000 Afghanis (around US$450). Her daughter's new husband, a teenager,

219 Interview, 2021.
220 UNICEF, *Addressing Child Marriage in Afghanistan: UNICEF's Response Strategy*, March 2022.
221 Interview, 2022.
222 Interview, 2022.
223 Interview, 2022.
224 Interview, 2022.
225 Interview, 2022.

was a family friend. Nazi Gul said that her daughter was not old enough to comprehend that she is married now: "When they took her the first time, she didn't cry. Then she came back to me. When she went back [to her husband's family] a second time, she started crying. She doesn't understand that this is her new family… She was going to primary school, but now that she's married, they don't let her go to school."[226]

Momin, a 35-year-old man living in Badghis province, told Amnesty International that he had arranged for a marriage for his seven-year-old daughter, Najla, before a humanitarian organization intervened. Momin explained the financial difficulties he was facing:

> **Before the Taliban… [t]here were companies, NGOs, government offices, and there was a way to work. You could always find a way to work and find some money, but since the Taliban took over, we are suffering... It's not that I'm not trying – I go out to do day labour, but no one needs us, because there is no money to build anything.[227]**

Momin served in the Afghan National Army (ANA) prior to the Taliban's takeover, and he was injured in the fighting with the Taliban. After the Taliban's takeover, he and his family fled from Badghis province to Kabul, fearing for his safety due to his history as a soldier. When he was unable to be evacuated to another country, he returned to Badghis and found that his house had been ransacked and robbed, so he was forced to borrow money to feed his family. He said the people to whom he was indebted had approached the Taliban, and local Taliban officials were visiting him and sending him regular letters ordering him to repay these individuals. All of these factors led him to arrange a marriage for Najla to a 40-year-old man living in a village nearby, for a bride price of 120,000 Afghanis (around US$1,350).

Momin told Amnesty International:

> **Who wants to do this to their children? I had no other choice… I knew she would suffer. I knew she would face a lot of problems, but all the doors were closed. That man is older than me, and I had a very bad feeling to sell my daughter to him, but poverty makes you do things you never imagined in your life. I am not the only one in this neighbourhood to do this... I know 10 people who have sold their daughters to feed their other children.[228]**

He said that he had already spent the money given to him by the humanitarian organization to pay off his debts. "I don't know what to do next, because we have nothing," he said. "If it goes on like this, I will have to sell Najla again."[229]

LACK OF EDUCATIONAL AND PROFESSIONAL PROSPECTS

Another driver of child, early and forced marriages in Afghanistan is the narrowing of women's and girls' educational and professional prospects, as a result of the Taliban's restrictive policies – including their

226 Interview, 2022.
227 Interview, 2022.
228 Interview, 2022.
229 Interview, 2022.

An Afghan woman poses for a portrait in her home. © Kiana Hayeri / Amnesty International

continuing de facto ban on secondary education for girls.[230] Leeda, a teacher and women's rights activist from Sar-e Pul province, gave a simple assessment: "Because the schools are closed and they don't see a future for their daughters, families are forcing them to get married."[231]

Stephanie Sinclar of Too Young to Wed explained the relationship between girls' access to education and child, early and forced marriage:

> **This is always about women and girls merely being valued for their bodies. With a lack of access to education and therefore the inability to contribute financially to their communities, the patriarchal system relegates girls' existing solely for marriage, motherhood and sexual pleasure. We need to shift this, so these girls will be valued in a different way… School creates skills for the girls to support themselves and their families. It also keeps eyes on what is happening to the girls. It's a protective factor in that way. When you take school away, it's much easier to marry off the girls.[232]**

A staff member of an international organization working on child, early and forced marriage pointed out, "[The Taliban] came up with a decree saying that child and forced marriage was prohibited, but then they block girls from going to school… so whatever they are doing on forced marriage isn't meaningful."[233]

Karima, a 17-year-old girl from Ghor province, was forced to marry a 21-year-old man after the secondary schools were closed in her area due to the Taliban's de facto ban. She explained:

> **My father made the decision… I thought I would go to school, and after I finished school, I would go and study midwifery, and get a job, and then maybe decide to get married. But when they closed down the schools for us… there was nothing else I could do… I always had this dream of becoming something and serving my people. But that didn't happen, so I didn't want to upset my father by standing against his decision. I had to say yes.[234]**

Karima said that many of her former classmates had also been pressured to marry since the Taliban's takeover, due to "poverty" and the closing of secondary schools. "Around 20 girls who were in class with me are in the same situation... [They] are getting married now, because of the schools closing," she explained.[235]

Khorsheed, a 35-year-old woman living in a central province in Afghanistan, told Amnesty International that her husband had recently left to find work in Pakistan as a day labourer and they had not heard from him in months.[236] Khorsheed said she was struggling to care for the six children she had at home. She had married her 13-year-old daughter to her 30-year-old neighbour in September 2021 and was considering

230 For more on restrictions on education and work, see sections 4.2 and 4.3, respectively.
231 Interview, 2022.
232 Interview by voice call, 15 March 2022.
233 Interview by video call, 19 May 2022.
234 Interview, 2022.
235 Interview, 2022.
236 Interview, 2022.

marrying off her 10-year-old daughter as well, in part because her hopes that this daughter would provide for the family in the future had been dashed by the loss of educational and professional opportunities under the Taliban. She explained:

> **If they keep the secondary schools closed, I would be very upset. She went all the way to fifth grade. I wanted her to study more. She would be able to read and write, and speak English, and earn… If not… how will I take care of her?...[The Taliban should] let my daughter go so she can study and learn. I have a hope that this daughter will become something, and she will support the family. If they don't open the school, I will have to marry her off.[237]**

Nazi Gul, the woman from Uruzgan province who married off her seven-year-old daughter as a result of the financial difficulties she was facing, said that with the closure of secondary schools in her province, she was also strongly considering marrying off her other two daughters, who are six and eight years old.[238]

AVOIDING MARRIAGE WITH A TALIBAN MEMBER

Since the Taliban's takeover, many families have forced their daughters to marry in order to avoid the possibility that their daughters would be forced to marry a Taliban member. Jamila, the principal of a primary and secondary school in Panjshir province, described how this pattern emerged in her area: "The rumour was that the Taliban might come and take the girls with them, so many of my friends got engaged to their cousins."[239] A local protection actor said he and his organization had witnessed this pattern emerge in his province, Badghis. "It was an emergency situation and there was so much uncertainty, so they felt it was better to marry them with dignity to avoid rape and forced marriages by the powerful," he said.[240]

Zulikha, a women's rights activist living in Kabul, said that whenever she spoke with her friends in recent months, she kept hearing a common refrain: "I recently got married." She explained: "[M]any of the families have forced their daughters to marry, because they don't want them to marry a Talib. Most of their families don't want anything bad to happen [to their daughters], so many young women were forced to marry early."[241]

Nasima, a 16-year-old girl from Ghor province, told Amnesty International that her family became nervous about her fate when the Taliban took control of her province. In February 2022, her father forced her to marry one of his contacts, who was 36 years old. "My family were scared that the Taliban would take me, so [my father] found a man and married me off... I hadn't even spoken to this man [before I married him]."[242]

Nasima said her husband's family was not treating her well. Secondary schools were closed in her area, but even if they re-opened, she said her husband's family was against her continuing her education,

237 Interview, 2022.
238 Interview, 2022.
239 Interview, 2022.
240 Interview, 2022.
241 Interview, 2022.
242 Interview, 2022.

which meant she would not realize her long-held dream of becoming a doctor. "I am not happy with this marriage. No one is happy with anything forced on them," she said.[243]

FAMILIES FORCING WOMEN OR GIRLS TO MARRY TALIBAN MEMBERS

Women's rights activists as well as other women and girls told Amnesty International that many families had forced their daughters into marriage with Taliban members, as a way to protect the family. Amnesty International documented several cases where families had tried to do so, but the woman or girl escaped the situation; researchers did not try to access women and girls still in forced marriages with Taliban members, given the risks to someone in that situation.

Marzia, 19, said she had narrowly avoided being forcibly married to a Taliban member in December 2021. When she spoke with Amnesty International, she had fled her family and found refuge in a safehouse in another city. She said that because her father and older brother had served with the army, they thought the best way to secure their and their family's safety was to have Marzia marry a Taliban member. "They told me, 'This is the government of the Taliban. If you have a connection with them, then you're safe'… My family became my enemy in a few days," she said.[244]

Marzia refused the marriage. In response, her father and older brother began beating her regularly. She said her younger brother came to her and said, "It's on your head – you can save everyone."[245] When Marzia's pleas to avoid the marriage were ignored, she attempted suicide by cutting her wrists with a razor. A few days later, the Taliban member's family came to visit her house, and she made sure her wrists were visible to them. They rejected the marriage, and soon after, Marzia's father scalded her with boiling water, punched her and kicked her between her legs. To cover up the scars on her wrists, her father and brother tried to burn her skin with boiling water and then with boiling oil.

"After that... I needed to leave," Marzia told Amnesty International.[246] She made contact with the organizers of an underground safehouse for women and girls and fled her family. "I'm free now," she said. "But I'm not free inside. I'm grateful I am not feeling the pain of beating any more, but I can't forget my past… I didn't want someone to take a decision for me and destroy my future."[247]

Sabeera, a 17-year-old girl from Takhar province, said her father had tried to force her to marry a Taliban member, as he felt this would protect the family and maybe even secure him a government position. She said he first discussed the idea in November 2021, and then a few days later, told her he had found the man she would marry. She told Amnesty International what happened next:

243 Interview, 2022.
244 Interview, 2022.
245 Interview, 2022.
246 Interview, 2022.
247 Interview, 2022.

> **My stepmother gave me new clothes and told me to get ready… I didn't know what was going on. I saw a Taliban member who came with two other Taliban commanders. I saw he was an old man – he was my father's age. I said no, I am not going to do this… I was terrified… When I saw this man, and saw my family would hand me over to a man like this, I knew I needed to leave.[248]**

In response to her refusal, she said her family locked her in a room without food for 24 hours. Her stepmother and other relatives then beat her. "[They] came and said, 'You have to marry this man. If you don't marry him, your father will kill you. If he doesn't kill you, we will kill you… It's not your choice, it's our choice.' They were choking me, kicking me and pulling my hair."[249]

When she spoke with Amnesty International, she had recently fled her family and was living with extended relatives in a nearby city. She said that although her future was uncertain, she was determined to go back to school and become educated: "It's my one and only wish: to study, become educated, stand on my two feet, and do something for myself."[250]

TALIBAN MEMBERS FORCING GIRLS AND WOMEN TO MARRY

Amnesty International also found that members of the Taliban have used their positions of influence and power to force girls and women to marry them. National and international organizations working on child, early and forced marriage said they had tracked several such cases, but that they form a small percentage of the overall total. During this research, Amnesty International documented two such cases and received credible reports of several other cases.[251]

Siddiqa, a 33-year-old woman from a northern province, said a Taliban commander had forcibly married her sister, Farzana. In September 2021, Farzana, a 34-year-old journalist and social activist, was living at their family home when the commander arrived with two other cars of Taliban members. She refused the proposal, and in response, the commander threatened her and her family.

The commander then moved into their house, telling them that he had put it under surveillance. No official marriage ceremony was performed. "He said 'I am a mullah, and I know everything.' He read a prayer and said we did the *nikah* [legal contract]."[252] Siddiqa said the commander subjected Farzana to regular beating and verbally abused her and the rest of the family. "When someone dies, you know the person is no more," Siddiqa said. "When you lose a family member like this and you know that she is dying slowly, it's difficult."[253]

Farzana and her family managed to escape in February 2022, and are in hiding in another city. Siddiqa said Farzana lives in constant fear that the commander will find her. She said half of Farzana's hair turned

248 Interview, 2022.

249 Interview, 2022.

250 Interview, 2022.

251 Two such cases were covered in Chapter 6. Amnesty International received credible reports that at least two women detainees had been pressured into marriage with Taliban members as a way to leave the detention centre where they were being held.

252 Interview, 2022.

253 Interview, 2022.

An Afghan woman poses for a portrait. © Kiana Hayeri / Amnesty International

grey, she lost a significant amount of weight and she is prone to fits of rage. "My sister will be haunted until she takes her last breath… [The Taliban member] disrespected my family, abused us, our home, our future, our privacy... What he did killed us inside [and]... closed all doors for us," said Siddiqa.[254]

Nastaran, a woman living in Takhar province, said that a member of the Taliban forced her 15-year-old daughter to marry him in August 2021, soon after they took control of her province. She described how the Taliban member approached her family:

This man found out we had three girls, and he came to us and said, 'Where are your girls?' … My husband said this is not our custom. People will come and wait two, three or four months just for the engagement. The Talib went outside on the street, and he came back three times – in, out, in, out – and he said, 'Now we came to you three times. This is sharia, so you have to accept it.' My husband said no. The Talib said we have a mullah, and we will do the *nikah* now. The man said, 'We have the right to take your daughter.' So they did the *nikah*, and he took her away.[255]

Nastaran said she had not seen her daughter since and had not received an update on her whereabouts for seven months. She said her family had moved to a nearby city and rarely left home, in an effort to protect the two other daughters from forced marriage.[256]

254 Interview, 2022.
255 Interview, 2022.
256 Interview, 2022.

THE STORY OF BASEERA, WHO WAS FORCED TO MARRY BY HER FAMILY[257]

I was married 40 days ago. My family kept trying to get me to marry when I was in school. I tried to stay strong, and I struggled to finish my studies. I had three people asking for my hand in marriage. I didn't want to go with any of them.

Then I was engaged to this man, but I did not accept him. I was forced into it by my family. I wanted to get out of the marriage. I knew that he would beat me during the marriage, because he beat me even during the engagement.

The economy has affected everyone. My husband was a social activist, and now he's hidden all of his documents from his former work. He goes crazy and beats me because of the economy… He is always calling his colleagues and friends to try to get a job.

Whenever my husband beats me, he jokes he will stab me and kill me. He says he does it for fun. Whenever my husband pinches me, he says, 'I love it when you cry.' I have bruises all over my body. I've had to go to the doctor twice now after he beat me.

I was studying to become a doctor, but my husband didn't want this. With two more years, I could become a teacher in Islamic studies… Each day, it's 20 Afghanis [around US $0.25] [to get to and from university], which is a big cost. So I have been selling my jewellery, and I am planning to sell more so that I can attend my next semester.

I am always trying to compromise with my husband and to calm him down. I even told him, if you don't like me, you should leave me. But divorce in Afghanistan means the death of a person and a family. If I could, I would leave him, in a second.

He bought me, and I have to live with him. They always think of a woman as a thing, an object, which they use to give them children and do the housework. We need the right to live as humans, not as objects.

257 Interview, 2022. This interview has been condensed.

8. PEACEFUL PROTESTERS

"I lost everything in my life because of the Taliban. Because of that, I went to protest."

Women's rights protester[258]

"We screamed, but maybe it was not loud enough for the world to hear."

Women's rights protester[259]

The systemic discrimination imposed by the Taliban has led to a wave of peaceful protests by women and girls across Afghanistan. In response, the Taliban have violated the fundamental rights of these women and girls to freedom of expression, association and assembly, and subjected them to harassment and abuse, including beating and electric shocks by tasers.

On 30 May 2022, Taliban Foreign Minister Amir Khan Mutaqqi said in a media interview, "In the past nine months, not a single woman has been imprisoned in the jails of Afghanistan either due to political opposition or raising voice against the government."[260] This is not true. Amnesty International has found that women protesters in Afghanistan have been subjected to arbitrary arrest and detention, enforced disappearance and torture and other ill-treatment, both physical and psychological. In the course of its research, Amnesty International spoke with 12 women involved in protests in different locations across Afghanistan after the Taliban's takeover, five of whom had been arbitrarily arrested and detained.

To maintain the anonymity of its sources, Amnesty International is not specifying the locations of the protests or the detention centres where protesters were held, and it has not used pseudonyms for these witnesses. Key details on the profiles of the protesters and their experiences have also been omitted.

258 Interview, 2021-2022.

259 Interview, 2021-2022.

260 News 18, "Not a single woman imprisoned in Afghanistan, claims Taliban minister Amir Muttaqi", 30 May 2022, news18.com/news/world/news18-global-exclusive-not-a-single-woman-imprisoned-in-afghanistan-claims-taliban-minister-amir-muttaqi-5270311.html

Some aspects of their testimonies were corroborated with reports from international and national NGOs and the media. The Taliban's denial that such detentions have occurred is dangerous in itself, as it cuts women off from due process, access to counsel and any monitoring of their situation.[261]

8.1 ORIGINS OF A MOVEMENT

Women interviewed by Amnesty International said their desire to protest came quickly and organically after the Taliban's takeover, and often developed out of conversations with friends or virtual discussion groups with their former colleagues, classmates and other contacts. One woman described how her decision to protest developed:

> **I kept telling my brother, we need to do something. He said it wasn't the time. I asked my colleagues, my family and friends. Everyone said it wasn't the right time to do anything… I was added to a [virtual] group. I added my cousins and friends… I kept saying we need to meet quickly, let's meet again and again… I was… [saying we should protest] 100 times, not one time. We need to take a lot of risks, and we need to plan properly.[262]**

Another protester shared her experience:

> **I didn't know what to do… I could not ignore the fact that we were burning inside, and our country was moving toward darkness. So I became a protester. I treated it as a profession, like my other profession before… We were raising our voices for different reasons: education, work, people getting arrested… We had a plan for every protest… We became not only protesters, we became journalists, managers, coordinators – we tried to see who was good at what, and to use our different skills.[263]**

Women said their protests took different forms, constantly evolving to avoid the Taliban shutting down the protests or harming or arresting the protesters. Protesters met in large outdoor gatherings at key landmarks in major cities and in smaller pop-up protests; they participated in social media campaigns; and they organized smaller, indoor events such as book readings and debates. One woman shared her experience of the first months of the women's protest movement after the Taliban's takeover:

> **They started arresting journalists, but we kept protesting – on the schools, work, targeted killings… If we protested in bigger groups... then the Taliban would get our names and details. So we tried to protest indoors, in smaller groups… but we saw the world wasn't really paying attention… So we went back outside. This time we were struggling, but we were stronger. We accepted that what we were doing was not easy. We thought they might kill us. But we realized that if we die, it's much better than staying at home and dying every second of our lives.[264]**

261 For more details on the protections to which women human rights defenders, including women protesters, had access before the Taliban's takeover – including through the Afghanistan Independent Human Rights Commission and the Ministry of Women's Affairs, which are no longer operational – please see Amnesty International, *Their Lives on the Line: Women Human Rights Defenders Under Attack in Afghanistan* (Index: ASA 11/1279/2015), 7 April 2015, amnesty.org/en/documents/asa11/1279/2015/en/

262 Interview, 2021-2022.

263 Interview, 2021-2022.

264 Interview, 2021-2022.

Women spoke of the excitement and pride they felt as the movement spread across the country. A protester told Amnesty International: "Every day the number of people was increasing… Our photos went viral, our messages, everything. I was so excited about this work. I knew we were fighting for something really important… I felt so tired, but I also felt accomplished."[265]

One woman told Amnesty International that even in the first weeks of the protests, that excitement was also mixed with dread: "We felt powerful and lighter after every protest we did. But it was different at night. We felt empty, we could not sleep, and everything that happened during the day was on repeat… No matter how powerful we felt during the protests, at night we felt hopeless and helpless."[266]

8.2 MISTREATMENT DURING PROTESTS

During the protests, women were subjected to harassment, intimidation and threats by the Taliban. Women told Amnesty International that the Taliban often forced them to end their protests after just a few minutes.

A protester described the harassment she and others faced at a protest in September 2021: "We were around 90 people, and there were more than 200 Taliban members surrounding us… They kept cursing us, saying we are prostitutes and the puppets of America. We said we were not supporting America or any terrorist group… Whatever they said, we said something in return… They didn't like it, because they want us to keep silent."[267]

Another woman recalled a protest where she and seven other women gathered in front of a school to protest Taliban restrictions on girls' education. She described how the Taliban responded:

> **We were there at 8am, and [the Taliban] arrived at 8:10am. There were only eight of us, but around 300 Taliban members. We were standing and protesting for four hours. We didn't leave. I don't know why they came with their cars and weapons… We were making jokes… Did they want to take over a province or what?… We wanted to continue our protests in front of another school… They would not allow us to move… They asked the shopkeepers to make us go home, so shopkeepers started harassing us. We didn't want to get beaten up and killed, so we left.[268]**

The women interviewed by Amnesty International said that during protests the Taliban subjected them and the journalists covering the protests to beating, electric shocks with tasers, tear gas and chemical spray. They also said the Taliban regularly destroyed their banners, pamphlets or other materials and attempted to follow them home after the protests. To prevent protesters and journalists from taking photos or videos, the Taliban have either forbidden protesters and journalists from using their phones or confiscated them.[269]

265 Interview, 2021-2022.
266 Interview, 2021-2022.
267 Interview, 2021-2022.
268 Interview, 2021-2022.
269 Interview, 2021-2022.

An Afghan woman poses for a portrait in her home. © Kiana Hayeri / Amnesty International

One woman recalled a protest where the Taliban broke the windows of nearby shops and spread the glass on the ground, to prevent them from sitting down.[270]

One woman described her experience of what she called a typical protest: "The Taliban were circling us, and very organized. They kept coming closer. They wanted to take all of our space, and they had pepper spray in case we wanted to say anything... I was sprayed four times that day, but I just kept going, standing with my fellow protesters. My sister was there, and I was so worried for her."[271]

Another woman told Amnesty International that she had witnessed Taliban members severely injure the hands of a woman at a protest in September 2021:

> **There was one girl who was wearing a Panshiri scarf... The Taliban started asking her to leave. They were beating her with a rubber pipe, a half a meter long. They broke her hands… She was saying, 'I can't feel my hands'… I put her in a taxi so she could go to the hospital. The Taliban members broke the windows of her car.[272]**

Two women said that after photos of a fellow protester's injuries were posted on social media, the Taliban members developed a new strategy to prevent them from showing their injuries publicly. "We were beaten on our breasts and between the legs. They did this to us so that we couldn't show the world," explained one of these women. "A soldier who was walking next to me hit me in my breast, and he said, 'I can kill you right now, and no one would say anything.' This happened every time we went out: we were insulted – physically, verbally and emotionally."[273]

Women also said that Taliban members have shot in the air during the protests, causing panic among the protesters. One woman recalled how her friend was pushed down by the fleeing crowd: "She fell down on her belly. It was a new pregnancy… I was there when she lost the baby… She was crying, and she told us she could feel blood coming out of her body."[274]

8.3 PROTESTERS IN HIDING

Several women protesters described the panicked weeks they spent prior to their arrests, switching locations between the homes of relatives and friends as well as safehouses organized by international and national organizations, trying to avoid being found by the Taliban.

One protester said she "started panicking" after the arrest of fellow protesters Tamana Paryani and Parwana Ibrahimkhel on 19 January 2022.[275] She moved between four locations, and just before moving

270 Interview, 2021-2022.
271 Interview, 2021-2022.
272 Interview, 2021-2022.
273 Interview, 2021-2022.
274 Interview, 2021-2022.
275 Interview, 2021-2022.

to a safehouse, her family gathered to wish her well. "Everyone was crying as if there was a funeral," she said. "Maybe they knew that something bad was going to happen to us."[276]

Another protester moved between six locations before she was arrested by the Taliban. At one point, Taliban members organized several checkpoints in the neighbourhood where she was staying, as they had received a tip on her location. "My [family member] said we needed to move quickly," she explained. "We got the news that they had my picture and all of my information… Without taking any clothes for myself or my kids, we had to leave."[277]

After passing through the checkpoints undetected, she and her family went to the home of some of her relatives. "When we arrived there, [my relatives] were not happy," she recalled. "They don't believe in women being activists, and they thought what I was doing wasn't right… They were throwing glasses and plates at me… I couldn't go back to my own place, because we knew that the Taliban would find us… We were just walking around on the streets."[278]

This protester finally made it to a safehouse where other protesters and their family members were staying. When she saw Taliban members outside the window of the house, she deleted all of the numbers in her phone, and prepared her children. "We started waiting for the Taliban to come," she said. "And then they came."[279]

8.4 ARBITRARY ARREST

Of the 12 women protesters interviewed by Amnesty International, five had been arbitrarily arrested and detained by the Taliban. All five women reported that they or their family members were subjected to beating and other forms of torture and other ill-treatment during the arrest.

Three women interviewed by Amnesty International were arrested together.[280] One of these women described her arrest:

> **I was in the washroom when [my friend's] kids started screaming and crying… I locked the door... [The Taliban] knew that someone was inside of the washroom so they kicked open the door... I saw one tall, male Talib on my left, and a female Talib on my right. I was paralyzed. I couldn't move… The male Talib looked at me and said I was a nasty woman, a bad woman.[281]**

276 Interview, 2021-2022.
277 Interview, 2021-2022.
278 Interview, 2021-2022.
279 Interview, 2021-2022.
280 Details such as the date and time of arrest have been omitted for security purposes.
281 Interview, 2021-2022.

She said that when the Taliban members entered her room, she refused to give them her phone, and instead hid it in her bra. The Taliban members called their commander to deal with her. She explained what happened next:

> **[He] entered the room, carrying two Kalashnikovs on his shoulders, one pistol in one hand and one transmitter in the other hand. He hit my forehead with his transmitter and ordered me three times to give him my mobile phone. He screamed and said he would kill me if I didn't… I asked him to go away so I could take the phone from my bra, but he did not move. I turned my back and then gave it to him.**[282]

The women were ushered outside by the Taliban members. "When we went outside, it felt like we were the biggest terrorists. There were so many cars, different uniforms, and everyone had guns," said one of the women.[283]

Another woman was arrested at a protest in September 2021. She said that around 30 Taliban members approached the group of protesters, and immediately forced men and women protesters into police cars, private cars and taxis. She attempted to run away but was captured. She told Amnesty International:

> **They covered my face with a blindfold. I begged them to leave me, and they started beating me, with their guns and whatever they had in their hands... [The Taliban member] kept pushing me and beating me on my shoulders until he locked me in a room.**
>
> **He left, and after two hours, another officer came… He was asking if I was Tajik or from Panjshir, if Massoud's son sent me to protest, if I was doing this for money. I said no – I know my rights, and I did this for myself. Whenever I said this, he was beating me with the butt of the gun… He said, 'You are prostitutes, you don't know how to behave, and we know how to fix you.'**[284]

Another woman described her arrest:

> **A man entered... and asked if I was [my name]… The next thing I knew, four Talibs entered, wearing Kandahari hats. They were from the Taliban intelligence. My sister started panicking... They pointed their guns at us... The Talibs... asked everyone not to make any noise – [they said] otherwise they would seek help from the fighters [outside], and it wouldn't be good. I had to go with them.**
>
> **Then one of the Talibs put a gun in my lower back... [I]t was a big convoy, a big group of them... They asked me to go and sit in the car... I was in shock. I couldn't move. I felt very thirsty, but I couldn't feel my tongue...**

282 Interview, 2021-2022.
283 Interview, 2021-2022.
284 Interview, 2021-2022.

The car started moving really fast... I asked them to drive more slowly, and they said, 'No, you nasty woman'... [The Taliban member] said, 'Even during the Republic, if we wanted to kill someone, we could do that easily. Now we have control over everything, 34 provinces, so of course we can do what we want... For the past two months, we were following you, and waiting for the right time to arrest you.'[285]

8.5 VIOLATIONS IN DETENTION

Like the women and girls detained as a result of "moral corruption" charges or fleeing domestic violence, women protesters have been subjected to multiple violations in detention by the Taliban.[286]

ENFORCED DISAPPEARANCE

Four of the five women protesters who were detained said that they were unable to notify their family members that they had been arrested. When their family members approached the detention centres where they were held, the Taliban told them they were not in custody, which lasted for a period of around 10 days for most women. For instance, a protester who was detained told Amnesty International: "My family came [almost every day... but every time they came to see us, the Taliban denied we were there."[287] Another protester said similarly, "For the first 10 days, our families didn't know if we were alive."[288]

TORTURE AND OTHER ILL-TREATMENT

One protester told Amnesty International that she was detained alone in a 12x12m cell for 10 days and subjected to severe beating and psychological torture. She described the threats the Taliban members made: "They kept coming to my room and showing me pictures of my family. They kept repeating the same thing all these days: 'We can kill them, all of them, and you won't be able to do anything… Don't cry, don't make a scene. After protesting, you should have expected days like this.'"[289] She said she was severely beaten in detention, describing two such occasions:

They took me to a room [and]… locked the door. [They] asked, 'How much did UNAMA pay you to protest?'… They started screaming at me… [One Taliban member] said, 'You nasty woman… America is not giving us the money because of you bitches'… Then he kicked me. It was so strong that my back was injured, and he kicked my chin too… I still feel the pain in my mouth, it hurts whenever I want to talk…

The fourth night, I heard [a fellow protester] crying… [S]omeone opened the door, and entered my room. His face was covered, and he had a sword with him. He started beating me really badly. He kicked me in my back, my shoulder, my face, my neck, everywhere… I thought he was leaving… He turned back, he kicked me strongly in the side of my stomach. I couldn't move at all after that.[290]

285 Interview, 2021-2022.
286 For more on the detention-related violations suffered by women arrested for "moral corruption" or fleeing abuse, see Chapter 6.
287 Interview, 2021-2022.
288 Interview, 2021-2022.
289 Interview, 2021-2022.
290 Interview, 2021-2022.

She described how she was denied adequate medical care in detention after she was beaten: "I started not feeling half of my body… I couldn't move my leg… I told them I need to see a doctor. The doctor came to the room, he yelled at me, saying, 'Where is your *mahram*? I don't want to see your face'… The doctor threw some pills at me… I don't know what it was."[291] Because of the beating she suffered in detention, she said she is still being treated for broken bones and for problems with her kidneys and her breathing.

Another woman said that during her detention, she heard the sounds of other protesters being subjected to beating or other forms of torture:

> **I was alone in a dark room… I could hear crying and screaming from the ones who were being tortured and beaten by the Taliban. Even in the dark, [the Taliban member] kept coming and asking me the same questions… I couldn't avoid the noise. I tried to put my fingers in my ears, but it wasn't helping, because everyone was screaming.[292]**

One protester said that shortly after her arrest, the Taliban separated her male relative and the male relatives of other protesters who were arrested, took them into a separate room, and subjected them to beating and electric shocks for more than an hour. She explained: "I could hear my [male relative] screaming… The Talib who was torturing the men – his hands, clothes, everywhere was full of blood when he came out."[293]

Another woman said that her husband, who was beaten during their arrest, was subjected to severe beating and electric shocks during his detention – so strong they caused nose bleeds and fainting. Taliban members also repeatedly told him that she was being subjected to sexual violence. "They would say, 'We, 10 Talibs, gang raped your wife today.'"[294]

INHUMAN CONDITIONS

Women protesters told Amnesty International that during their detention, they had inadequate access to food, water, ventilation, sanitary products and health care.

One protester explained the problems they faced with ventilation: "We begged them to open the windows… Even now my children are not able to breathe properly, because something happened there… People were vomiting and fainting all the time."[295]

Another protester described the conditions where she was detained:

291 Interview, 2021-2022.
292 Interview, 2021-2022.
293 Interview, 2021-2022.
294 Interview, 2021-2022.
295 Interview, 2021-2022.

There were three or four families with kids, but [they gave us] little food, only once a day… They gave us little water. Even in the washroom, [water] wasn't available. The kids were crying, asking for water… I got my period… I didn't know what to do. I had nothing to use…

[Another detained protester] was begging the Taliban to give her medicine, and they were harassing her… She kept saying, 'I will die if you don't give me my medicine.'… The Taliban didn't care until she collapsed. They took her out of the room, and when I saw her daughter later, she said she had to spend six months in the hospital.[296]

8.6 RELEASE

To secure their release from prison, the women interviewed by Amnesty International were all required to sign "agreements" that they and their family members would neither protest again nor speak publicly about their experiences during detention. One protester explained: "I had to sign something saying I won't do something similar again, but if I do anything, that my family and my friends, and all the people around me will suffer."[297]

Some women said that men in their family were required to sign similar agreements. "My brother and brother-in-law had to sign agreements saying [my name] will not leave the country and will not do anything like this again… They recorded a video of my brother and brother-in-law… saying, '[My name] is my sister, she will not do this again, or you can come and arrest me,'" said one protester.[298]

Before they were released, the women and their family members were required to submit their and their family members' official documents, such as a work license, land and house deeds, passports and *tazkeras* (national IDs). Women offered different explanations for the Taliban's motivation in doing this. Some believed the Taliban wanted to block them from leaving the country, and others said the Taliban was attempting to intimidate them through the financial ruin their actions could pose to their family members. One protester explained the second motivation: "My husband's cousin had to register all of his land, his houses, whatever he had, with the Taliban. If I speak out, they will take everything. This is a chain, a circle, so it's not easy to break it."[299]

Some of the protesters said that, even after their release, their family members had been arrested by the Taliban in retaliation for their actions. For example, one protester said her brother had been arrested on two occasions after her release, in an attempt to pressure her to stop any activity on social media. "Their intelligence... is monitoring everything," she said. "Whatever I do, there will be a reaction from the Taliban."[300]

296 Interview, 2021-2022.
297 Interview, 2021-2022.
298 Interview, 2021-2022.
299 Interview, 2021-2022.
300 Interview, 2021-2022.

As discussed in Chapter 6, women who had been detained told Amnesty International that it can carry life-long stigma and shame, particularly because many believe that all women in detention have been subjected to sexual violence. One protester said that when she was arrested, her only thought was about the stigma she would face: "Once you go to the prison, it's a big deal. You have no dignity afterward, because everyone will say you were raped."[301]

Still, many of the protesters said they would continue to resist the Taliban's treatment of women and girls, no matter the consequences. One protester reflected on her involvement in the protests:

When I remember that I lost so many things during this time, it is the worst feeling… I had everything, and then the government collapsed… But when I remember my leading and protesting, I feel proud… [L]ife is too short to accept violence and discrimination. Even if we can change a little bit to raise our voices, just a little bit, we should do it, before it's too late. We should live for something.[302]

Another protester said simply, "My heart hurts every day, but I do not regret what I did or what I am doing."[303]

301 Interview, 2021-2022.
302 Interview, 2021-2022.
303 Interview, 2021-2022.

9. APPLICATION OF INTERNATIONAL LAW

Afghanistan is a party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant of Economic, Social and Cultural Rights (ICESCR), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Taliban, as the de facto authorities of Afghanistan, are bound by customary international law and by the human rights treaties listed above.

DISCRIMINATION AND RIGHT TO EQUALITY

Many of the violations documented in this report relate to discrimination. Under CEDAW, discrimination against women means "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field".[304] Under Taliban rule, women and girls are being subjected to pervasive and systematic discrimination on the basis of sex.

9.1 RIGHT TO EDUCATION

The right to education without discrimination is a fundamental human right enshrined in international treaties, including the ICESCR and the CRC.[305] The ICESCR requires states to ensure that primary education is free, accessible, and compulsory for all children and that secondary education is accessible

304 CEDAW, Article 1.

305 Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 13: The Right to Education (Art. 13 of the Covenant), 8 December 1999, UN Doc E/C.12/1999/10; Committee on the Rights of the Child, General Comment No. 1: The Aims of Education, 17 April 2001, UN Doc CRC/GC/2001/1.

and available, with progress toward ensuring it is free. Higher education must be equally accessible to all, on the basis of capacity and by every appropriate means, with progress toward ensuring it is free.[306]

All the rights enshrined in the ICESCR, including the right to education, must be exercised without any discrimination with respect to sex. The Committee on Economic, Social and Cultural Rights describes the right to education as an "empowerment right", stating that "Education is both a human right in itself and an indispensable means of realizing other human rights" and clarifying that "education has a vital role in empowering women".[307]

According to the Committee on the Rights of the Child, discrimination on the basis of sex, whether it is overt or hidden, offends the human dignity of the child and is "capable of undermining or even destroying the capacity of the child to benefit from educational opportunities… Gender discrimination can be reinforced by… arrangements which limit the benefits girls can obtain from the educational opportunities offered, and by unsafe or unfriendly environments which discourage girls' participation."[308]

CEDAW requires that "States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women: (a) The same conditions… for access to studies and for the achievement of diplomas in educational establishments of all categories… [and] (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality."[309]

Since their takeover, the Taliban have instituted a de facto ban on secondary education for the vast majority of girls in Afghanistan. At the university level, the Taliban are imposing numerous and evolving restrictions on women and girls, detailed in section 4.2, and prohibiting female students from accessing the same opportunities as male students. At all levels of education, the Taliban's practices and policies mean that girls and women in Afghanistan do not have the same educational opportunities and standards as boys and men – violating women's and girls' rights to equal access to education, without discrimination.

306 ICESCR, Article 13(2).

307 Committee on Economic, Social and Cultural Rights (ICESCR), General Comment No. 13: The Right to Education (Art. 13 of the Covenant), 8 December 1999, UN Doc E/C.12/1999/10, para. 1.

308 Committee on the Rights of the Child, General Comment No. 1: The Aims of Education, 17 April 2001, UN Doc CRC/GC/2001/1, para. 10.

309 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), UN Doc A/34/46, Article 10.

9.2 RIGHT TO WORK AND PUBLIC PARTICIPATION

The right to work is enshrined in the ICESCR and CEDAW, specifically the right of all people to the opportunity to gain their living by work which they freely choose or accept.[310] States are obligated to ensure the right of access to employment, by avoiding measures that discriminate against marginalized groups.[311] Under CEDAW, states parties are required to ensure, on a basis of equality for men and women, the right to work; the right to the same employment opportunities; and the right to free choice of profession and employment, among other rights.[312]

CEDAW requires states to take all appropriate measure to eliminate discrimination against women in the political and public life of the country by ensuring women's rights, among others, to hold public office and to participate in international and national non-governmental organizations.[313]

As detailed in section 4.3, to date, Taliban representatives have told most female government employees to remain at home; have denied any positions to women in their cabinet; have closed the Ministry of Women's Affairs; and have generally imposed a policy that they will allow only women who cannot be replaced by men to keep working. These practices and policies constitute discrimination on the grounds of sex and violate women's rights to work and to participate in Afghanistan's political and public life. The Taliban's harassment and abuse of women who have continued to work, as well as their restrictions on other rights such as freedom of movement and freedom of expression, have significantly impeded women's ability to work effectively and constitute a violation of their right to access employment without discrimination.

9.3 RIGHT TO FREEDOM OF MOVEMENT

The right to freedom of movement is enshrined in the ICCPR.[314] Restrictions may be permitted when necessary, including to protect national security and public order. But any restrictions must be provided for in law, and must be proportionate, non-discriminatory and consistent with other human rights.[315]

Taliban restrictions on women's and girls' movement, as discussed in section 4.4, constitute discrimination on the grounds of sex and are a breach of the ICCPR's guarantee of women's equality before the law. The omnipresent threat that the Taliban will harass, abuse or detain women without a *mahram* means that women and girls cannot exercise the right on an equal basis to men. The *mahram* restrictions can have an adverse impact on women's and girls' ability to access education and work and therefore also constitute a violation of their economic, social and cultural rights.[316]

310 ICESCR, Article 6. CEDAW, Article 11.

311 Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 18*, 24 November 2005, UN Doc E/C.12/GC/186, para. 31.

312 CEDAW, Article 12.

313 CEDAW, Articles 7 and 8.

314 International Covenant on Civil and Political Rights (ICCPR), Article 12(1).

315 ICCPR, Article 12(3).

316 ICESCR, Articles 6 and 12.

9.4 RIGHTS TO FREEDOM OF EXPRESSION, ASSOCIATION, PEACEFUL ASSEMBLY AND RELIGION

The rights to freedom of expression, association and assembly are guaranteed under the ICCPR.[317] No restrictions may be placed on the exercise of the rights of association and assembly other than those imposed lawfully and which are necessary to protect national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.[318]

As detailed in Chapter 8, the Taliban is subjecting women who have participated in peaceful protests to harassment, beatings, electric shocks by tasers, tear gas and chemical sprays. These attacks, and the fear of such attacks, denies or undermines free expression, association and peaceful assembly. The Taliban have no grounds under international law for invoking any restrictions on women protesters' rights to freedom of expression, association and peaceful assembly, and as such these rights are being violated.

The women who participated in peaceful protests against the Taliban since the group's takeover of the country are also covered under the safeguards for human rights defenders as laid down in the Declaration on Human Rights Defenders by the UN General Assembly in December 1998. In particular, through the special resolution on women human rights defenders (WHRD) adopted by the UN General Assembly in 2013, states are required to protect WHRDs from violence, threats and reprisals and have an obligation to create a safe and enabling environment for WHRDs.[319] The state obligation to protect human rights defenders has been reiterated by the UN Human Rights Committee.[320]

The ICCPR also codifies international standards on the protection of identity and religion.[321] States parties must respect, protect and ensure every individual's right to manifest their beliefs or personal convictions or identity, and they must create an environment in which individuals can make that choice free of coercion. The rights to freedom of expression and freedom of religion or belief entail that all people should be free to choose what to wear.[322] Restrictions on freedom of expression are permissible only if they meet a narrowly interpreted and stringent three-part test: they must be prescribed by law; address a specific legitimate purpose permitted by international law; and be demonstrably necessary and proportionate for that purpose. Any such restriction cannot be discriminatory or impinge on other human rights.

317 ICCPR, Articles 21 and 22.

318 ICCPR, Articles 21 and 22.

319 General Assembly Resolution: Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders, adopted on 18 December 2013, UN Doc. A/RES/68/181. For more information on women human rights defenders, see Amnesty International, Challenging Power, Fighting Discrimination: A Call to Action to Recognise and Protect Women Human Rights Defenders (Index: ACT 30/1139/2019), 29 November 2019, amnesty.org/en/wp-content/uploads/2021/05/ACT3011392019ENGLISH.pdf

320 Human Rights Committee, General Comment No. 36 (2018) on Article 6 of the ICCPR on the right to life, 30 October 2018, UN Doc CCPR/C/GC/36.

321 ICCPR, Article 18.

322 For more details, see Amnesty International, *Women's Right to Choose Their Dress, Free of Coercion*, statement submitted to the 55th session of the UN Commission on the Status of Women, 22 February 2011, amnesty.nl/content/uploads/2017/02/womens_right_to_dress_boerkaverbod_3.pdf?x68187

As discussed in Section 4.5, the Taliban has stipulated that women and older girls should cover themselves from head to toe when in public. This decree violates Afghan women's and girls' rights to freedom of expression and freedom to manifest their religion or beliefs, and creates a coercive environment that completely negates women's right to choose their own clothing in public places. The decree cannot be justified on grounds of public safety, order, health or morals, and it is discriminatory on the grounds of sex. As documented in previous chapters, such restrictions have a negative impact on the exercise of other rights, including the rights to education and work.

9.5 GENDER-BASED VIOLENCE

Gender-based violence (GBV) against women encompasses forms of violence "directed against a woman because she is a woman or that affects women disproportionately".[323] GBV against women constitutes discrimination against women and therefore engages all of the obligations in CEDAW.[324] States parties to CEDAW are obligated to pursue a policy of eliminating discrimination against women, including GBV against women, and must prevent such acts by their organs or agents.[325]

States have a responsibility for acts or omissions by both State and non-state actors which constitute GBV against women. States parties are responsible for GBV against women by non-state actors if they fail to take measures to prevent, investigate, prosecute, punish and provide reparation for acts or omissions that result in GBV against women.[326] States parties to CEDAW are required to adopt measures to tackle GBV against women committed by non-state actors, including laws, institutions and a system that functions effectively in practice. States have a duty to protect, prevent, prosecute, punish and redress acts of GBV against women from a survivor centred approach, which includes provision of accessible and appropriate protection services, including legal, medical and psychological support as well as shelter homes and helplines. According to CEDAW General Recommendation 19, a state's failure to take measures to prevent GBV against women or to investigate, prosecute, punish and provide reparation to survivors provides tacit encouragement for non-state actors to commit GBV.[327] These failures or omissions constitute human rights violations.

As discussed in Chapter 5, prior to the Taliban's takeover, Afghanistan had a system to tackle GBV against women, and survivors' legal claims were supported by Afghanistan's 2009 Law on the Elimination of Violence Against Women.[328] The Taliban contributed to this system's collapse by threatening service providers and looting shelters for women. Concurrently, the Taliban systematically released detainees,

323 Committee on the Elimination of Discrimination Against Women, General Recommendation No. 19: Violence against Women, 1992, A/47/38, para. 6, and General Recommendation No. 35: Gender-Based Violence Against Women, 14 July 2017, CEDAW/C/GC/35.

324 CEDAW, Article 1.

325 CEDAW, Article 2.

326 CEDAW General Recommendation No. 35: Gender-Based Violence Against Women, 14 July 2017, CEDAW/C/GC/35.

327 Committee on the Elimination of Discrimination Against Women, General Recommendation No. 19: Violence against Women, 1992, para. 9.

328 Elimination of Violence Against Women (EVAW) Act, 2019.

including those who had been convicted of GBV offenses – actions likely to expose women and girl survivors to further violence. To date, the Taliban appears to be ignoring the EVAW law entirely, and they have closed two major referral points into the previous network of shelters and services: the Afghanistan Independent Human Rights Commission and the Ministry of Women's Affairs. The Taliban also appears to be making no efforts to collect data on or to monitor incidents of GBV or to prevent GBV.

9.6 DETENTION-RELATED VIOLATIONS

ARBITRARY ARREST AND DETENTION

All persons have a right to liberty and, in turn, the right to not be arbitrarily arrested or detained.[329] Individuals may only be detained in relation to a recognizable international criminal offence, on grounds provided for in law. Arrests or detentions are arbitrary when they are linked to the exercise of human rights such as freedom of movement or association and where the reasons for detention are discriminatory, including on the basis of sex.[330] Detention is also arbitrary unless detainees are provided with due process. All persons detained must be informed at the time of their arrest of the reason for arrest and any charges against them; given access to legal counsel; be brought promptly before a judge to challenge the lawfulness of their detention; and given a fair trial.[331]

As documented in Chapter 6, the Taliban have arbitrarily detained women charged with "moral corruption" as well as women and girls fleeing abuse from their husbands or other family members. There are no legal grounds for detaining women and girls fleeing abuse, and instead it appears the Taliban are using detention centres as a place to hold women and girls due to the collapse of the network of shelters. The charge of "moral corruption" is not a recognizable international criminal offense, and thus women imprisoned on this ground are being arbitrarily detained. Moreover, detention is also arbitrary when it constitutes a violation of international law for reasons of discrimination on the basis of gender. Practices such as detaining women for leaving the house without a *mahram* would also be unlawful for this reason. It appears the Taliban are, at least in some instances, not immediately informing these women and girls of the charges against them or providing them access to legal counsel.

As documented in Chapter 8, the Taliban have also subjected women protesters to arbitrary arrest and detention. The five women protesters interviewed by Amnesty International who were arrested and detained by the Taliban appear to have been arrested and detained solely for exercising their rights to freedom of expression, association and peaceful assembly. These women were not informed of the reason for their arrest or of any charges against them, were not given access to legal counsel, and were never brought before a judge or given a fair trial – instead, they were released after being forced to sign "agreements" stipulating they would never again exercise their rights to protest or to speak publicly about their experiences in detention.

329 ICCPR, Article 9(1).

330 See Human Rights Committee, General Comment No. 35: Article 9 (Liberty and Security of Person), 16 December 2014, CCPR/C/GC/35, para. 17. See also Report of the Working Group on Arbitrary Detention, 24 December 2012, A/HRC/22/44, para. 38(e).

331 ICCPR, Article 9(2-4) and Article 14(3)

ENFORCED DISAPPEARANCE

Enforced disappearance is defined as the "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State… followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law".[332] Enforced disappearance is a violation of international human rights law that implicates a number of rights enshrined in the ICCPR, including the right to life; the right to liberty and security of person; the right to be free from arbitrary detention; the right to not be subjected to torture or other cruel, to inhuman or degrading treatment or punishment; and the right to a fair trial.[333]

As detailed in Chapter 8, four of the five women protesters interviewed by Amnesty International who were arbitrarily detained said that they were unable to contact their family members and that the Taliban denied to their relatives that they had the women in custody for a period of around 10 days. These actions may amount to enforced disappearance.

TORTURE AND OTHER ILL-TREATMENT

The UN Convention Against Torture defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."[334] It is not always possible to make a sharp distinction between acts which amount to torture and those which amount to other cruel, inhuman or degrading treatment or punishment (other ill-treatment). All forms of torture and other ill-treatment are prohibited by the Convention against Torture and by other treaties to which Afghanistan is a party, such as the ICCPR. In addition, the prohibition of torture is a peremptory norm of international law, which means it binds all states irrespective of their treaty obligations, and they cannot opt out of it.

The UN Human Rights Committee has held that detention conditions that do not comply with the UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) – in particular around floor space, access to sanitary facilities and provision of a separate bed – amount to cruel, inhuman and degrading treatment.[335]

As documented in Chapter 8, women protesters who were arbitrarily detained said they and others in detention experienced beating upon their arrests and during detention. They were also forced to listen to

332 International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), Article 1.

333 ICCPR, Articles 1, 7, 9, and 14. The Human Rights Committee has found enforced disappearance to be justiciable in several cases, including Cherguit v. Algeria, Communication 2828/2016, CCPR/C/128/D/2828/2016, 27 March 2020, para. 7.4.

334 Convention against Torture, Article 1.

335 UN Human Rights Committee Fifty-first session, *Womah Mukong v. Cameroon*, Communication No. 458/1991, adopted 21 July 1994.

beatings and other physical abuse against other detainees and faced inhuman conditions. Such treatment amounts to torture or other ill-treatment.

As documented in Chapter 6, women detained on charges of "moral corruption" and women fleeing domestic violence are being subjected in detention to solitary confinement and regular beating. They have also faced inhuman conditions. Such treatment likewise amounts to torture or other ill-treatment.

Other incidents in this report may also amount to torture or other ill-treatment, such as the severe beating of a woman at a border crossing documented in Chapter 4, women and girls being forced to remain in abusive situations documented in Chapter 5, and the arbitrary detention of survivors of gender-based violence documented in Chapter 6.[336]

9.7 CHILD, EARLY AND FORCED MARRIAGE

As discussed in Chapter 7, forced marriage is defined as "marriages where one or both parties have not personally expressed their full and free consent to the union".[337] According to Afghanistan's previous legal framework, the minimum age of marriage is 16 for females and 18 for males, but a girl who is 15 years old can be married with the consent of her father or a court.[338] These ages are below those advised by UN bodies such as the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, which have recommended that countries adopt 18 as the minimum age for marriage.[339]

Child, early and forced marriage is a human rights violation and a harmful practice.[340] Child, early and forced marriage also increases the likelihood that women or girls will be subjected to violence, including sexual violence, and other abuse in the context of the "marriage", and hampers their ability to access reproductive health services.[341] States have wide-ranging obligations to prevent and eliminate harmful practices such as child, early and forced marriage, including addressing the root causes of child, early and forced marriage; empowering women and girls; initiating public dialogue on the causes and consequences of child, early and forced marriage; prohibiting the practice in domestic law; providing shelters and other

336 For more on how forcing women and girls to remain in abusive situations can amount to torture or other ill-treatment, see Committee on the Elimination of Discrimination against Women, General Recommendation No. 35, para. 16; Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 5 January 2016, A/HRC/31/57 (2016), section III.A; and European Court of Human Rights (ECtHR), *Opuz v. Turkey*, Application no. 33401/02, 9 June 2009.

337 Committee on the Elimination of Discrimination against Women and Committee on Committee on the Rights of the Child, Joint General Recommendation/General Comment No. 31 on Harmful Practices, 4 November 2014, CEDAW/C/GC/31-CRC/C/GC/18, para. 22.

338 Afghan Civil Law, Article 71.

339 See Committee on the Rights of the Child, General Comment 4 on Adolescent Health and Development, 1 July 2003, para. 16; Committee on the Elimination of Discrimination against Women, General Recommendation No. 21 on Equality in Marriage, 1994, para. 36.

340 Committee on the Elimination of Discrimination against Women and Committee on Committee on the Rights of the Child, Joint General Recommendation/General Comment No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on Harmful Practices, 4 November 2014, CEDAW/C/GC/31-CRC/C/GC/18.

341 Human Rights Watch, *Lives Taken: Violations of Women's and Girls' Human Rights in Child Marriage*.

legal and medical support for women and girls forced into marriage; ensuring access to legal remedies; and registering births and marriages.[342]

As discussed in Chapter 7, Amnesty International documented two cases in which Taliban members forced women to enter into marriage and received reports of several other similar cases. Prison staff members also said they had witnessed Taliban members pressuring detainees into forced marriages. These cases appear to deny women's rights to be free from forced marriage and could also amount to violations of the women's right to be free from sexual violence and other abuse. The cases should be promptly investigated and prosecuted.

To uphold its duty to prevent child, early and forced marriage, the Taliban should take proactive and comprehensive steps to address the practice, including by addressing root causes, protecting those at risk and ensuring the rights of survivors, as described above. Based on interviews with international organizations working on child, early and forced marriage, there is no evidence that the Taliban are taking any proactive steps on these fronts. Furthermore, Taliban restrictions on education, movement and work are increasing the likelihood that women and girls will be forced into marriage.

342 Joint General Recommendation No. 31 and No. 18 on Harmful Practices.

10. CONCLUSION AND RECOMMENDATIONS

"The Taliban are trying to cage us, to remove us from society and destroy everything we have. But we have hopes. We have dreams. Even if they put us in chains, we will prevail, and we will prove ourselves to them and to everyone."

Meena, secondary school student[343]

One year on from the Taliban's takeover, the lives of many women and girls in Afghanistan have changed beyond recognition. They are being prevented from going to school, working, leaving their homes or dressing as they choose. They have been left with no system of support or redress after fleeing violence, are arbitrarily arrested and detained for infractions of the Taliban's discriminatory rules and face increased risk of being forced into marriages to which they did not consent. When Afghan women resisted these changes in peaceful protests, they were met with harassment, threats, abuse, imprisonment, torture and lifelong stigma.

When asked for their messages for the Taliban and the international community, women and girls gave diverse responses. Yet one message was offered repeatedly: the international community must not recognize the Taliban, as doing so would appear to accept or at least tolerate Taliban's policies toward women and girls.[344] For instance, Farah, a woman from Logar province, told Amnesty International: "If they recognize the Taliban formally, in each corner of Afghanistan – in every province, district, and village – the ones who will suffer most is the women. When you recognize the Taliban, you may as well burn the women of Afghanistan."[345]

Many women and girls said they felt the Taliban focus on repressing women and girls was distracting them from addressing the real problems facing the country. Metra, a university student living in Kabul, shared

343 Interview, 2022.

344 Amnesty International does not take a position on questions of state recognition.

345 Interview, 2022.

An Afghan woman poses for a portrait in her home. © Kiyana Hayeri / Amnesty International

her frustration: "They need to stop worrying about our clothing and focus on saving the country. People are dying from hunger. People are selling their children to feed their other children… Instead all they did for the past nine months was close every possible door for women."[346]

Women and girls also expressed anger at the international community's inaction and silence in the face of the Taliban's treatment of women and girls. For instance, a woman who was arbitrarily detained by the Taliban after participating in peaceful protests, said, "I am tired of hearing that the world feels sorry for us… Don't feel sorry, if you don't want to offer any action."[347] Abreshim, a service provider working with survivors of gender-based violence, told Amnesty International: "I feel so frustrated.... Over the past 20 years, we [women] were given the opportunity to raise our voice and work for justice... I feel like the international community has abandoned us – and not just the international community, but the whole world."[348]

Women and girls interviewed by Amnesty International remained resolute in the face of discrimination and dehumanization by the Taliban. A protester who was imprisoned by the Taliban said she would never give up her fight for the rights of Afghan women and girls:

> **The Taliban need to know that we women exist and we will endure. We will find different ways to fight, and different ways to resist… We are the generation of change. If we don't work hard… who will save Afghanistan?… My responsibility is not only to my family, my village – it's to the whole country… We need to open schools, to send women back to work, to make a lot of changes. We have a long way to go.[349]**

Asal, who was severely beaten by Taliban members for violating the Taliban's *mahram* restrictions, shared a message of hope for other women across the world:

> **I have a message to my fellow women: you should not give up… We women, we understand each other best, and we should not allow women's rights to be violated. It's not only about Afghanistan. Similar things are happening in other parts of the world. It should be a collective fight, and we should all support each other. We need to help each other, educate each other, lift each other up, stand up for each other…**
>
> **The Taliban think women have no brains, that we are useless, that we are not equal to them. They don't see us even as humans. That's why they want to cover our bodies, faces, thoughts, dreams and hopes. They want to eliminate us. When we see that they are doing this, we have to become stronger.[350]**

346 Interview, 2022.
347 Interview, 2022.
348 Interview, 2021.
349 Interview, 2021-2022.
350 Interview, 2022.

RECOMMENDATIONS

TO THE TALIBAN, THE DE FACTO AUTHORITIES OF AFGHANISTAN:

- Respect, protect and fulfil the human rights of women and girls, in accordance with its obligations under international law, including but not limited to the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, to which Afghanistan is a state party;
- Reinstate the Ministry of Women's Affairs and the Afghanistan Independent Human Rights Commission;
- Continue to interact and work with UNAMA's Human Rights Service on a range of human rights developments, trends and cases;
- Continue to facilitate visits to the country by the Special Rapporteur on the Situation of Human Rights for Afghanistan, ensuring full and unfettered access, including the right to conduct interviews in private;
- Engage constructively with the Committee on the Elimination of Discrimination Against Women and respond promptly to its request for an extraordinary report.

HUMANITARIAN AND ECONOMIC CRISIS

- Ensure that NGOs and UN agencies are able to exercise their expertise in the design and delivery of humanitarian aid, so that aid reaches and is most appropriate for those who need it most, including women and girls, without interference;
- Allow female humanitarian workers to carry out their work without constraints.

TALIBAN RESTRICTIONS ON WOMEN AND GIRLS

- Take comprehensive steps to respect, protect, and fulfil the right to education of women and girls at all levels, including by doing the following:
  - Re-open immediately all secondary schools for girls and communicate that schools are open and that all children – both boys and girls – should attend school;
  - Remove restrictions on female students and teachers at all levels, including discriminatory restrictions on clothing and conduct;
  - Ensure that the education and opportunities provided to women and girls is equal to that of men and boys in all fields of study, including by removing rules that restrict women and girls from learning alongside men or boys or with male teachers where this means that the education they receive is less accessible, of inferior quality, limited or in any other way negatively affected;
- Remove all restrictions on women's employment, including discriminatory treatment of female employees;
- Enable all women previously employed by the government to return to their former government positions, and allow women to work in all positions, including high-level positions, in all sectors;
- Ensure women who work in all sectors are entitled to equal pay, professional development and the same advancement opportunities as men;

- End all restrictions on women in the workplace, including restrictions on clothing and movement;
- Appoint women to senior roles in the cabinet and government, including the judiciary, and include women as full participants in all decision-making bodies;
- Remove all restrictions on women's and girls' freedom of movement, including the requirement for women to be accompanied by a mahram (male chaperone);
- Clearly communicate that women and girls have a right to freedom of movement that must be respected and protected, and take steps to address and sanction anyone seeking to limit women's and girls' freedom of movement or to deny them movement or punish them for not having a mahram;
- Uphold the rights of women and girls to choose their own clothing, free from coercion, violence and discrimination.

GENDER-BASED VIOLENCE (GBV)

- Develop a comprehensive strategy, with the support of the relevant UN agencies and non-governmental organizations, to address gender-based violence against women and girls, in line with obligations under human rights law and standards for prevention, protection, punishment and redress of GBV against women and girls, which is based on a survivor-centric approach and respects the agency and autonomy of women and girls, including the following:
  - Put in place comprehensive legislation to address all forms of GBV against women and girls, with meaningful participation of women's rights activists and national and international organisations;
  - Immediately implement the provisions of the 2009 Law on the Elimination of Violence Against Women, take steps to publicise the law, and reinstate the specialized prosecution units and courts tasked with enforcement of the law;
  - Reinstate all female police officers and work to recruit and retain additional female police officers;
  - Ensure all police officers are trained in addressing GBV in a rights' compliant manner;
  - Ensure that safe shelters for survivors of GBV are available across the country, including by allowing shelters that have been closed to reopen, and ensure access to other protection services for survivors of GBV, including legal aid, medical care, psychosocial counselling services and childcare;
  - Take steps to encourage reporting on GBV by women and girls, without fear of retaliation, and ensure that all reported cases of GBV against women and girls are thoroughly, promptly and impartially investigated, and that perpetrators are prosecuted in accordance with international standards and, if convicted, sentenced with appropriate penalties, without recourse to the death penalty;
  - Investigate the release of prisoners, especially those convicted of GBV, and ensure they are not able to evade justice and are held accountable for their actions;
  - Ensure that survivors of GBV are provided with timely, effective and holistic reparations;
  - Ensure that service providers for women and girl survivors of GBV can work freely and without fear of retaliation;
  - End the arbitrary detention of GBV survivors.

CHILD, EARLY AND FORCED MARRIAGE

- Continue to publicize the Taliban's public stance against child, early and forced marriage and enforce the provisions of the Law on Elimination Against Violence Against Women and the Civil Code that prohibit child, early and forced marriage;
- Educate and inform Taliban members on the prohibition and harmfulness of child, early and forced marriage and ensure that no member of the Taliban pressures or coerces women or girls into marriage, including through sanctions against members found to have forced women and girls into marriage;
- Investigate and prosecute in accordance with international standards any allegations of child, early and forced marriage by Taliban members or others;
- Adopt the age of 18 as the minimum age for marriage for girls and boys, in line with internationally recommended standards, and prohibit all marriages for girls and boys under the age of 18;
- Take steps to recognize and address the drivers of child, early and forced marriage, including the economic and humanitarian crisis, the prevalence of gender discrimination and stereotypes and the barriers to education and employment faced by women and girls due to restrictions imposed by the Taliban;
- Ensure access to effective remedies, restitution and reintegration of women and girls in child, early and forced marriages as well as those who have left such marriages, including access to legal remedies, counselling support, and education and employment opportunities;
- Put in place national systems that are compulsory, accessible and free for birth registration and marriage registration to effectively track and prevent child and early marriages;
- Provide and support public awareness campaigns on child, early and forced marriage, including coverage of domestic and international law;
- Develop a plan, in consultation with UN agencies and international and national NGOs, to address and prevent child, early and forced marriage.

PEACEFUL PROTEST

- Ensure all people in Afghanistan, including women and girls, can exercise their rights to freedom of expression, association and peaceful assembly;
- End the harassment, abuse, arbitrary arrest and detention of all protesters, including women and girls and their family members.

DETENTION-RELATED VIOLATIONS

- End arbitrary arrest, arbitrary detention, enforced disappearance, and torture and other ill-treatment, including against women protesters, women and girls detained on charges of "moral corruption" and women and girls fleeing domestic abuse;
- Make clear to all members of the Taliban that such violations will not be tolerated, and ensure credible investigation of all allegations and prosecution of any Taliban member responsible for such violations;
- Ensure that all persons deprived of their liberty are protected from torture and other ill-treatment, including harmful conditions of confinement, and are treated humanely in accordance with international standards, including the UN Standard Minimum Rules for the Treatment of Prisoners

(the Mandela Rules) and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);

- Provide due process to all persons deprived of their liberty, including immediate access to counsel and fair, speedy and public trials, and end the use of "agreements" used to control and punish women protesters and their family members for speaking publicly about their experiences in detention.

TO THE INTERNATIONAL COMMUNITY, INCLUDING ALL UN MEMBER STATES:

- Press the Taliban, at every opportunity, to respect the fundamental rights of women and girls, including their rights to access education, work, move freely, dress as they chose, seek support and legal redress after fleeing domestic violence, remain free from arbitrary arrest and detention, consent to marriage and peacefully protest;
- Work urgently to end Afghanistan's humanitarian crisis by helping restore the economy to full functioning, under appropriate oversight, while continuing to provide humanitarian assistance sufficient to meet the needs of Afghans, including women and girls;
- Identify and use forms of leverage that may influence the Taliban without harming the Afghan people – such as targeted sanctions or travel bans imposed through a UN Security Council resolution – in a coordinated and vigorous manner, to end the Taliban's violations of the rights of women and girls, and make clear what policy steps are required for the lifting of such measures;
- Terminate exemptions on existing travel bans for individuals in the Taliban who are responsible for violations of the rights of women and girls or are in a position to reverse discriminatory policies toward women and girls but have failed to do so;
- Use aid funding to support communities fighting for their own rights or for women's rights. For example, fund parts of the education system that do not discriminate against girls and make a targeted effort to fund provinces where girls' secondary schools are open;
- Fund alternative education options for girls who have been shut out of school;
- Grant international protection to all Afghan women and girls who are outside Afghanistan;
- Prioritize the evacuation to third countries of survivors of GBV and of women who worked within the system providing support for these survivors, and who cannot live safely in Afghanistan;
- Streamline the resettlement to third countries of survivors of GBV;
- Urge the Taliban to accept international monitors in all detention centres, and ensure such monitors are able to conduct unscheduled visits inside all places of detention;
- Provide adequate staffing resources to UNAMA's Human Rights Service to allow it to monitor, document and advocate on human rights abuses, pursuant to its March 2022 mandate;
- Offer strong political and practical support to the International Criminal Court's investigation on Afghanistan and provide adequate resources to allow the Office of the Prosecutor to investigate all crimes perpetrated by all parties to the conflict in Afghanistan;
- Pursuant to universal jurisdiction principles, ensure that national-level investigations and prosecutions are undertaken into crimes committed in Afghanistan, particularly for crimes committed against women and girls.

TO THE OFFICE OF THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT:

- Promptly investigate all crimes within its jurisdiction committed in Afghanistan, by all perpetrators.

TO UN AGENCIES AND INTERNATIONAL AND NATIONAL HUMANITARIAN ORGANIZATIONS OPERATING IN AFGHANISTAN, AS WELL AS INTERNATIONAL DONORS:

- Develop further the plan for the distribution of urgent financial support and humanitarian aid in consultation with local women activists and groups and involve them in developing accountability and monitoring frameworks to ensure the plan is tailored to the specific needs of women and girls and effectively delivers the resources needed;
- Fund services for survivors of gender-based violence, including shelters, and pressure the Taliban to reinstate a system of protection and support for these survivors;
- Allocate funding for Afghan women's rights organizations through a simple and accessible application process and work with them in a flexible manner to ensure that they can deliver services in way that is safe for their staff and clients;
- Urge the Taliban to accept international monitors in all detention centres, and ensure such monitors are able to conduct unscheduled visits inside all places of detention;
- Conduct a nationwide assessment on the rates of child, early and forced marriage and track any variations since August 2021;
- Develop a comprehensive, rights-based and locally relevant plan to address child, early and forced marriage in consultation with Afghan women and girls and allocate funding for programming and assistance to address child, early and forced marriage;
- Engage in regular consultation with local women's rights activists and groups inside Afghanistan, and with experts among the diaspora. Incorporate their views into programming and policies and support their meaningful participation in international policy and advocacy activities.

TO THE UN SECRETARY-GENERAL, UN SECURITY COUNCIL, UN SPECIAL PROCEDURES AND THE HUMAN RIGHTS COUNCIL:

- Encourage UN agencies and representatives such as the Working Group on Discrimination against Women and Girls in Law and in Practice; the Special Rapporteur on Violence Against Women, its Causes and Consequences; the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; the Special Representative of the Secretary-General on Sexual Violence in Conflict; and the Special Representative of the Secretary-General for Children and Armed Conflict to continue to monitor the situation of women and girls in Afghanistan and to speak out when their rights are violated, in close cooperation with UNAMA's Human Rights Service and the Special Rapporteur on the Situation of Human Rights in Afghanistan;
- Urge the Taliban to accept international monitors in all detention centres, and ensure such monitors are able to conduct unscheduled visits inside all places of detention.

TO THE UN SECRETARY-GENERAL:

- Visit Afghanistan and press the Taliban to uphold the rights of women and girls;
- Direct Secretary-General's Special Representative for Afghanistan to press the Taliban at every opportunity to uphold the rights of women and girls.

TO THE UN SECURITY COUNCIL:

- Adopt a resolution including a set of concrete steps the Security Council plans to take in response to the situation of women and girls in Afghanistan;

TO THE UN HUMAN RIGHTS COUNCIL:

- Continue to remain engaged on the situation in Afghanistan and take concrete steps towards supporting accountability for serious human rights violations in Afghanistan;
- Continue to support, strengthen and sufficiently fund the mandate of the UN Special Rapporteur on the situation of human rights in Afghanistan;
- Enhance and strengthen the reporting mandate on Afghanistan by the High Commissioner for Human Rights;
- Build on the urgent debate that took place at the 50th session of the Council and the enhanced interactive dialogue scheduled for the 51st session of the Council to take urgent steps to address the human rights of women and girls in Afghanistan.

TO THE SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN AFGHANISTAN:

- Continue to engage with international and national human rights organizations to receive periodic briefings and to facilitate coordination around key issues;
- Seek, receive, examine and act on information from all relevant stakeholders pertaining to alleged violations, especially toward women and girls, in close collaboration with other international mechanisms, taking into account the Human Rights Council's reiteration of the urgency to initiate prompt, independent, and impartial review or investigation of all alleged abuses and violations of human rights to end impunity, ensure accountability and bring perpetrators to justice;
- Support requests by international organizations, including NGOs, to conduct research and monitoring in the country;
- Conduct ongoing, detailed research on the situation of women and girls in Afghanistan, release a comprehensive report on this topic, and speak out frequently about abuses against women and girls;
- Assist the UN and engage with relevant authorities in Afghanistan in fulfilling Afghanistan's obligations under international human rights instruments, including the UN Committee on the Elimination of Discrimination Against Women and the UN Committee on the Rights of the Child;
- Support and facilitate the work of local human rights organizations, particularly those run by women.

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DEATH IN SLOW MOTION

WOMEN AND GIRLS UNDER TALIBAN RULE

In less than a year, the Taliban have decimated the rights of women and girls in Afghanistan. They have violated women's and girls' rights to education, work and free movement; demolished the system of support for women and girls fleeing domestic violence; arbitrarily detained women and girls for infractions of the Taliban's discriminatory rules; and contributed to a surge in the rates of child, early and forced marriage. Women who peacefully protested against these restrictions and policies have been harassed, threatened, arrested, forcibly disappeared, arbitrarily detained and tortured.

The report is based on interviews with 90 Afghan women and 11 girls, six current or former staff members of Taliban-run detention centres and 22 staff members of national and international NGOs and UN agencies. The research was conducted through in-person interviews in Afghanistan in March 2022 as well as remote interviews between September 2021 and June 2022.

The Taliban's draconian policies are depriving millions of women and girls of the opportunity to lead safe, free and fulfilling lives. The international community must send a clear, coordinated and resounding message to the Taliban that their current policies on women and girls will never be accepted and take concrete steps to demonstrate to the Taliban the consequences of their conduct.

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