**Oral update by Richard Bennett, Special Rapporteur on the human rights situation in Afghanistan**

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Madame, Vice-President,

Excellencies,

Ladies and gentlemen,

Thank you for inviting me to address this Council again on the human rights situation in Afghanistan.

As we meet, a number of Afghan women and men are on hunger strike. There can be few clearer symbols of the desperation so many Afghans feel.

Twenty-two years ago, today, around 3,000 persons lost their lives in the horrific terrorist attacks in the United States. The Afghan population, already scarred by decades of war, found itself in yet another conflict that lasted for almost two decades.

More than two years after the Taliban took power, the Afghan people are experiencing yet more hardship. They are confronted by a humanitarian crisis as well as by a de facto regime that is violating a multitude of human rights, and has eviscerated the rights, life chances and dignity of women and girls.

I will update you briefly on the situation based on my recent consultations and observations, However, much of what I will describe is well known. As mandated, I will present my next written report to the General Assembly in late October.

After two years, the question on many lips, most importantly those of Afghans who oppose the status quo, is not what the situation is but what can be done to reverse the downward slide. They have long been calling for more than condemnation of a deteriorating situation, and for the international community to unite and shift gears to achieve tangible results.

The sentiment of abandonment resonated deeply among Afghans, particularly women, whom I met in my recent visits to Türkiye, Germany, and the US. Their frustration is palpable: they say they feel “betrayed” by the international community. Trust is at a low ebb. They ask for concrete action.

Some women and now men in Europe have started a hunger strike calling for recognition of gender apartheid. I am in touch with their spokesperson, Tamana Zaryab Paryani, and promised her that I would raise her concerns, though frankly I need no encouragement. I have reported repeatedly about the systematic violation of women’s and girls’ human rights that limits every aspect of their lives from work to education, attire, and appearance in public. Recently, the Taliban has restricted women’s activities even more. Beauty salons have been prohibited, eliminating approximately 60,000 jobs for women, depriving them of one of few remaining women-only safe spaces.

Once again, I call on the Taliban to reverse their draconian, misogynist policies and allow women to work and run businesses, including delivering essential services through NGOs and the UN. Re-open the doors of schools and universities with a curriculum that meets international standards.

The compounded impact of these restrictions and the dire socio-economic situation, has impacted mental health, demonstrated graphically by alarming reports of a surge in suicides and suicide attempts especially among women since the Taliban takeover.

The de facto authorities consistently point to their achievements since they took power. My message is that whatever they achieve will continue to be severely undermined by their failure to protect human rights, especially those of women and girls.

Many of these acts are tantamount to gender persecution. And I reiterate here, what my working group colleagues and I said three months ago: the systematic, widespread, institutionalized discrimination that seeks to exclude women from all facets of life necessitates an examination of the evolving phenomenon of “gender apartheid”.

More than 3 million girls have been denied access to classroom education due initially to Covid-19, followed by the Taliban decision in September 2021 to ban girls from attending secondary school and in December 2022 from attending university. I am extremely concerned that dozens of women were recently prevented by the de facto authorities from traveling abroad on education scholarships.

I am frequently asked when speaking to Afghan women and men, “what will the next generation be taught?” referring to the push towards madrassa-type education, in which narrow religious studies are central. The natural follow-up question implication then becomes one to you, the international community: “how will this shift not only affect the future of Afghanistan, but also the stability of the region and global security”?

Let us not overlook the severe impact on Afghanistan's future generations. Beyond the obvious implications for girls, many children go to bed hungry amid escalating poverty. Countless others are forced into labour to support their families, foregoing and education Others face devastating experiences such as forced marriages or becoming victims of explosive war remnants.

I am troubled about the collapse of civic space with civil society activists, journalists, and peaceful protestors are subjected to restrictions, censorship, arbitrary arrest and detention. In August, I received numerous reports of journalists being arrested: while some were recently released it was reportedly on the condition that they would not work for certain news outlets again.

Vulnerability to arbitrary arrests and detention has a chilling effect for all national and international media outlets that have staff in Afghanistan – impacting further the ability of media to give critical accounts in the public interest.

I continue to call for the unconditional release of Matiullah Wesa, Rasoul Abdi Parsi, and Mortaza Behboudi and other detainees, including women who I will not name, who are detained for exercising their human rights.

While some civil society organisations persist and adapt in country, many others have fled Afghanistan. Both are often in great need of political and flexible, accessible financial support.

Member States who host vulnerable Afghans deserve commendation but more needs to be done. When I talk with Afghans who fled their country, their concerns include the need for legal, physical, and financial security. With none of these, they are often living on the edge. They face a range of vulnerabilities and challenges in host countries, ranging from abusive labour practises to limited access to education and healthcare.

Recently, I talked to Afghan migrants who feared leaving their houses lest they be arrested and sent back to Afghanistan. I met a doctor who migrated with her autistic son after her husband was killed, and who was devastated that she can neither work nor study in her host country. And I also met a victim of a recent attack in Afghanistan who left the country for medical treatment but was unsure if she could stay in her host country even though further treatment is essential. I met an Afghan psychologist who described in tears how she tried to help Afghans in dire need around her, while she herself struggled with depression.

The absence of rule of law, competition for scarce resources, shifting power balances and claims of ethnic favouritism by the Taliban are straining already sensitive relationships between ethnic and religious groups. I have received concerning reports from Hazara communities in Khas Uruzgan where families have fled after attacks on their livelihoods. In July, Shia Muslims also faced restrictions in the way they could commemorate Ashura under the guise of security measures, with reports of Taliban violently dispersing crowds.

I also met representatives of Turkmen and Uzbek communities who fear the implications of settlement of members of the Tehreek-e-Taliban Pakistan in the north of the country, as well as displacement from their lands in northern provinces, and have concerns about the suppression of their languages. These are just a few examples of the many reports I receive of specific ethnic communities that feel under constant pressure all over Afghanistan.

Many Afghans I talk to highlight the lack of inclusive representation of all Afghans within all layers of the de facto authorities, as the vast majority are Pashtun men. Women and other religious and ethnic groups, such as Tajiks, Hazaras, Uzbeks, and Turkmen demand a seat at the table. With a handful of exceptions, the de facto authorities have so far been deaf to these calls.

Increasingly, I hear representatives of ethnic groups complain that the Taliban’s ethnocentric practices result in unfair treatment by de facto institutions in all sectors of governance including justice, education, employment, housing, and humanitarian assistance. I’m concerned about the effect this strong sense of discrimination and exclusion held by large parts of the population may have on the stability of Afghanistan.

In addition to restrictions to their rights and freedoms that alter almost every aspect of their lives, Afghans are forced to grapple with a humanitarian crisis that aid providers are severely hamstrung: one hand tied the Taliban’s ban on women workers, and the other by chronic underfunding. After two years, humanitarian needs remain high, yet only about a quarter of the 2023 appeal is funded. Afghans deserve more, this is not the time for reticence, but to take decisive action to support those in need. This also includes adopting measures for the recovery of the economy, including implementation of the humanitarian exemption to the international sanctions.

Despite promises to the contrary, it is extremely troubling that former government officials and security and defence personnel are at great risk of extrajudicial killings, enforced disappearances, arbitrary arrests and detention, torture and ill treatment and threats. The UNAMA report released in August has given us further evidence and insight into the widespread nature of these violations. If the Taliban is serious about their declared amnesty, it is high time that they prevent these serious human rights violations, issue clear instructions about the unlawfulness of such acts and ensure that transparent investigations are carried out to prevent impunity.

The same concerns about untrammelled abuses and violence applies to people who are purportedly connected with armed resistance groups, especially those from Panjshir and other northern provinces.

I have previously informed the Council about the state of the rule of law in the country. However, I must re-emphasize deep concerns over the rapid deterioration of the situation. People are publicly tortured and flogged. Young boys are being punished for wearing shorts while playing football or having hair that does not align with the de facto authorities' preferences.

I have consistently drawn attention to the absence of institutions, including a constitution, that are essential for the rule of law to flourish and for domestic accountability mechanisms to have effect.

There is a great need for accountability and multiple tools need to be brought to bear. Documentation and preservation of information is the bedrock of an accountability process. In addition to my mandate, UNAMA and the ICC are playing an important role, not to mention the possibility of the exercise of universal jurisdiction in domestic legal systems and consideration of the presentation of cases before the International Court of Justice, including the application of CEDAW.

An overwhelming amount of data needs to be transformed into actionable information. This is a critical but labour-intensive task. I need additional resources for fact-finding and to systematize information and to follow-up, to travel and to have language support, so that I can fulfil the responsibilities of the mandate and meet your expectations.

While much of my update is sombre, I want to end on an optimistic note. Following this session, the Afghanistan Youth Orchestra will play a concert outside this chamber. I am looking forward to it. You will be in for a treat. Cultural rights are at the heart of our humanity. Regrettably they are too often marginalised. I have met other musicians, artists and sportsmen and women who are unable to follow their vocations at home due to the intolerant stance of the Taliban towards music and art and, for women, sport, which has left them exposed to threats, attacks, arrests and arbitrary detention.

But let me end with the words that the Youth Orchestra director, Dr Sarmast, spoke last week during the concert I attended: “Afghanistan was singing; Afghanistan sings; Afghans will be singing forever”. May his words remind us of the resilience and enduring spirit of the Afghan people.

I thank you.