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From Progress to Persecution: CEDAW Betrayed in Taliban-Controlled Afghanistan (2021–2025)

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I. Introduction

1. Rawadari is an Afghan human rights organization established in exile in 2022 to promote and strengthen the culture of human rights, build an Afghan human rights movement, document and monitor human rights violations, and seek justice and accountability for these violations. Rawadari publishes regular annual and thematic reports to continue highlighting the concerning state of human rights and women's rights in Afghanistan under the Taliban. Our methodology involves rigorous documentation of incidents through verified testimonies, analysis of decrees and announcements by the Taliban (de facto authorities or DFAs), and cross-referencing information with our network of community-level contacts. We prioritize the safety of our sources, victims, their families, and communities, and use anonymous data to prevent risks to survivors, colleagues, and sources.
2. This submission to the Committee on the Elimination of Discrimination Against Women (CEDAW) is to raise our profound concern over the unprecedented and systematic dismantling of women's fundamental rights and freedoms, as well as gender persecution in Afghanistan under the Taliban. The data in this report corresponds to the period of 2021-2024, commencing mid-August 2021, when the Taliban took over Afghanistan. For this report, Rawadari utilized its public reports to highlight the conditions of women's rights in Afghanistan, focusing on four specific articles of the CEDAW Convention: Article 10- Education, Article 11-Employment, Article 12- Health, and Article 15-Equality before the law.

II. CEDAW Implementation in Afghanistan Before and After August 2021

3. Afghanistan ratified CEDAW without reservations on March 5, 2003, committing to uphold the provisions of the Convention for Afghan women's and girls' rights. Prior to August 2021, the country made significant progress in fulfilling its CEDAW obligations by establishing various mechanisms, the relevant legal framework, and institutions to enhance CEDAW implementation through national policies and structures.
4. The first step was the Afghan constitution, adapted in 2004, specifically Article 7, which outlines the obligation to adhere to international treaty obligations.¹ Furthermore, Afghanistan adopted the Elimination of Violence Against Women (EVAW) Law in 2009, which criminalized acts like child marriage, forced marriage, and honor killings. In addition, the government developed and implemented various national strategies, including the National Action Plan for Women of Afghanistan (NAPWA), to integrate women's rights into national development plans and budgeting processes.²
5. Key institutions were established to monitor the implementation of national and international laws and protect victims. The Independent Human Rights Commission (AIHRC), the Ministry of Women's Affairs (MoWA), created in 2001, focused on women's rights and gender-responsive programs, and Specialized courts and prosecution units were

¹ Islamic Republic of Afghanistan, *The Constitution of the Islamic Republic of Afghanistan* (Kabul: Government of Afghanistan, 2004),

https://www.diplomatie.gouv.fr/IMG/pdf/The_Constitution_of_the_Islamic_Republic_of_Afghanistan.pdf.

² Food and Agriculture Organization of the United Nations (FAO), "Afghanistan: Children Act, 2019 (Official Gazette No. 1313)," FAOLEX, <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC156955/>.

also set up to handle cases of violence against women.³ Moreover, a vibrant and active civil society (CS) was shaped and grew during the Republic era, including numerous women's rights organizations, which played critical roles in advocating for the implementation of CEDAW, providing services to women, and monitoring the government's progress.

6. Since the Taliban's return, they have imposed over 100 measures on women's and girls' rights. Notably, they have imposed a nationwide ban on access to secondary and higher education and work in both public and private sectors. Women must also have a male guardian (mahram) to move outside, limiting their access to justice and essential services.⁴ These actions violate Afghanistan's obligations under CEDAW and undermine gender equality.
7. The Taliban dismantled the 2004 Constitution and revoked progressive laws like the Penal Code and the ERAW law. They abolished AIHRC and replaced MoWA with the Ministry of Propagation of Virtue and the Prevention of Vice (MPVPV) to further enforce discriminatory policies through morality police who patrol public spaces, impose strict dress codes, and create a climate of fear through public harassment, arbitrary detentions, and physical punishment.⁵ In addition, their crackdown on civil and political activities has led to the closure of hundreds of independent media outlets and forced many NGOs, especially those focused on women's rights, to halt, alter, or drastically reduce their operations.⁶ This vacuum has eliminated crucial avenues for advocacy, service provision, and monitoring of violations of women's rights and implementation of CEDAW.

i. Article 10: Education

8. Article 10 of CEDAW mandates state parties to eliminate discrimination against women and girls in education, ensuring equal access to all levels, curricula, scholarships, sports, and vocational training. Articles 43 and 44 of the 2004 constitution ensured equal educational rights for all Afghans, yet DFAs violate these by banning women and girls from secondary and higher education and other training opportunities.
9. Education for girls in Afghanistan has already been limited due to conflict, funding, and cultural barriers, but there were improvements prior to the Taliban's control. According to UNESCO, the number of female students grew from 5,000 in 2001 to 100,000 in 2021, and the number of girls in primary schools increased to 2.5 million by 2018. However, since March 24, 2022, 1.4 million girls are banned from education beyond sixth grade under the excuse of alignment of the system with the Sharia law.⁷
10. In December 2022, another ban was imposed on women attending universities, following a series of restrictions on gender segregation, limiting field selections, and restrictions on women professors.⁸ Additionally, on December 2, 2024, the Taliban's Ministry of Health

³ Rawadari. *Justice Denied: An Examination of the Legal and Judicial System in Taliban-Controlled Afghanistan*. June 2023. <https://rawadari.org/040620231635.htm/>

⁴ Stop Gender Apartheid, "Taliban Edicts," Stop Gender Apartheid, <https://stopgenderapartheid.org/edicts/>.

⁵ Rawadari, *Justice Denied*.

⁶ Human Rights Watch. *World Report 2024: Afghanistan*. January 2024. <https://rawadari.org/190320252024.htm/>

⁷ Rawadari. *Excluded and Deprived: The Educational Crisis for Women and Girls in Afghanistan*. November 2024. <https://rawadari.org/211120241929.htm/>

⁸ Stop Gender Apartheid, "Taliban Edicts."

banned education in nursing, midwifery, dental assistance, and laboratory science.⁹ This ban also targeted the last opportunity for women and girls to learn and gain new skills to work in the health sector and provide healthcare services to women and children.

11. Moreover, these bans have dismantled the public and private educational system that was established over two decades and led to significant unemployment among female teachers. By 2020, Afghanistan had 17,060 public schools, including 1,971 private institutions, and over 3.8 million female students among approximately 10 million total students. Additionally, women made up 36% of the 226,000 public school teachers. However, by August 2022, the Taliban eliminated around 14,000 government jobs held by women, primarily in teaching roles.¹⁰ According to Rawadari's findings, the remaining female teachers face various forms of discrimination, including a gender gap in salaries. For example, in Ghor province, female teachers who work less than 24 hours per week are paid a minimum of 5,000 Afghanis (equivalent to \$73 USD), which does not apply to male teachers who teach the same number of hours.¹¹
12. The Taliban are strictly enforcing their education bans, closing at least 31 educational centers, including underground and online schools, across the country in 2024. The Rawadari report shows that 40 individuals, including administrators and students, have been arrested for attempting to seek or provide education.¹² The following are some of the incidents of forcible closure of educational centers and avenues.
 - In July 2024, the General Directorate of Intelligence (GDI) arrested the head of an educational center in Ghor province for teaching girls above grade six and imprisoned him for a month.¹³
 - On November 10, 2024, the Education Department, at the instruction of the PVPV Department, shut down two educational centers in Ghaziabad district, Kunar province, which had been providing modern and religious education to girls above grade six.¹⁴
 - On November 28, 2024, the United Nations Children's Fund (UNICEF), reportedly following the Taliban's orders, shut down all community-based education classes in remote areas of Bamiyan province, where hundreds of girls who had been denied formal education were studying, illustrating the pervasive reach of these restrictions.¹⁵
13. The consequences of these bans are catastrophic. A generation of women will be denied the opportunity to become literate, acquire essential skills, and participate in the economy, and many of these women and girls are being forced into early marriages.

⁹ Human Rights Watch. "Afghanistan's Taliban Ban Medical Training for Women." December 3, 2024. <https://www.hrw.org/news/2024/12/03/afghanistans-taliban-ban-medical-training-women>.

¹⁰ Rawadari, *Excluded and Deprived*, 2024.

¹¹ Ibid

¹² Ibid

¹³ Ibid

¹⁴ Ibid

¹⁵ Ibid

- A 15-year-old girl from Ghazni province told Rawadari that she had aspirations to go to university and study law after completing school. However, with schools and universities closed to girls, she saw no options but to get married.¹⁶

ii. Article 11: Employment

14. Article 11 of CEDAW mandates that State Parties ensure women's right to work, equal employment opportunities, vocational training, and equal pay. Additionally, Article 48 of the 2004 Afghanistan constitution affirmed the right to work for every Afghan.
15. However, following the Taliban's return, they called on employed women to stay home, initially justifying it as a "safety" claim and a lack of training among their soldiers to interact with women; however, these restrictions quickly escalated. By September 2021, female educators were banned from teaching at Kabul University. In November 2021, women were prohibited from appearing on television shows. In July 2022, female employees of the Ministry of Finance were instructed to send male relatives to work in their place. The situation further deteriorated in December 2022 when the Taliban issued a decree that banned women from working for both local and international NGOs. This decision pressured many organizations to dismiss their female staff, resulting in severe economic repercussions for tens of thousands of women who had previously relied on these jobs. In April 2023, the Taliban extended this policy and barred women from working in the United Nations.¹⁷ On December 24, 2024, the Ministry of Economy (MoE) reiterated its stance by reinforcing the ban on hiring women and threatening those who do not comply with this ban by suspending their activities and closing their offices.¹⁸
16. The education and healthcare sectors, which previously offered limited job opportunities for women, have faced increased restrictions due to the Taliban's dress code-long black hijab, and *mahram*. According to Rawadari's findings, the new PVPV law has made working conditions for women in these fields increasingly difficult and inhumane.¹⁹
17. Additionally, the restrictions on employment have had a disproportionate and devastating impact on women-headed households, widows, and women with disabilities, who were often the sole breadwinners. For example, a 40-year-old woman from Kandahar, who is the sole provider for her children, told Rawadari that she used to sell women's cosmetics door-to-door to support her family. However, officials from the PVPV Department banned her from continuing her work because she did not have a male guardian accompanying her.²⁰
18. Beyond formal employment, women's ability to engage in entrepreneurial activities has also been severely curtailed. Restrictions on their movement, access to markets, and PVPV morality polices interventions stifle their economic initiatives. Many women who ran small businesses, such as tailoring workshops or craft shops, report being unable to operate due to restrictions on their movement or the inability to access raw materials and sell their products in public markets. The following are some examples of unfair treatment of women's work.

¹⁶ Rawadari, *The Human Rights Situation of Children in Afghanistan: Violations of Civil and Political Rights, August 2021 – October 2023* (November 2023), 1, <https://rawadari.org/181120231707.htm/>

¹⁷ Stop Gender Apartheid, "Taliban Edicts."

¹⁸ Rawadari, *Afghanistan Human Rights Situation Report 2024*.

¹⁹ Ibid

²⁰ Ibid

- In July 2023, the Department of PVPV in Kandahar Province shut down a tailoring center created for women, depriving them of this opportunity.²¹
- In August 2023, in Daikundi Province, the local authorities closed a vocational training center for women supported by the “Agha Khan Foundation” and mistreated the head of the NGO’s local office. They also warned other NGOs in the province against providing any vocational training to women.²²

iii. Article 12: Health

19. Article 12 of CEDAW mandates that State Parties eliminate discrimination against women in healthcare and ensure equal access to services. Similarly, Article 52 of the 2004 Afghanistan constitution recognizes the right to healthcare for all citizens. However, a series of Taliban restrictions have made it extremely difficult for women to access healthcare in Afghanistan.
20. In December 2021, women were banned from traveling more than 72 kilometers without a *mabram*. Followed by a December 2022 restriction on women working with international NGOs and a recent ban on women’s nursing and midwifery education. These measures have worsened the shortage of female healthcare workers and, along with dwindling international aid, have made accessing healthcare very difficult for women.²³
21. In addition, strict *mabram* requirements severely restrict women’s access to healthcare, impacting both patients and female healthcare workers. The PVPV morality police enforce these policies in hospitals, complicating medical assistance for women. However, enforcement varies by province—some allow women to enter healthcare facilities without a *mabram* if they comply with hijab rules, while others permit visits with a child or elderly woman.²⁴ According to the Rawadari report, on December 3, 2024, officials from the PVPV Department visited a private medical centre in Ghazni and expelled women who did not have a *mabram* or were not wearing the “appropriate hijab”. They also warned the centre’s staff not to provide medical treatment or healthcare services to women without a male guardian or those who fail to wear the required hijab.²⁵
22. Furthermore, the Taliban have imposed gender segregation in hospitals, requiring women to seek treatment in female-only sections. If they need to see a male doctor, they must be accompanied by a male guardian, wear a mandatory hijab, and can only communicate through the guardian.²⁶

iv. Article 15: Equality before the Law

23. Article 15 of CEDAW guarantees women legal equality with men in various civil matters. Similarly, Articles 6 and 22 of Afghanistan’s 2004 Constitution ensured equality and non-

²¹ Rawadari. Afghanistan Human Rights Situation Report 2023. March 2024.

<https://rawadari.org/020320241765.htm/>.

²² Ibid

²³ Human Rights Watch. “A Disaster for the Foreseeable Future”: Afghanistan’s Healthcare Crisis. February 12, 2024. <https://www.hrw.org/report/2024/02/12/disaster-foreseeable-future/afghanistans-healthcare-crisis>.

²⁴ Rawadari, *Afghanistan Human Rights Situation Report 2024*.

²⁵ Ibid

²⁶ Ibid

- discrimination for all citizens. Despite these legal commitments, the DFAs have systematically undermined these rights, restricting women's legal standing and protection.
24. The Taliban have dismantled Afghanistan's formal justice system and discarded key laws that previously offered some measure of protection for women, including the Constitution, the Penal Code, and the EVAW law. In addition, they abolished critical institutions, including AIHRC, MoWA, the Afghanistan Independent Bar Association (AIBA), and the EVAW units within the police and judiciary.²⁷ This has been compounded by the removal of qualified legal professionals. Rawadari's findings indicate that over 2,000 judges and 1,016 of the Attorney General's Office staff were dismissed and replaced with madrasa graduates, mostly from Pakistan, lacking formal legal training. The Taliban also eliminated all specialized courts, including those addressing violence against women, juvenile justice, and anti-corruption, and abolished formal investigative procedures, undermining due process and impartiality.²⁸ The Taliban justice system systematically marginalizes Afghan women and girls by enforcing extreme interpretations of Sharia law through both formal and informal mechanisms. This approach deliberately excludes and silences women, leading to punitive measures against them. The removal of female participation in legal institutions and the dismantling of protective laws have further institutionalized their gender-based discrimination system.
 25. The Taliban have dismissed all Shia judges, abolished the "Shia Personal Status Law," and are ruling Shia cases under Hanafi jurisprudence. Shia women cannot find their faith interpretations in the Taliban's justice system, which forces them to use the informal justice system, which lacks necessary protections.²⁹
 26. In addition, the Taliban have enacted the PVPV law, which expands their extreme interpretation of Sharia, undermining the dignity, justice, and diversity of Afghan communities, especially for women and girls. Mobility restrictions and the requirement of a *mahram* for access to courts further obstructed women from reporting abuse or seeking legal redress and protection. Subsequently, there are very limited avenues for legal remedies for women under the Taliban.³⁰
 27. The Taliban's neglect of women's legal rights is evident in their failure to address forced and child marriages effectively. In December 2021, Taliban chief Hibatullah Akhunzada issued a decree prohibiting forced marriage; however, it did not mention a minimum marriage age or penalties for perpetrators of forced and child marriages.³¹ Therefore, currently, there is no legal framework in place to punish offenders of crimes against children, including forced marriage.³²
 - Rawadari has documented cases in the provinces of Kandahar and Helmand where girls aged 14 and 15 have been forced into marriage with men over the age of 50, highlighting the extreme vulnerability of young girls. Tragically, some of these forced

²⁷ Rawadari, *Justice Denied*, 2023.

²⁸ Ibid

²⁹ Ibid

³⁰ Ibid

³¹ Al Jazeera. "Taliban Bans Forced Marriage, Calls for 'Equal Rights' for Women." Al Jazeera, December 3, 2021. <https://www.aljazeera.com/news/2021/12/3/taliban-bans-forced-marriage-calls-for-equal-rights-for-women>.

³² Rawadari, *Justice Denied*, 2023.

marriages have led to suicides among the girls, underscoring the severe psychological toll and lack of any avenues to safety for these children.³³

- In one alarming case in Nimroz province, a local Taliban official himself forcibly married a 13-year-old girl, demonstrating the complicity of those in power. Due to economic difficulties and security reasons, the victim's family was unable to protest against this forced marriage, highlighting the climate of fear and lack of protection.³⁴

28. In addition, women face civil rights restrictions, including the requirement of a *mabram* for visiting public places, traveling over 75 kilometers, or leaving the country. The Taliban's morality police actively enforce these rules to prevent solo travel by women.

- In Herat province, Taliban inspect vehicles to identify women without male companions and prevent their travel. On 17 July 2023, MPVPV department in this province warned taxi drivers and three-wheeler operators that if they had women and girl passengers not wearing the full Hijab, the drivers would be detained and imprisoned.³⁵
- On October 7, 2024, the PVPV Department in Lal wa Sarjangal district of Ghor province announced that widows and women from households without adult men (bi-sarparast) would not be allowed to move freely or work outside their homes. If any such women were seen in workplaces or markets, they would be arrested. This directive was later extended to other districts of the same province.³⁶

III. Recommendation

- a) The DFAs must immediately and unconditionally reverse all discriminatory policies and bans, including:
 - Bans on women and girls' secondary and higher education and unrestricted access to education at all levels, including vocational training.
 - Ban on women's employment in public and private sectors and ensuring their right to work freely and equally.
- b) The DFAs should lift the restrictions on women's movement and the *mabram* policy so that women can freely move and access healthcare, aid, justice, and protection services.
- c) The DFAs must reinstate female employees in the justice, healthcare, and other sectors.
- d) The CEDAW Committee must constantly monitor and review Afghanistan and follow up on implementing urgent recommendations.
- e) International diplomatic efforts must be a priority to pressure the DFAs to adhere to their obligations under international human rights law, particularly CEDAW.
- f) Member States must adapt an all-tools approach to accountability and support the multiple demands of the Afghan women and girls for justice and accountability, including through

³³ Ibid

³⁴ Ibid

³⁵ Rawadari, *Afghanistan Human Rights Situation Report 2023*.

³⁶ Ibid

supporting the International Criminal Court investigation, the legal initiative to hold Afghanistan accountable for violations of CEDAW in the International Court of Justice, and the efforts to codify Gender Apartheid. Additionally, Member States must support the Afghan call for a comprehensive accountability mechanism to complement the mandate of the current Special Rapporteur on Afghanistan.

- g) Donors and the international community must partner with and financially support the women-led organizations and Afghan CS to continue raising awareness and defending Afghan women's rights, which are enriched by CEDAW.