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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the fourth periodic report of Afghanistan*

1. The Committee considered the fourth periodic report of Afghanistan (CEDAW/C/AFG/4) at its 2160th and 2161st meetings (see CEDAW/C/SR.2160 and CEDAW/C/SR.2161), held on 24 June 2025.

A. Introduction

2. The Committee appreciates the submission by the Permanent Mission of Afghanistan to the United Nations Office and other international organizations in Geneva of the fourth periodic report. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee notes with satisfaction the diverse composition of the distinguished delegation present in the dialogue, which was headed by the Permanent Representative of Afghanistan to the United Nations Office and other international organizations in Geneva, Nasir Ahmad Andisha, and included former Members of Parliament, former representatives of the Afghanistan Independent Human Rights Commission and the Independent Administrative Reform and Civil Service Commission, as well as former and current diplomats and staff of the Permanent Mission of Afghanistan to the United Nations Office and other international organizations in Geneva.

B. Sustainable Development Goals

4. The Committee calls for the realization of de jure (legal) and de facto (substantive) gender equality in the implementation of the 2030 Agenda for Sustainable Development, recalls the importance of Goal 5 and of mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals and urges the State Party to recognize women as the driving force of sustainable development in the State Party and to adopt gender-responsive policies and strategies to that effect.

* Adopted by the Committee at its ninety-first session (16 June–4 July 2025).



C. Principal areas of concern and recommendations

Context

5. The State Party's trajectory regarding women's rights has undergone profound transformations since the Committee's last review in 2020, culminating in an unprecedented crisis and one of the most severe reversals of women's human rights ever recorded. During the Taliban's initial rule from 1996 to 2001, women and girls were subjected to severe restrictions under the Taliban's extremist interpretation of Islamic law, including on their rights to education, employment, health and freedom of movement without a male guardian (*mahram*). They faced cruel, inhuman or degrading punishments for disobedience. Following the international intervention in 2001, women in the State Party experienced gradual progress in their enjoyment of their human rights, including as a result of the adoption of constitutional guarantees in 2003 and of the Law on the Elimination of Violence against Women in 2009. Women gained access to education, employment and public participation, although the State Party continued to rank at the bottom of global gender equality indices.

6. The return to power of the Taliban on 15 August 2021, following the withdrawal of international forces and the collapse of the previous Government, resulted in the replacement of the Government by de facto authorities that are not recognized at the international level. Following their announcement of an all-male "caretaker cabinet" on 7 September 2021, the de facto authorities systematically dismantled State institutions mandated to advance gender equality and engaged in an unprecedented rollback of women's human rights. Through more than 80 restrictive measures, the de facto authorities have systematically curtailed the human rights of women and girls, culminating in the adoption on 21 August 2024 of the Law on the Propagation of Virtue and the Prevention of Vice, which codifies discriminatory practices.

7. This regression has occurred against the backdrop of a global polycrisis encompassing political, economic, human-rights, climate-induced and humanitarian dimensions, as a result of which 22.9 million people require humanitarian assistance in 2025. This has created an environment in which Afghan women suffer unprecedented restrictions and the population faces acute humanitarian needs. The gross domestic product (GDP) of the State Party is projected to decrease by two thirds by 2066 if the suspension of women from higher education continues. That situation calls for sustained international attention and coordinated response mechanisms.

Constitutional and legislative regressions

8. The Committee expresses its concern regarding the systematic constitutional and legislative regressions owing to which the legal framework protecting women's human rights in Afghanistan has been dismantled since August 2021, in violation of articles 1 and 2 of the Convention. The Committee notes that, despite the absence of a specific definition of discrimination against women, the 2004 Constitution of Afghanistan accorded women and men equal rights and duties before the law and prohibited any kind of discrimination and distinction between citizens. It is recalled that, in accordance with article 7 (1) of the 2004 Constitution, the State Party is bound to adhere to its international treaty obligations and the Universal Declaration of Human Rights. The Committee notes with deep concern that, in September 2021, the de facto Minister of Justice announced that the de facto authorities would govern the State Party by temporarily enacting articles from the 1964 Constitution of Afghanistan that were "not in conflict with sharia" and that international laws and instruments that were not in conflict with the principles of "Sharia and Islamic Emirate" would also be respected, thereby effectively abrogating the 2004 Constitution. The Committee is particularly concerned at reports that, during an address on Eid al-Fitr, the Supreme Leader of the Taliban declared that democracy had ended and that Islamic law sufficed to govern the

State Party. The Committee also notes with deep concern that the de facto authorities have subsequently issued a series of sweeping edicts and decrees providing for systematic distinctions, exclusions and restrictions based on sex that institutionalize discrimination against women, in violation of article 1 of the Convention. The Committee notes that such discrimination affects every aspect of public, political, social, economic and cultural life. It excludes women and girls from secondary and tertiary education, most forms of employment and participation in political and public life; severely restricts their right to freedom of movement; and subjects them to public behaviour and dress codes that further undermine their dignity and autonomy. The Committee is further alarmed by the complete rollback of progress made towards gender equality and the dismantling of legal and constitutional mechanisms that provided women and girls with access to justice and remedies to claim their rights, including those remedies set out in the Law on the Elimination of Violence against Women. The Committee also notes with concern the legal vacuum that has been created because the de facto authorities' have asserted that their extremist interpretation of Islamic law is the prevailing legal framework while simultaneously conducting an ongoing review of pre-2021 laws for sharia compliance, a situation that has been combined with a profound lack of clarity regarding which provisions of the 1964 Constitution remain in effect. This vacuum has resulted in inconsistent and opaque application of religious and customary law that reinforces patriarchal norms and entrenches gender inequality, leaving women vulnerable to arbitrary treatment and abuse, especially in such areas as family law, inheritance and protection from gender-based violence.

9. Recalling the links between articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals, on ending discrimination against women and girls, the Committee urges the de facto authorities to immediately restore constitutional and legislative protections for women's rights by reinstating comprehensive anti-discrimination laws and establishing a new constitutional framework that explicitly guarantees non-discrimination and the equal rights of women and men, in accordance with article 2 of the Convention and building on the equality provisions that were set out in the 2004 Constitution. The Committee calls upon the de facto authorities to reaffirm their commitment to international treaty obligations, including the Convention, and to ensure that any constitutional and legal framework recognizes the equal rights of women and men and prohibits discrimination based on sex. The Committee urges the de facto authorities to immediately revoke all edicts and decrees issued since August 2021 that restrict women's and girls' access to education, employment, freedom of movement and participation in public and political life, and to reinstate and strengthen the Law on the Elimination of Violence against Women.

10. The Committee calls upon the international community to exercise leverage on the de facto authorities through diplomatic initiatives, targeted sanctions and conditional assistance programmes in which any support is explicitly linked to concrete progress in restoring constitutional protections for women and girls, in accordance with international human rights standards. The Committee urges international partners to provide technical assistance for constitutional and legal reform processes, support the documentation of violations of international humanitarian law and human rights law, and facilitate dialogue between the de facto authorities and constitutional law experts, Islamic scholars and women's rights advocates in order to develop frameworks that reconcile religious principles and international human rights obligations, including through the application of the Faith for Rights framework of the Office of the United Nations High Commissioner for Human Rights. The Committee calls upon regional organizations and neighbouring countries to refrain from legitimizing or normalizing the current discriminatory legal framework, and to support the

legitimate work of Afghan civil society organizations and women's rights groups in exile that are advocating in favour of legal reforms and constitutional protections for women's human rights.

Gender persecution

11. The Committee expresses its profound concern at the institutionalization of torture and cruel, inhuman or degrading treatment or punishment of women by groups associated with the de facto authorities. It is particularly concerned about the announcement made by the Supreme Leader of the Taliban in March 2024 validating public flogging and stoning to death of women for offences, in particular adultery, on the basis of the Taliban's extremist interpretation of Islamic law. The Committee is alarmed that, between November 2022 and May 2023, 58 women were publicly flogged for crimes ranging from adultery and failing to abide by dress codes to running away from home and shopping without a male guardian, and that more than 37 stoning sentences have been imposed on women in the last three years. Those developments demonstrate the systematic nature of State-sanctioned gender-based violence against women. The Committee is deeply concerned by credible reports of arbitrary arrest and detention, beating, flogging and the use of electroshocks and chemical sprays as punishment for women's engagement in human rights advocacy or for so-called "moral crimes".

12. The Committee urges the de facto authorities to immediately cease all forms of institutionalized torture and cruel, inhuman or degrading treatment or punishment of women by: revoking the announcement made in March 2024 endorsing the public flogging and stoning to death of women; abolishing all practices of corporal punishment, including flogging, beating and stoning, for any contraventions of dress codes or movement restrictions or for so-called "moral crimes", and ensuring that no woman is subjected to torture or other forms of gender-based violence against women under any circumstances. The Committee urges the de facto authorities: to immediately release all women arbitrarily arrested and detained for exercising their human rights; to end the use of pipes, whips, electroshock weapons and chemical sprays against women activists; and to ensure that women can exercise their right to peaceful assembly and freedom of association without fear of arrest, detention, intimidation or reprisals. The international community should implement resettlement quotas and ensure safe passage out of the State Party and neighbouring countries for women and girls who are victims of gender persecution.

13. The Committee expresses grave concern at the lack of criminal accountability for crimes that may constitute gender persecution under international criminal law. It notes that the hierarchical structure of the Taliban enables command responsibility for such acts. It also notes with concern that those acts have resulted in the disappearance of women from public life in a system that may constitute gender apartheid, a category which, more than ever, requires recognition and codification under international criminal law. The Committee notes that six States have referred the situation in the State Party to the Office of the Prosecutor of the International Criminal Court, urging that crimes against Afghan women and girls be prioritized. It further notes that 4 States Parties, supported by 22 other States Parties, have announced that they would commence legal proceedings before the International Court of Justice under article 29 of the Convention.

14. The Committee calls upon the de facto authorities to: dismantle the systematic pattern of gender persecution that has resulted in the "enforced disappearance" of women from public life; cease all practices that may constitute gender persecution under international criminal law and gender apartheid, as

described by the Committee in its general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems; and recognize that individuals within the hierarchical Taliban structure bear command responsibility and must be held accountable for crimes against women and girls. The Committee stresses that the de facto authorities should cooperate fully with international accountability mechanisms, including the International Criminal Court and the International Court of Justice, ensure that women who are survivors of gender-based violence against women and gender persecution receive adequate remedies and reparations, and implement immediate and comprehensive reforms to prevent further violations.

Women's access to justice

15. The Committee is alarmed by the closure of the Afghanistan Independent Human Rights Commission, family courts, protection centres for women and legal aid services, which leaves women who are victims of gender-based violence and discrimination without legal remedies. The Committee notes with serious concern that several bodies of the de facto authorities purport to administer justice and impose penalties outside a centralized and supervised accountability structure, rendering access to justice a significant or even insurmountable challenge for women. The Committee notes with concern that, while the Manual for the Administration of Legal Procedures of Judicial Courts, which was issued in 2014 and has been used by de facto courts since August 2021, grants women certain rights, including the right to annul a marriage, and recognizes intersectional discrimination by providing for the protection of vulnerable groups, such as children and persons with disabilities, it contains discriminatory provisions such as articles 55 and 95 relating to multiple marriage claims over one woman, and article 53 requiring a husband's presence when judgment is passed on his wife, which undermine women's legal capacity and perpetuate patriarchal structures. The Committee also notes with concern that the Manual would require significant amendments to ensure the substantive equality of women and men as parties and witnesses, especially for gender-based crimes, and to guarantee the availability of legal aid and assistance to women. The Committee is further deeply concerned that women face punitive consequences for reporting gender-based violence, including imprisonment, forced reconciliation and social ostracization. That situation creates an environment in which survivors of gender-based violence are revictimized by the very system that should protect them, in violation of the State Party's obligations to provide effective legal protection and ensure that women can seek justice without fear of retaliation or further harm.

16. The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, urges the de facto authorities to immediately restore and strengthen judicial and quasi-judicial institutions that guarantee women's equal access to justice, including the Afghanistan Independent Human Rights Commission, family courts, protection centres for women and legal aid services, and provide specialized training for judges and legal professionals on women's human rights and the criminal nature of gender-based violence. The Committee calls upon the de facto authorities to remove barriers to access to justice faced by women, particularly rural women, older women, single women, women living in poverty, women with disabilities and women from ethnic and religious minorities, by providing free legal aid, reasonable accommodations and interpretation services.

Stereotypes, harmful practices and gender-based violence against women and girls

17. The Committee notes with concern:

(a) The systematic invocation by the de facto authorities of "Afghan culture" and "sharia" as justifications for discrimination against women, as well as the Law

on the Propagation of Virtue and the Prevention of Vice promulgated on 21 August 2024, which requires women to cover their entire bodies as an “obligation for Muslim and righteous women”, and the fact that girls’ secondary education has been suspended since 23 March 2022 for not being “in line with Sharia and Afghan tradition and culture”;

(b) The non-recognition of women before the law owing to the directive issued on 7 May 2022 by the de facto Ministry for the Propagation of Virtue and the Prevention of Vice defining proper *hijab* requirements, which establishes a punitive system that holds male guardians responsible for women’s compliance, stipulating that the guardians of non-compliant women face escalating penalties, including admonishment, summoning, three-day imprisonment and court punishment, thereby depriving women of legal capacity;

(c) The perpetuation of gender stereotypes through the definition of the *hijab* as “the privilege of Muslim and honourable women”, which implies that women who do not comply are neither Muslim nor honourable and reinforces discriminatory notions that women’s worth is contingent on their adherence to patriarchal dress codes and behavioural norms;

(d) The substantial increase in the number of incidents of gender-based violence against women and girls as a result of restrictions, including those on movement, imposed by the de facto authorities; the dependence of women on a *mahram* who may be the perpetrator of gender-based violence; the denial of access to public spaces and confinement to the home; and the systematic dismantling of legal and protection infrastructure;

(e) The ineffectiveness of measures to address forced marriage despite a decree issued by the de facto authorities that bans this harmful practice;

(f) The misuse of religious and cultural norms to perpetuate deeply rooted stereotypes about the roles and status of women in society and to reinforce patriarchal power structures in which women are treated as inferior to and dependent on men.

18. Drawing attention to the joint general recommendation 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 (2019) on harmful practices, as revised, and in line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the de facto authorities:

(a) **Immediately repeal all discriminatory laws and directives that perpetuate gender stereotypes and patriarchal norms, ensure that religious or cultural justifications are not invoked to legitimize discrimination against women, and promote interpretations of religious texts that are compatible with the Convention and the principles of human dignity, equality and non-discrimination;**

(b) **Eliminate the punitive guardianship system, recognize the full legal capacity of women and their independent decisions about their lives, and ensure their rights to freedom of movement, free choice of dress, education, employment and equal participation in public life;**

(c) **Eliminate all characterizations that subject women’s religious identity, honour or dignity to compliance with behavioural norms, and raise awareness that women’s dignity is inherent and unconditional;**

(d) **Restore women’s access to public spaces and their right to freedom of movement, rebuild the dismantled legal and protection infrastructure to provide women who are survivors of gender-based violence with access to justice and**

victim support services, and prevent, investigate and prosecute all forms of gender-based violence;

(e) Establish robust enforcement mechanisms with accessible reporting systems for potential victims of gender-based violence against women, provide protection orders and adequate support services for women and girls at risk, and hold perpetrators accountable by law;

(f) Challenge deeply rooted stereotypes about the roles and status of women and men in the family and in society, dismantle patriarchal power structures, and recognize and protect women's fundamental human dignity, autonomy and equal rights and status in society.

19. The Committee calls upon the international community to maintain sustained diplomatic pressure through targeted sanctions and conditionality, linking financial assistance to concrete improvements in women's rights, and strengthen the documentation of violations of women's human rights and hold the perpetrators accountable through international justice mechanisms. The international community should provide targeted support to Afghan women through independent humanitarian channels.

20. The Committee calls upon United Nations agencies and international organizations to develop specialized programmes addressing the root causes of gender-based violence against women, provide victim support services, monitor and report violations of women's human rights, provide technical assistance to develop gender-sensitive legal frameworks, and provide platforms to amplify the voices of Afghan women and promote their participation in decision-making at all levels in the State Party.

21. The Committee calls upon religious and traditional leaders to: challenge religious interpretations that legitimize harmful practices and discrimination against women; promote interpretations of Islam that affirm the dignity and equal rights of women; raise awareness at the community level to address the root causes of gender-based violence and dismantle patriarchal attitudes and discriminatory norms; and create safe spaces for women to report gender-based violence and seek help.

Trafficking and exploitation of prostitution

22. The Committee notes with deep concern that the de facto authorities have systematically dismantled the legal framework and all protection mechanisms established by the previous Government, notably the Law on Combating Abduction and Human Trafficking, the national high commission tasked with coordinating anti-trafficking efforts, and the Criminal Code, in which trafficking for sexual exploitation and forced labour was criminalized and penalties of 10 to 16 years' imprisonment were prescribed when the victim was a woman. In particular, the Committee notes with concern:

(a) The complete abrogation of the previous anti-trafficking framework, including the dismantling of the national high commission to coordinate anti-trafficking efforts and the abandonment of procedures for identifying victims of trafficking in persons and referring them to protection services;

(b) The retrogressive gender-neutral decree adopted in December 2024 on the prevention of trafficking in persons, in which the penalties are reduced from 10–16 years to 1–3 years' imprisonment even though the risk that women face of being trafficked has exponentially increased;

(c) The criminalization of trafficking victims through the enforcement of laws on *zina* (unlawful sexual intercourse outside of marriage) and *hudud* punishments for alleged “moral crimes”, whereby women and girls may be charged for sex outside marriage and convicted of *zina* after being raped or forced into sex trafficking;

(d) The complete closure of women’s shelters throughout the State Party and the elimination of all support services for survivors, including legal aid and psychosocial counselling, despite the fact that 9 out of 10 women reported having experienced intimate partner violence prior to August 2021, forcing many women to return to abusive family situations in which they face domestic violence and crimes committed in the name of so-called “honour”.

23. The Committee urges the de facto authorities to immediately:

(a) **Reinstate and strengthen anti-trafficking legislation, ensuring that penalties are commensurate with the gravity of the crime, including the restoration of sentences of 10 to 16 years’ imprisonment;**

(b) **Repeal the decree adopted in December 2024 on the prevention of trafficking in persons and replace it with comprehensive gender-sensitive anti-trafficking legislation;**

(c) **Repeal all laws and practices by which victims of trafficking are punished for acts committed as a direct result of being trafficked;**

(d) **Reopen women’s shelters throughout the State Party and provide adequate funding and culturally appropriate support services.**

Equal participation in political and public life

24. The Committee expresses deep concern over the continued exclusion of Afghan women from international processes concerning the future of the State Party, including the Doha talks and other international negotiations. It recalls its public statement issued on the eve of the Doha talks in June 2023, in which it underscored that no discussion on the future of Afghanistan could be legitimate or sustainable without the full, equal and meaningful participation of Afghan women. The Committee moreover notes with deep concern the unprecedented and systematic erasure of Afghan women from political and public life since August 2021, and:

(a) That the de facto authorities have obliterated every formal mechanism that previously enabled women to participate in decision-making, including the complete reversal of constitutional and legal provisions in which minimum quotas for the representation of women had been established, such as article 83 of the 2004 Constitution, by virtue of which 27 per cent of seats in the Lower House and 17 per cent of seats in the Upper House were reserved for women, or the relevant provisions of the Election Law, by virtue of which at least 25 per cent of seats in each provincial, district and village Council were allocated for women candidates;

(b) That Afghan women are categorically prohibited from holding public office or participating in governance, with not a single woman serving in the de facto administration, and that women are excluded from the civil service and from all governance functions;

(c) That Afghan women are excluded from the diplomatic service and international relations and peace-building processes;

(d) That the progress made before August 2021 has been systematically reversed, whereas the proportion of women holding seats in community development councils had increased to almost 50 per cent in 2019 and women occupied 28 per cent of civil service posts in 2020;

(e) That there is no national strategy to facilitate the return of women to political and public life, and that political parties have been rendered non-functional.

25. Recalling its general recommendation No. 40 (2024), the Committee reiterates its call upon all stakeholders, including the United Nations and Member States, as they are currently planning for the next round of Doha talks, to ensure the inclusion of the diverse voices of Afghan women in all future negotiations and peace processes. It emphasizes that their exclusion not only undermines human rights obligations, but also jeopardizes the prospects for lasting peace and inclusive governance. It also calls upon the international community to recall the importance of women's participation and equal rights in all diplomatic engagements with the de facto authorities, with a view to promoting more inclusive governance. It calls upon the de facto authorities:

(a) **To immediately restore constitutional and legislative quotas to ensure the equal and inclusive representation of women in the Lower and Upper Houses, in provincial, district and village councils, and in the de facto ministries, and eliminate all restrictions preventing women from holding public office or participating in governance;**

(b) **To ensure the equal representation of women in the diplomatic service and in delegations participating in international negotiations;**

(c) **To establish women's advisory councils at the national, provincial and local levels with guaranteed participation of women in all decision-making processes that affect women and girls;**

(d) **To address barriers to the political participation of women by providing adequate childcare facilities, ensuring freedom of movement, protecting women in political life from threats and intimidation, holding perpetrators accountable by law, providing access to campaign financing and training in political leadership skills to women politicians and candidates, restoring the functionality of political parties and ensuring the equal representation of women in those parties, and ensuring women's meaningful participation in all governance and peacebuilding structures.**

26. The Committee calls upon the international community to employ targeted sanctions, aid conditionality and diplomatic pressure on the de facto authorities to restore the political participation of women, and condition any financial aid or normalization of relations on measurable progress in accelerating the equal and inclusive representation of women in decision-making at all levels. The international community should support alternative governance structures that include Afghan women in making decisions about their country's future, maintain sustained pressure through multilateral forums to demand the restoration of women's political participation, provide scholarships and training opportunities to enable Afghan women to study public administration and law, and support Afghan women's diaspora organizations.

Nationality

27. The Committee is deeply concerned about the persistent and grave violations of the right to nationality of Afghan women, including to a national identity document, as such violations result in women's exclusion from gaining access to property, inheritance, custody of their children, justice and humanitarian assistance. The Committee notes with deep concern:

(a) That women in the State Party are unable to register the birth of their children without the involvement of a man, are prevented from obtaining an identity

document (*tazkira*), and are denied the right to transmit their nationality to their descendants;

(b) That undocumented women, in particular those who are most at risk, such as women heads of household, widows, divorcees, women with disabilities, lesbian, bisexual, transgender and intersex women, internally displaced women and returnee women, lack civil documentation and are at risk of statelessness or being trafficked, owing to the absence of civil documentation issuance centres and because the social norms and restrictions on women's right to freedom of movement prevent them from travelling to their areas of origin to obtain the necessary certificates.

28. The Committee urgently calls upon the international community, in particular third States Parties, multilateral agencies, regional organizations, donors and humanitarian actors, to work in a coordinated manner:

(a) **To ensure that all women and girls of Afghanistan have access to national identity documents;**

(b) **To provide specific and sustained funding for access to civil documentation, including birth and civil marriage registration, for all Afghan women and children, with a particular focus on those who are most at risk of statelessness and/or trafficking, such as women heads of household, widows, divorcees, women with disabilities, lesbian, bisexual, transgender and intersex women, internally displaced women and returnee women, and their children;**

(c) **To conduct social awareness campaigns in the media targeting religious leaders and the general public to raise awareness of the importance of civil registration of births and personal identity documents in order for women and their children to access basic services and exercise their human rights.**

29. Recalling general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and its previous recommendations (CEDAW/C/AFG/CO/3, para. 38), the Committee urges the de facto authorities to amend the Civil Registration Law to remove barriers faced by women, including women heads of households, widows, divorcees, women with disabilities, lesbian, bisexual, transgender and intersex women, and internally displaced and returnee women, in obtaining identity documents.

Education

30. The Committee notes that the State Party had made important progress prior to 2021: more than 3.5 million girls had enrolled in schools by 2017, and a national education strategic plan emphasizing gender-sensitive infrastructure had been adopted. It notes with deepest concern that there has been a systematic and complete rollback of girls' and women's right to education since August 2021, and that Afghan women and girls have been systematically deprived of access to education at all levels. The Committee is concerned that this situation not only constitutes extreme gender-based discrimination and oppression at present, but will also result in the disempowerment of women and girls in the State Party for generations to come. The Committee is particularly alarmed that:

(a) In March 2022, the de facto Ministry of Education announced that girls' secondary schools would remain closed pending the development of a plan for reopening "in line with Sharia and Afghan tradition and culture", with no indication as to when they would reopen, and that they in fact remained closed; that, in December 2022, the de facto Ministry of Higher Education suspended higher education for female students until further notice; and that, in December 2024, the Deputy Minister of the de facto Ministry of Public Health issued a verbal order

barring women from studying in medical institutes, thereby eliminating the only remaining pathway for higher education for women;

(b) Girls' access to education is further restricted by *mahram* requirements;

(c) The de facto authorities have banned women from working with non-governmental organizations (NGOs) that provide education, and have dismissed women teachers and university lecturers, making it impossible for girls to gain access even to primary education, as they are not allowed to be taught by male teachers;

(d) Informal learning spaces and community-run education centres have been closed and teachers arrested or intimidated when attempting to provide education for girls;

(e) Boys and young girls are sent to religious madrasas at which curricula are often aligned with extremist interpretations of Islam that reinforce patriarchal attitudes and gender stereotypes;

(f) As a result of the restrictions on women's and girls' access to education, 78 per cent of young women and girls of Afghanistan are out of education, employment or training, contributing to a rise in child marriage and labour exploitation of girls, and severely affecting their healthy development, with alarming rises in depression and suicide rates, and deepening poverty.

31. In line with the Committee's general recommendation No. 36 (2017) on the right of girls and women to education and with Sustainable Development Goal 4 on quality education, the Committee urgently calls upon the de facto authorities to immediately lift all education bans on girls and women and:

(a) **To allow girls to attend secondary school and women to attend university without delay and without discriminatory conditions, ensuring equal access to quality education for all girls and women at all levels and in all areas of education;**

(b) **To eliminate all *mahram* requirements for girls and women to access educational institutions, and ensure that education is accessible to all girls and women at all levels;**

(c) **To reinstate all women teachers and women university lecturers in their previous positions and lift bans preventing women from working in educational NGOs;**

(d) **To cease all targeting, intimidation and arrests of teachers and women human rights defenders providing informal education for girls, and allow community-run education centres to operate freely without risks of closure or harassment of staff or students;**

(e) **To reform curricula to eliminate extremist interpretations of Islam that reinforce patriarchal attitudes and gender stereotypes, and ensure that education promotes gender equality and respect for women's and girls' human rights;**

(f) **To address the catastrophic outcomes caused by excluding women and girls from education, including by implementing comprehensive programmes to prevent child marriage and labour exploitation of girls, and by providing mental health support for girls who are suffering from depression and at risk of suicide.**

32. The Committee calls upon the international community, the private sector and trading partners to maintain sustained pressure through targeted sanctions and conditional assistance linking support to the immediate reopening of schools and universities for girls and women, while establishing alternative educational mechanisms including remote learning platforms and scholarship opportunities

in neighbouring countries. The international community should strengthen the documentation of systematic educational discrimination for accountability mechanisms, support the Afghan women educators in exile, and fund community-based informal education initiatives operating independently of the de facto authorities' restrictions. The Committee urges Member States to refuse to recognize the de facto authorities until equal access to education is restored to women and girls and to provide asylum and educational opportunities for Afghan women and girls fleeing educational persecution.

Employment

33. The Committee notes with profound concern: the restrictive policies of the de facto authorities, which have prevented most female civil servants from returning to their jobs in most institutions; the standardization by the de facto Directorate General of Administrative Affairs of salaries of women civil servants hired by the former Government to 5,000 afghanis per month regardless of grade; and the order of 24 December 2022 of the de facto Ministry of Economy prohibiting Afghan women from working for domestic and international NGOs. The Committee notes with concern that this order was extended on 4 April 2023 to include Afghan women working for the United Nations, and reiterated on 26 December 2024; that provincial de facto Departments of Economy are denying women work permits citing the ban; and that *mahram* requirements prevent women from commuting to work. In this regard, the Committee notes that the data before it reveals that the proportion of Afghan women in the formal labour market has dropped from 14.7 per cent in 2021 to 5.2 per cent in 2023. It further notes with concern that women-headed households are disproportionately affected by unemployment, poverty and food insecurity, forcing many women into informal, insecure labour or unemployment, and that more than 70 per cent of women report difficulties accessing humanitarian assistance due to cultural restrictions.

34. In accordance with target 8.5 of the Sustainable Development Goals, on achieving full and productive employment and decent work for all women and men, the Committee urgently calls upon the de facto authorities to immediately and unconditionally reverse all discriminatory policies that restrict the right of Afghan women to work and participate fully in economic life, including by lifting the bans on women's employment in NGOs, United Nations agencies and public institutions and by repealing *mahram* requirements for women to access workplaces, and to reinstate women civil servants in their positions with full salary entitlements commensurate with their professional grades and qualifications.

Health

35. The Committee notes with concern that the systematic restrictive measures imposed by the de facto authorities have drastically limited women's access to health services in the State Party. That situation has been compounded by cultural norms requiring treatment by female healthcare workers, who are now banned from working in the healthcare sector. The Committee is deeply concerned at the verbal order issued by the de facto Deputy de facto Minister of Public Health on 2 December 2024 requiring medical institutes to bar women from studying medicine and from enrolling in courses in midwifery, nursing, radiology and dentistry. It is concerned that their exclusion will have a serious impact on mortality rates among women and infants. The Committee also notes with concern reported cases of the de facto authorities barring healthcare facilities from treating unaccompanied women and preventing women healthcare workers from commuting without a male guardian. The Committee further notes with concern that the State Party has among the highest maternal and under-five mortality rates in the world. It further notes with deep concern that almost

70 per cent of women describe their mental health as “poor” or “very poor”, and that women accounted for approximately 80 per cent of reported suicide attempts in 2023. Lastly, the Committee notes with concern that food insecurity, water shortages and inadequate sanitation pose additional threats to women’s health, making it difficult for women, especially pregnant and breastfeeding women, to meet their nutritional needs and increasing their risk of gynaecological and reproductive complications.

36. In accordance with its general recommendation No. 24 (1999) on women and health, and targets 3.1 and 3.7 of the Sustainable Development Goals, respectively on reducing the global maternal mortality ratio and on ensuring universal access to sexual and reproductive healthcare services, the Committee calls upon the de facto authorities to take immediate and concrete measures to ensure that women have equal access to health services by repealing the discriminatory ban of 2 December 2024 on women and girls studying at medical institutes and ensuring their equal participation in medical studies and training, including in midwifery, nursing, radiology and dentistry programmes, to maintain an adequate number of qualified female healthcare professionals. The Committee also calls upon the authorities to eliminate all *mahram* requirements and other barriers that impede women’s access to health services and prevent female health workers from exercising their profession, and ensure that health services, including sexual and reproductive health services, are accessible to all women without requiring that they be accompanied by a man. The Committee urges the de facto authorities to allocate adequate resources to reducing the very high maternal mortality rate in the State Party, with particular attention to rural and underserved areas, and strengthening holistic mental health services, including crisis interventions and safe spaces in which women can access psychosocial counselling to address the alarming rates of depression and suicide attempts among Afghan women.

37. The Committee calls upon the international community to establish specialized programmes to meet the nutritional needs of pregnant and lactating women in the State Party, improve access for women and girls to adequate water and sanitation facilities, and ensure that humanitarian assistance prioritizes women’s health needs.

Economic empowerment of women

38. The Committee notes with grave concern that 90 per cent of the population, mostly women and girls, have been plunged into poverty, and notes the high debt burden, hunger and malnutrition among women-headed households. It also notes with concern that the commission for the “underprivileged and beggars” created by the de facto authorities has accelerated systemic discrimination and the collapse of the social protection system and eroded pre-existing limited safety nets and social buffers. The Committee further expresses concern that 2,471 formal women-owned businesses and 56,000 informal businesses in such sectors as agriculture, livestock, healthcare and industry have been shut down, contributing to a 26 per cent contraction in GDP, and that only 6.8 per cent of women in the State Party have a personal or joint bank account or use mobile money services, according to World Bank figures. The Committee expresses grave concern that the exclusion of women and girls from economic activities and business opportunities, including financial technology services, has exacerbated food insecurity and strangled women farmers and women operating small and medium-sized enterprises, who are compelled to ensure the livelihoods of their families and communities under dire conditions.

39. The Committee urgently calls upon the de facto authorities to immediately eliminate all restrictions that prevent women from participating equally in economic life, including by abolishing the mandatory *mahram* requirement that

prohibits women from engaging in economic activities, dismantle the inefficient and stigmatizing commission for the “underprivileged and beggars”, and restore comprehensive social protection systems that provide adequate safety nets for all women and children. The Committee recommends that the de facto authorities immediately restore the right of women to freely engage in economic activities according to their aspirations by reopening all women-owned businesses, both formal and informal, allowing women to operate enterprises in agriculture, livestock, healthcare, industry and all economic sectors without restrictions, and ensuring that women have equal access to financial services, including bank accounts, mobile money services and finance technology platforms, in order to enable their full participation in economic life and reverse the contraction of real GDP growth caused by the economic exclusion of women.

Women and girls facing intersecting forms of discrimination

40. The Committee expresses grave concern about the systematic discrimination, including intersecting forms of discrimination, faced by women in the State Party. It notes with particular concern that rural women no longer have access to land, inheritance, financial credit or decision-making in relation to rural development. The Committee is especially concerned about the intersecting and multiple forms of discrimination faced by:

(a) Hazara, Tajik and Uzbek women, particularly in rural areas, who face structural exclusion, gender-based violence and denial of education based on both gender and ethnicity;

(b) Women with disabilities, who face systemic neglect, lack of access to justice and heightened risks of abuse and abandonment without adequate support systems;

(c) Lesbian, bisexual, transgender and intersex women, who reportedly face State-condoned gender-based violence, extortion, arbitrary detention, inhuman treatment and forced exile;

(d) Widows and single women without male guardians, who have no access to social protection and are excluded from humanitarian aid due to the discriminatory application of *mahram* requirements;

(e) Internally displaced women, especially in informal settlements, who face chronic food insecurity, lack of sanitation and total exclusion from formal support mechanisms;

(f) More than 3 million returnees from the Islamic Republic of Iran and Pakistan who have arrived in the State Party since September 2023, including many women and girls, who face conditions of “legal invisibility”, lack of documentation, discriminatory social controls and the absence of gender-responsive reintegration programmes.

41. **The Committee urges the de facto authorities to eliminate all intersecting forms of discrimination against disadvantaged groups of women and ensure their substantive equality by:**

(a) **Immediately ending the structural exclusion, targeted violence and denial of education faced by Hazara, Tajik and Uzbek women, ensuring their access to basic services without discrimination based on ethnicity or religion, and implementing targeted measures to address the particular needs of ethnic minority women in rural areas;**

(b) **Establishing comprehensive support systems for women with disabilities to ensure their access to justice, protection from gender-based**

abandonment and violence, and basic services that are accessible, including healthcare and education, and their full inclusion in society;

(c) **Eliminating all State-condoned gender-based violence, extortion against and arbitrary detention of lesbian, bisexual, transgender and intersex women, ensuring their equal protection before the law and guaranteeing their equal treatment and access to basic services;**

(d) **Eliminating all *mahram* requirements that deny widows and single women access to social protection and humanitarian aid, promoting their economic empowerment and recognizing their legal capacity to act independently without male guardianship requirements;**

(e) **Providing internally displaced women, particularly those in informal settlements, with adequate humanitarian assistance and formal support mechanisms that ensure access to food security, clean water and sanitation, adequate shelter and health services;**

(f) **Establishing gender-sensitive reintegration frameworks for women returnees that ensure recognition of their legal capacity and access to documentation, adequate housing, education, livelihood opportunities and health services, in coordination with neighbouring countries, in order to ensure that any returns are safe, voluntary and in compliance with non-refoulement obligations under international law, and addressing the specific needs of women and girls returnees upon return.**

42. The Committee notes with concern the exclusion of Afghan women from sports, including the banning of women's sports teams, the closure of women's gyms, and the banishment into exile of Afghan women footballers.

43. **The Committee calls upon the de facto authorities to immediately lift all bans on women's sports teams, reopen sports facilities to women and allow Afghan women athletes to participate freely in sports competitions.**

44. **The Committee recommends that the International Olympic Committee take immediate action to accept the participation of Afghan women in international competitions independently of the sports governing bodies controlled by the de facto authorities, and allow Afghan women athletes to compete under the Olympic flag. It calls upon international sports federations to create pathways for Afghan women athletes in exile to continue their sports careers, provide scholarships and training opportunities, support the establishment of sports teams for Afghan women in receiving countries, and maintain pressure on the de facto authorities by refusing to normalize sports relations until the equal participation of women in sports and their human rights are fully upheld in the State Party.**

Marriage and family relations

45. The Committee notes with grave concern the persistence of child marriage in the State Party and the fact that the minimum age of marriage remains below 18 years, with parental consent enabling marriages of girls aged 12 to 17 years. It also notes with deep concern that forced marriages are on the rise, often driven by poverty and the perception that marriage can offer protection amid widespread insecurity. It further notes that divorce for women has become almost impossible in practice, as women seeking separation or child custody face threats, detention and abuse and because the administration of justice at most courts is in the hands of male Taliban-aligned clerics who lack legal training. In addition, more than 250 women judges and lawyers have been dismissed or forced into hiding. While Decree No. 83/1 provides

for women's right to inheritance under the Taliban's interpretation of Islamic law and has led to an increase in women claiming their inheritance rights before Taliban courts, those courts are inaccessible for many women due to gender bias and their very limited access to legal assistance, particularly in rural areas.

46. Recalling its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution and joint general recommendation No. 31/general comment No. 18 (2019), the Committee urges the de facto authorities to restore and protect basic legal guarantees for women and girls in matters of civil and family law, in accordance with international human rights standards. In particular, it calls upon the de facto authorities to establish and enforce the minimum age of marriage at 18 years for both women and men without exception, ensure women's equal divorce rights, reinstate women judges and lawyers, ensure that courts are staffed by legally trained professionals, eliminate *jirgas* for family matters, address judicial gender bias, ban polygamy, establish safeguards for women in polygamous unions and expand legal aid services for women.

Data collection and analysis

47. The Committee notes with concern the lack of data collection in many areas relevant to the implementation of the Convention.

48. The Committee recommends that the de facto authorities and the international community promote and build capacity for the use of relevant technology in the collection of statistical data, disaggregated by age, ethnicity, race and disability status, for the design and implementation of tailored and gender-responsive legislation, policies, programmes and budgets.

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

49. The Committee encourages the State Party to ratify or accede to, as soon as possible, the Optional Protocol to the Convention and to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

50. In view of the thirtieth anniversary of the Beijing Declaration and Platform for Action, the Committee calls upon the de facto authorities to commit to its implementation and to evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

Dissemination

51. The Committee requests the Permanent Mission of Afghanistan to the United Nations Office and other international organizations in Geneva, the de facto authorities, the United Nations Assistance Mission in Afghanistan and the international community to ensure the timely dissemination of the present concluding observations, in the official languages of the State Party, to the relevant institutions at all levels to enable their full implementation.

Follow-up to the concluding observations

52. The Committee requests the Permanent Mission of Afghanistan to the United Nations Office and other international organizations in Geneva, the de facto authorities, the United Nations Assistance Mission in Afghanistan, the Special Rapporteur on the situation of human rights in Afghanistan and any

interested stakeholders to provide, within two years, written information on the steps taken to implement all the recommendations set forth above.

Preparation of the next report

53. The Committee will establish and communicate the due date of the fifth periodic report of Afghanistan in line with a future clear and regularized schedule for reporting by States Parties (General Assembly resolution [79/165](#), para. 6) and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State Party. The report should cover the entire period up to the time of its submission.

54. The Committee requests the State Party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).
