Flygtningenævnets baggrundsmateriale

Bilagsnr.:	**1762**
Land:	Afghanistan
Kilde:	Global Centre for the Responsibility to Protect
Titel:	Populations At Risk – Afghanistan
Udgivet:	15. juli 2026
Optaget på baggrundsmaterialet:	6. oktober 2026

International Coalition for the Responsibility to Protect



Risk Level: Current Crisis

Women and girls in Afghanistan are facing gender apartheid perpetrated by the Taliban de facto authorities. Other populations remain at risk of systematic human rights violations and abuses.

BACKGROUND:

Since Taliban forces overthrew the Afghan government in August 2021, the Taliban de facto authorities have perpetrated widespread and systematic human rights violations across the country. The Taliban have imposed policies that severely curtail the rights of women and girls, violating the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Since August 2021 more than 230 decrees have been imposed. In August 2024 the Taliban implemented the so-called "vice and virtue" laws, which aim to eradicate women from public life. These laws require women to fully cover their faces, prohibit them from speaking or being heard in public and severely limit their freedom of movement, expression, employment, political and public participation and access to education and healthcare.

According to the UN Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on Discrimination Against Women and Girls, the Taliban may be

perpetrating gender persecution and gender apartheid by imposing a regime of systematic discrimination intended to subject women and girls to total domination.

These policies have been enforced through a broad pattern of abuses. The UN Assistance Mission in Afghanistan (UNAMA) has documented arbitrary arrests and detentions of women and girls for alleged non-compliance with the imposed "Islamic dress code." UNAMA also reports that women live in fear of arrest and harassment, with some forcibly taken into custody and subjected to ill-treatment. Women's rights activists and gender equality advocates have faced targeted killings, enforced disappearances, incommunicado detention, attacks and harassment. The Taliban have also systematically targeted media workers, human rights defenders and former government affiliates with extrajudicial killings, arbitrary arrests and detentions and torture and ill-treatment.

Various armed groups operating in the country further heighten atrocity risks, including the so-called Islamic State in Iraq and the Levant-Khorasan (ISIL-K), the Tehrik-i-Taliban Pakistan, Al-Qaida and the East Turkistan Islamic Movement. ISIL-K has claimed attacks against Shia Hazara Muslims, other minorities and religious sites, with systematic targeting suggesting organizational policies that may amount to crimes against humanity.

Violence, conflict, poverty and natural disasters have contributed to making Afghanistan one of the world's largest humanitarian and displacement crises, leaving almost 22 million people in need of assistance. This has been compounded by the impact of sanctions and the freezing of state assets. In December 2021 the UN Security Council adopted Resolution 2615 to allow for humanitarian aid without violating UN sanctions against the Taliban, which have been in place since 2011.

The Taliban were the de facto authorities from 1996-2001 before they were overthrown by a North Atlantic Treaty Organization coalition of military forces. During their insurgency against the internationally recognized Afghan government, the Taliban perpetrated likely crimes against humanity and war crimes while Afghan security forces and members of the United States military and Central Intelligence Agency also committed likely war crimes.

The Doha Process, a coordinated international effort to address Afghanistan's challenges under Taliban rule, provides a flexible, phased and conditional political framework for reintegrating the country into the global community through six pillars of engagement, including international obligations, human rights and inclusive governance.

International accountability for atrocity crimes is advancing on multiple fronts. The International Criminal Court (ICC) opened an investigation in March 2020 into atrocities by the Taliban and ISIL-K, and in July 2025 the Pre-Trial Chamber II issued arrest warrants for two Taliban leaders, charging them with the crime against humanity of persecution on gender grounds. Separately, in September 2024, Australia, Canada, Germany and the Netherlands initiated proceedings against Afghanistan before the International Court of Justice (ICJ) for violations of CEDAW. In October 2025 the UN Human Rights Council established an independent investigative mechanism (IIM-A) to collect, preserve and analyze evidence of international crimes and other serious violations. Once operational, the IIM-A will be the only international body examining abuses by the Taliban, former government officials, international forces and other armed groups.

RECENT DEVELOPMENTS:

The recent proliferation of Taliban policies further erodes the rights and protections of women and girls. A new law introduced in May on separation in marriage restricts women's ability to seek divorce, reinforces male guardianship and raises concerns about legitimizing child and forced marriage. This follows the introduction of a new criminal code in January, which reinforces and broadens the vice and virtue laws, legalizes violence against women and serves to entrench coerced confessions and formalizing a caste-like social hierarchy.

Escalating tensions between Pakistan, the Taliban and groups operating within Afghanistan place civilians at grave risk amid a cycle of cross-border attacks and retaliatory strikes. These culminated in what Pakistan's Defense Minister described as "open war" in late February 2026 and resulted in the forced displacement of an estimated 100,000 people. According to UNAMA, more than 750 civilians were killed or injured between 1 January and 31 March during the cross-border hostilities, with most casualties caused by airstrikes in February and March. Tensions have significantly re-intensified since early June, as a series of Pakistani-led airstrikes throughout the month killed dozens of civilians – many of them children – across several Afghan provinces, according to Taliban officials.

On 23 June the European Commission held its first meeting with Taliban representatives since 2021. The convening, framed by the European Union as a "technical exchange," raises serious concern over Taliban attempts to normalize relations and gain international legitimacy amid efforts by several member states to accelerate forced deportations to Afghanistan.

ANALYSIS:

The Taliban's distortion of religious principles to justify discriminatory and persecutory policies, coupled with restrictions on fundamental freedoms and impunity for past and ongoing violations and abuses, significantly heightens the risk of further human rights violations and atrocity crimes. The institutionalized marginalization of women and girls and widespread discrimination and violence against them likely amounts to gender persecution, a crime against humanity. Hazara women and girls face a heightened, multi-dimensional risk of persecution on the grounds of their ethnic, religious and gender identity.

Returnees, particularly women, girls, minorities, journalists and human rights defenders, face heightened risks of arbitrary detention, enforced disappearance and systematic discrimination amid global immigration crackdowns.

Key institutions, including the Afghan Independent Human Rights Commission and the Office of the Attorney General, have been dismantled and the Special Rapporteur has been prohibited from accessing the country. Meanwhile, the Doha Process has not ensured equal participation for Afghan civil society, particularly women human rights defenders, reducing human rights to negotiable issues and risking the conferral of unwarranted legitimacy on the Taliban.

RISK ASSESSMENT:

- Decades of violations of international law, as well as impunity for those crimes.
- Institutionalized and systematic gender-based discrimination against women and girls.
- Ongoing security crisis linked to the presence of non-state armed groups, escalating cross-border hostilities and the threat of terrorism, particularly targeting ethnic and religious minorities.
- Dismantling of civic space, characterized by restrictions on independent media, internet shutdowns and crackdowns on human rights defenders.
- Weak state structures and an unwillingness of the de facto authorities to uphold international law obligations.

NECESSARY ACTION:

As de facto authorities, the Taliban are bound by Afghanistan's international human rights obligations, including CEDAW. They must uphold these obligations by halting violations and abuses and guaranteeing equal protection and promotion of the rights of all Afghans, regardless of gender, ethnicity, religion or political affiliation. The Taliban must also allow international assistance and monitoring to help fulfill these obligations. Amid ongoing insecurity and persecution in Afghanistan, states must strictly uphold the principle of non-refoulement.

Any path toward normalization must be strictly contingent on the Taliban's compliance with international law, particularly with respect to the rights of women and girls. Both the Taliban and UN member states should engage constructively with the Doha Process, while ensuring the meaningful inclusion of Afghan women human rights defenders and civil society in all negotiations and future political arrangements.

The Taliban must investigate human rights violations and take steps to prevent their recurrence, including by holding perpetrators accountable. They must allow the Special Rapporteur safe and unfettered access to Afghanistan and fully cooperate with UNAMA and the UN Human Rights Office.

The international community should continue to pursue justice for likely atrocity crimes, regardless of the position, nationality or affiliation of the alleged perpetrator. States should cooperate with and support the ICC and ICJ and ensure the IIM-A is sufficiently resourced to investigate, preserve evidence and engage directly with Afghan victims and survivors.

For more on the Global Centre's advocacy work on the situation in Afghanistan, see our Afghanistan country advocacy page.