NEW YORK CITY BAR

# STATEMENT CONDEMNING THE TALIBAN'S SYSTEMATIC VIOLATIONS OF WOMEN'S RIGHTS IN AFGHANISTAN

The New York City Bar Association ("City Bar") is profoundly alarmed by the systematic erosion of fundamental rights and freedoms of Afghan women and girls under the Taliban regime. The Taliban's systematic repression of Afghan women is not only a grave violation of human rights, but also mirrors a troubling global trend of diminishing women's rights. This alarming trend demands immediate action from the international community.

Since the Taliban's return to power in August 2021, over 70 decrees have been enacted to marginalize women and girls.[1] These include bans on secondary and higher education for girls, exclusion from the workforce, and restrictions on movement and expression. These measures have deprived millions of Afghan women and girls of education and economic opportunities, threatening their futures and the nation's development.[2]

The Taliban's actions are not only an attack on Afghan women; they also represent an assault on the very principles of human dignity and equality. As detailed in numerous recent reports,[3] these actions represent a grave violation of international human rights standards, including those enshrined in the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The City Bar stands in solidarity with the courageous women of Afghanistan who continue to advocate for their basic human rights despite facing significant threats and systemic oppression. In this context the City Bar welcomes the initiative launched on September 25, 2024 by the Foreign Ministers of Germany, Australia, Canada, and the Netherlands to hold the Taliban accountable under Article 29 of CEDAW.[4] This is a critical step toward justice for Afghan women and towards addressing the gross violations of international law by the Taliban.

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[1] United States Institute of Peace, "Tracking the Taliban's (Mis)Treatment of Women," *available at* https://www.usip.org/tracking-talibans-Mistreatment-women (All websites last accessed on Dec. 19, 2024).

[2] Government of Canada, "Joint statement regarding the Convention on the Elimination of All Forms of Discrimination Against Women" (Sept. 26, 2024), *available at* https://www.international.gc.ca/world-monde/international_relations-relations_internationales/un-onu/statements-declarations/2024-09-26-women-femme.aspx?lang=eng.

[3] United Nations, "Afghanistan: Taliban rule has erased women from public life, sparked mental health crisis" (Aug. 13, 2024), *available at* https://news.un.org/en/story/2024/08/1153151

[4] Juristnews, "Canada, Australia, Germany, and the Netherlands set to initiate legal proceedings against Taliban at ICJ" (Sept. 25, 2024), https://www.jurist.org/news/2024/09/canada-australia-germany-and-the-netherlands-set-to-initiate-legal-proceedings-against-taliban-at-icj/ Article 29.1 of CEDAW: "Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them,

**About the Association**
*The mission of the New York City Bar Association, which was founded in 1870 and has 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.*

The City Bar calls on the Taliban de facto authorities to immediately cease their violations of the human rights of women and girls and to respond to the request for dialogue to address the concerns of the international community on this matter, including acceptance of the recommendations addressed to Afghanistan during its Human Rights Council 4th Cycle Universal Periodic Review.[5]

The City Bar further calls upon the international community to:

1. Not politically recognize the Taliban de facto authorities as the legitimate representatives of the Afghan population.
2. Intensify diplomatic and legal measures to hold the Taliban accountable for their systematic oppression of women and girls.
3. Provide robust support to Afghan women-led organizations and initiatives to sustain their resistance efforts, which are vital in preserving educational opportunities and advocating for basic rights, including underground schools and advocacy programs that continue to defy the Taliban's oppression at great personal risk.
4. Continue to advocate for the immediate restoration of women's rights in Afghanistan to ensure their freedom, dignity, and equality.

As an association dedicated to the rule of law and the protection of human rights, the City Bar remains committed to amplifying the voices of Afghan women and girls, who, despite grave threats, continue to resist oppression and fight for their fundamental rights.

Finally, the City Bar urges all relevant stakeholders, including governments, international organizations, and civil society, to collectively restore the fundamental rights of the women and girls of Afghanistan, ensuring their freedom, dignity and equality.

United Nations Committee
Sophia Murashkovsky and Ervin Nina, Co-Chairs

Middle Eastern and North African Affairs Committee
Hon. Elizabeth S. Strong and Robert Eli Michael, Co-Chairs

International Human Rights Committee
Suchitra Vijayan, Chair

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be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court."

[5] United Nations Human Rights Council, *available at* https://www.ohchr.org/en/hr-bodies/upr/af-index.