

ANNOTATED TABLE OF CONTENTS

COUNTRY CONDITIONS EXHIBITS DEMONSTRATING THE PERSECUTION OF WOMEN AND GIRLS IN AFGHANISTAN

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Introduction

The Taliban is an Islamic fundamentalist, militant, and political group operating in Afghanistan that was officially formed in 1994. The Taliban was in power from 1996-2001. The Taliban is characterized by a strict adherence to extreme cultural and religious practices and it has used extreme violence in order to achieve its aim of establishing a fundamentalist government in Afghanistan. Under Taliban rule, human rights abuses were rampant in Afghanistan and draconian measures were implemented to ensure compliance with Taliban ideologies. Historically disenfranchised groups bore the brunt of the Taliban's abuses of rights.

Historically, women and girls in Afghanistan have been deprived of access to services, jobs and subjected to abuse. Improvements had been made since the overthrow of the Taliban government in 2001 but women's rights were still severely lacking. According to statistics published by the democratic Afghan government, 87% of Afghan women are illiterate, 70-80% face forced marriages, and nearly 90% have experienced domestic abuse.

In 2021, U.S. and NATO forces began to withdraw from Afghanistan and the Taliban launched an offensive which has resulted in the overthrow of the U.S. and NATO backed government. Since then, the Taliban has taken control of the government and the entire country leading to fears that the changes that have been implemented by the western-backed government will be reversed and the plight of disenfranchised groups in Afghanistan will worsen. Given that the Taliban is in control of the government and the country, persecuted groups cannot safely relocate within Afghanistan to escape said persecution.

PART I: THE TALIBAN IS IN CONTROL OF AFGHANISTAN

Source	Relevant Information
A	<p>United States Department of State, "2021 Country Reports on Human Rights Practices: Afghanistan," Available at: Afghanistan - United States Department of State</p> <p>The Taliban culminated its takeover on August 15 when Kabul fell to their forces. On September 7, the Taliban announced a so-called interim government made up</p>

	<p>almost entirely of male Taliban fighters, clerics, and political leaders, hailing from the dominant Pashtun ethnic group.</p> <p>The Taliban promoted a strict interpretation of Quranic instruction according to the Hanafi school of Sunni jurisprudence, seeking to eliminate secular governance.</p>
B	<p>Congressional Research Service, "Taliban Government in Afghanistan: Background and Issues for Congress," Available at: R46955 (congress.gov)</p> <p>On September 7, 2021, the Taliban announced a "caretaker government" to rule Afghanistan. The announcement came weeks after the Taliban, a Sunni Islamist extremist movement that ruled most of Afghanistan from 1996 until 2001, retook effective control of the country with the collapse of the U.S.-backed former Afghan government and its security forces amid the U.S. military departure.</p> <p>Afghanistan is different in many ways from the country the Taliban last ruled in 2001. Women have been active participants in many parts of Afghan society; protections for them, and ethnic and religious minorities, were enshrined in the country's 2004 constitution. The Taliban are likely to reverse that progress.</p>
PART II: PERSECUTION OF AFGHAN WOMEN AND GIRLS	
C	<p>United States Department of State, "2021 Country Reports on Human Rights Practices: Afghanistan," Available at: Afghanistan - United States Department of State</p> <p>In March, three women working for a television station in Jalalabad were killed in two incidents. Mursal Wahidi was killed as she walked home while Sadia Sadat and Shahnaz were killed in a separate incident on the same night, also while returning home from work. ISIS-K militants claimed responsibility for the attacks.</p> <p>On May 8, an elaborate coordinated attack on Sayed ul-Shuhuda girls' school in Kabul deliberately targeted its female students in a mostly Hazara neighborhood, killing at least 90 persons, mostly women and girls. The Taliban denied responsibility, but the pre-August 15 government blamed the killings on the Taliban, calling the action "a crime against humanity."</p> <p>On September 4, Taliban gunmen killed a pregnant policewoman in front of her family, according to the victim's son. She had worked in Ghor prison and was eight months pregnant when she died. The Taliban spokesperson denied the accusation.</p> <p>Local law enforcement officials reportedly detained persons illegally on charges that lacked a basis in applicable criminal law. In some cases authorities improperly held women in prisons because they deemed it unsafe for the women to return home or because women's shelters were not available to provide protection in the provinces or districts at issue</p> <p>Police and legal officials often charged women (but not the men who were involved) with intent to commit zina (sex outside marriage) to justify their arrest and incarceration for social offenses, such as running away from their husband or</p>

family, rejecting a spouse chosen by their families, fleeing domestic violence or rape, or eloping to escape an arranged marriage.

Authorities imprisoned some women for reporting crimes perpetrated against them and detained some as proxies for a husband or male relative convicted of a crime on the assumption the suspect would turn himself in to free the family member.

Due to cultural normalization and a view of domestic violence as a “family matter,” domestic violence often remained unreported. The justice system’s response to domestic violence was insufficient, in part due to underreporting, a preference for mediation, sympathy toward perpetrators, corruption, and family or tribal pressure.

Some women did not seek legal assistance for domestic or sexual abuse because they did not know their rights or because they feared prosecution or being sent back to their family or to the perpetrator. Cultural stigmatization of women who spent even one night outside the home also prevented women from seeking services that may bring “shame” to herself or her family. At times, women in need of protection ended up in prison, either because their community lacked a protection center or because “running away” was interpreted as a moral crime.

On September 19, Taliban gunmen entered a women’s shelter in Kabul by force, interrogated staff and residents for several hours and forced the head of the shelter to sign a letter promising not to allow the residents to leave without Taliban permission. The Taliban told the shelter operator they would return married shelter residents to their abusers and marry the single residents to Taliban soldiers.

After the Taliban takeover, most women-led businesses suspended operations due to the ongoing liquidity crisis and fear of violating Taliban edicts against women in the marketplace.

Women must obtain their husband’s consent to use contraception under the law.

Women do not have equal legal rights, compared to men, to inherit assets as a surviving spouse, and daughters do not have equal rights, compared to sons, to inherit assets from their parents. By law women may not unilaterally divorce their husbands but must obtain their husband’s consent to the divorce, although men may unilaterally divorce their wives.

An education director in Jawzjan Province said in March that Taliban militants stopped an estimated 20,000 female students from studying beyond sixth grade. Even before their takeover of Kabul, in Taliban-controlled districts within the provinces of Kunar, Helmand, Logar, and Zabul, the Taliban had largely prohibited women and girls from attending school as provincial education officials attempted in vain to negotiate with the Taliban for girls to have access to education.

The Taliban’s lack of a clear education policy regarding women’s ability to teach and girls’ ability to attend schools, combined with nonpayment of teachers’ salaries, led to low enrollment rates even where schools were open.

After the August takeover by the Taliban, due to the deteriorating humanitarian situation in the country, widespread reports surfaced suggesting that some families

	were selling their young children, usually daughters for early marriage, to afford food.
D	<p>Amnesty International, "Afghanistan: Survivors of gender-based violence abandoned following Taliban takeover – new research," (Dec. 6, 2021) <i>Available at: Afghanistan: Survivors of gender-based violence abandoned following Taliban takeover – new research - Amnesty International</i></p> <p>Essential services for women and girl survivors of gender-based violence in Afghanistan have been decimated following the Taliban's takeover of the country, Amnesty International said today.</p> <p>"Women and girl survivors of gender-based violence have essentially been abandoned in Afghanistan. Their network of support has been dismantled, and their places of refuge have all but disappeared," said Agnès Callamard, Amnesty International's Secretary General.</p> <p>Before the Taliban's takeover, many women and girl survivors had access to a nationwide network of shelters and services, including pro-bono legal representation, medical treatment, and psychosocial support. As the Taliban took control of Afghanistan, the system of protective services collapsed. Shelters were closed, and many were looted and appropriated by members of the Taliban. In some cases, Taliban members harassed or threatened staff.</p> <p>One shelter director, currently in hiding with some survivors from her shelter, told Amnesty International: "We don't have a proper place. We can't go out. We are so scared... Please bring us out of here. If not, then you can wait for us to be killed."</p> <p>As the Taliban advanced, they also systematically released detainees from prisons, many of whom had been convicted of gender-based violence offenses. Testimony from witnesses and others with first-hand knowledge, as well as credible media reporting, indicate that members of the Taliban were responsible. A Taliban spokesperson denied this to Amnesty International, insisting the previous government had opened prisons.</p> <p>There is nowhere to turn for women and girls who have faced violence since the Taliban's takeover. One psychologist who worked with gender-based violence survivors in Kabul told Amnesty International: "The Taliban doesn't have any procedure of how to deal with these cases." A prosecutor for cases involving gender-based violence explained: "In the past, women could go to the Ministry of Women's Affairs. They could go alone and report their case. But now that women are not allowed to go anywhere without a mahram [male guardian], this will make it really complicated."</p>
E	<p>Human Rights Watch, "Afghans Call to #FreeHerFace," (May 23, 2022) <i>Available at: Afghanistan: Taliban Forcing On-Air Female Journalists to Cover Faces Human Rights Watch (hrw.org)</i></p> <p>On May 9, the Taliban ordered women and older girls to cover their faces when in public and avoid being outside at all if possible. Punishments for violating the decree would be inflicted on their male family members. Taliban leaders have</p>

	<p>responded to public outcry by insisting the decree is not mandatory, but their own enforcement efforts contradict those statements.</p> <p>On May 21, the Taliban's Ministry of Vice and Virtue ordered all women television presenters to cover their faces, stating "the decision was final and that there was no room for discussion." The rule blatantly violates women's rights to freedom of expression, as well as personal autonomy and religious belief.</p> <p>This latest order is part of steady flow of Taliban actions that have blocked girls' secondary education, pushed women out of most employment, curtailed women's freedom of movement, obstructed women's access to health care, and abolished the system designed to protect women and girls from violence.</p>
F	<p>Human Rights Watch, "Speak Up on Behalf of Afghan Women," (June 7, 2022) Available at: Speak Up on Behalf of Afghan Women Human Rights Watch (hrw.org)</p> <p>The list of Taliban violations of the rights of women and girls is long and growing. The Taliban appointed an all-male cabinet. They abolished the Ministry of Women's Affairs and replaced it with the Ministry of Vice and Virtue, which issued the most recent order. They banned secondary education for girls and banned women from almost all jobs. They blocked women from traveling long distances or leaving the country alone. They dismantled the system to protect women and girls from violence and made it difficult for them to get health care. They issued new rules for how women must dress and behave. They enforce these rules through violence.</p> <p>The latest order is a chilling escalation. Not only does it make every woman or girl who is outside her home a suspect, but it also strips women and girls of the shreds of autonomy they still had, the ability to resist. The order states that if a woman or girl disobeys, the punishment — including imprisonment — will be inflicted on her male guardian. In this way the Taliban coerce every man to become complicit in their abuse, each man the jailer of his female relatives.</p>
G	<p>United Nations Human Rights Council, "Failure to adhere to commitments to re-open schools for all girls deeply disappointing and damaging for Afghanistan, Bachelet warns" (March 23, 2022) Available at: Failure to adhere to commitments to re-open schools for all girls deeply disappointing and damaging for Afghanistan, Bachelet warns OHCHR</p> <p>The denial of education violates the human rights of women and girls – beyond their equal right to education, it leaves them more exposed to violence, poverty and exploitation. This is of grave concern at a time when the country desperately needs to overcome multiple intersecting crises.</p>
H	<p>Human Rights Watch, "Afghanistan: Taliban Deprive Women of Livelihoods, Identity." (Jan. 18, 2022) Available at: Afghanistan: Taliban Deprive Women of Livelihoods, Identity Human Rights Watch (hrw.org)</p> <p>"Afghan women and girls are facing both the collapse of their rights and dreams and risks to their basic survival," said Halima Kazem-Stojanovic, a core faculty member of SJSU's Human Rights Institute and a scholar on Afghanistan. "They are caught</p>

	<p>between Taliban abuses and actions by the international community that are pushing Afghans further into desperation every day.”</p>
I	<p>The Washington Post, " Taliban morality police tighten their grip on Afghan women." (May, 26, 2022) Available at: Taliban Ministry of Virtue and Vice enforces new crackdown on Afghan women - The Washington Post</p> <p>More than nine months into Taliban rule, the Ministry of Virtue and Vice is expanding its reach into all aspects of Afghan society. Women have been the targets of the ministry's new laws</p> <p>“At the beginning, we had hope the Taliban would be softer, but now the only safe place for me is my home,” said Negina Lali, 22, a university student who was recently barred from attending class because she wasn’t dressed entirely in black.</p> <p>“Enforcing hijab is an important part of cleansing a society. When women wear the proper hijab, it prevents bad behavior in others,” he said, claiming that the way Afghan women dressed in cities such as Kabul before the Taliban takeover encouraged sexual harassment from men. “This is not a violation of women’s rights; it gives women more freedom,” he said. Since the ruling on head-to-toe coverings, Akif estimates that two dozen families have been summoned to the ministry after their female relatives violated the dress code. In all cases, he said, male relatives agreed to enforce the ruling.</p> <p>Lali, the university student, has felt her life shrink with each new restriction. “It’s not just about clothing; they are taking away our freedom to make our own choices,” she said. “It is like they don’t accept women as human beings.”</p>
J	<p>Gallup, "Afghan Women and Men See Women Treated Worse After Taliban." (Apr. 4, 2022) Available at: Afghan Women and Men See Women Treated Worse After Taliban (gallup.com)</p> <p>Gallup surveys conducted as the Taliban completed their takeover of Afghanistan in 2021 showed the percentage of Afghans who said women in their country were treated with respect and dignity dropped to a record low of 31%. This percentage has been drifting downward over the past several years as the Taliban gained more territory in Afghanistan, but the 13-percentage-point drop between 2019 and 2021 is the largest to date.</p> <p>Afghan women are only allowed to work subject to the Taliban's interpretation of Islamic law. And just in the last month, the Taliban banned women from traveling on planes or more than 48 miles from home unless accompanied by male guardians.</p> <p>Fifty-nine percent of men in 2019 said women were treated with respect and dignity, but this shrank to 37% in 2021.</p> <p>Notably, 2021 marked the first time in the history of Gallup surveys in Afghanistan that the majority of both men and women agreed that women in their country are not treated with respect and dignity. Before last year, the majority of men felt women were treated with respect and dignity.</p>

K	<p>BBC News, "Afghanistan: Women's faces become latest Taliban restriction after face veil rule" (May 7, 2022) Available at: Afghanistan: Women's faces become latest Taliban restriction after face veil rule - BBC News</p> <p>At a press conference, the Ministry for the Prevention of Vice and Promotion of Virtue announced that all women would have to cover their face in public, and laid out an escalating set of punishments for anyone refusing to comply.</p> <p>The punishment starts with a woman's male guardian (normally father, brother or husband) being visited at home by Taliban officials. Then, if a woman's appearance was still not deemed acceptable, her male relative would be summoned to see ministry officials, and after that he could even potentially be jailed for three days or sent to court.</p> <p>Western diplomats have indicated that resuming development funding for the country - currently struggling with a dire economic crisis - is contingent on the Taliban's treatment of women.</p> <p>When announcing this latest decree at the press conference, however, one cleric said the Taliban could never be pressured by the West into compromising on their beliefs.</p>
L	<p>BBC News, " Afghanistan girls' tears over chaotic Taliban schools U-turn." (March 23, 2022) Available at: Afghanistan girls' tears over chaotic Taliban schools U-turn - BBC News</p> <p>The local Taliban education official, who had given us permission to film at the school earlier this week, forwarded the headteacher a WhatsApp message, saying girls' secondary schools would in fact remain closed until further notice.</p> <p>The students reacted with shock and horror. Some began to cry. "We just want to be able to learn and serve our people," Fatima told us. "What kind of country is this? What is our sin?"</p>