



Recommendations for the UNSCR 2242 Informal Expert Group on the Situation in Afghanistan

Women's International League for Peace and Freedom (WILPF)
February 2022

Although the most recent war in Afghanistan is formally considered to have ended with the United States withdrawal in August 2021, peace - in a truly meaningful sense - remains elusive for the millions of people who are now living under Taliban rule. Establishing long-lasting peace, reconciliation, and stability in Afghanistan will require democratic governance that respects, protects and promotes human rights, supports free speech and expression, and ceases violent and oppressive practices as its mode of demonstrating power. Given the well-documented track record of Taliban violations against women, girls, LGBTQI+ people, and marginalized ethnic and religious groups, the United Nations has the responsibility to play a primary role at this moment in shaping an Afghanistan where human rights are protected.

In clear violation of its August 2021 announcement of a general amnesty for former Afghan government officials, there have been over 100 cases recorded by UNAMA of killings, enforced disappearances, and other violations against such individuals¹, numbers which are likely an undercount. Judges, attorneys, and prosecutors are also facing reprisals and violence, and space for civil society is shrinking with increased restrictions on NGO operations. In recent weeks, several Afghan women activists have been disappeared, in what OHCHR has called “a pattern of arbitrary arrests and detentions”.² Afghanistan is a state party to numerous international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).³ However, women and girls have been restricted from participating in public and political life; have had their freedom of movement and expression curtailed; have experienced increased gender-based violence and limitations on access to services; and have been denied their rights to education.⁴ LGBTQI+ people in Afghanistan are facing threats, assault, sexual violence, intimidation, and death on the basis of

¹ *Report of the Secretary-General: The situation in Afghanistan and its implications for international peace and security*, 28 January 2022.

https://unama.unmissions.org/sites/default/files/sg_report_on_afghanistan_january_2022.pdf

² *Six women's rights activists still missing in Afghanistan*, UN News, 1 February 2022.

<https://news.un.org/en/story/2022/02/1111012>

³ *Afghanistan*, UN Office of the High Commissioner on Human Rights, accessed 14 February 2022.

<https://www.ohchr.org/en/countries/asiaregion/pages/afindex.aspx>

⁴ *Report of the Secretary-General: The situation in Afghanistan and its implications for international peace and security*, 28 January 2022.

https://unama.unmissions.org/sites/default/files/sg_report_on_afghanistan_january_2022.pdf



their sexual orientations and gender identities.⁵ There is also widespread impunity for the many violations against Afghans during decades of conflict that were committed by all parties to the conflict. There has been a decreased capacity of mechanisms and institutions to monitor and address current human rights violations with the closure of the Ministry of Women's Affairs and lack of operation of the Afghan Independent Human Rights Commission.

Humanitarian issues are an urgent priority of the newly-announced UN Transitional Engagement Framework (UN TEF) as well as for UNAMA, which is due for renewal in March 2022. According to UN OCHA, 24.4 million Afghans are in need of humanitarian assistance, of whom 12.9 million are children.⁶ In addition to this critical humanitarian work, it is vital that the United Nations strengthen its existing presence on human rights in the country, in order to holistically respond to the realities that Afghans are facing. Addressing humanitarian needs without a systematic eye towards human rights protections and reviving the stalled peace and reconciliation process will result in an Afghanistan where people continue to face insecurity, repression, and violence, setting the stage for further conflict. The following urgent recommendations come from Afghan informants and Afghanistan experts with whom WILPF works.

Recommendations for the UNAMA mandate

- Monitoring and reporting on human rights: Strengthen UNAMA's mandate on supporting the fulfillment of Afghanistan's human rights obligations through monitoring, public reporting, and aiding with the development and implementation of legal and policy frameworks. This should be done explicitly with regards to the rights of women, girls, LGBTQI+ people, people with disabilities, and marginalized ethnic and religious communities, and in partnership with civil society organizations.
- Women's and girls' rights as a standalone priority: Women's and girls' rights must be a priority for UNAMA, in reference to Afghanistan's obligations under CEDAW and other human rights treaties to which it is a state party, and a gender lens should be incorporated across the mission's work. UNAMA must utilize political pressure to prevent further regression of women's and girls' rights.
- WPS and Women's Political Participation: Maintain language on the implementation of the Women, Peace and Security agenda in Afghanistan, including with regards to the implementation of the 1325 National Action Plan, to support the safe and meaningful participation of women in political and public life, as well as in humanitarian aid delivery.
- Addressing the humanitarian crisis: Ensure that UNAMA plays a role in facilitating the safe delivery of aid and funds to Afghanistan, in close partnership with states, the donor community, INGOs, and local NGOs, especially women-led NGOs.

⁵ OutRight International and Human Rights Watch, "Even if You Go to the Skies, We'll Find You": LGBT People in Afghanistan After the Taliban Takeover, January 2022.

https://outrightinternational.org/sites/default/files/afghanistan_lgbt0122_web_0.pdf

⁶ *Afghanistan*, UN Office for the Coordination of Humanitarian Affairs, accessed 14 February 2022.

<https://www.unocha.org/afghanistan>



- Long-term efforts for peace: Despite the many challenges to engagement with the de-facto authorities, maintain a political role for UNAMA in supporting pathways to peace including with regards to peacebuilding, transitional justice, and working for an inclusive political settlement, including by supporting local civil society-led peacebuilding.
- Size and scope of UNAMA: Although the situation in Afghanistan has dramatically changed, UNAMA must be strengthened, rather than streamlined, to support the country through this current period of uncertainty and crisis, and to prepare for future developments.

Recommendations for Council Members

- Raise concerns about human rights violations and use diplomatic leverage to pressure the Taliban to respect, protect and promote the human rights of everyone in Afghanistan, including women, girls, LGBTQI+ people, people with disabilities, and marginalized ethnic and religious communities. Do not engage unconditionally with the Taliban.
- Support the humanitarian appeal for Afghanistan including through providing flexible funding.
- Call on the de facto authorities to ensure that all civilians, including internally displaced people, have full, unfettered, and free access to gender-responsive humanitarian assistance from UN agencies and humanitarian groups, and prioritize funding for Afghan NGOs.
- Support accountability measures for the widespread violations and abuses committed by all parties to the conflict, including the Taliban and international actors.
- Continue to support the work of women human rights defenders, other human rights defenders, and vocally support the full, equal, and effective participation of women and girls from a diversity of backgrounds and experiences, including from marginalized ethnic and religious communities, in all areas of decision-making.
- Ensure that the voices and rights of Afghan women are at the front and center of all funding and advocacy efforts.