

INTRODUCTION

This report provides a comprehensive analysis of the nexus of Afghan girls' and women's rights and lived experiences, the Taliban's legal and policy framework and practices, and Afghanistan's binding obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The information presented in this report covers the Taliban rule in Afghanistan between August 2021 to October 2025.

This report builds upon existing publications and analyses to provide the first near-comprehensive documentation and critical examination of the Taliban's laws, edicts, bans, policies, and practices in relation to Afghanistan's binding obligations under the first 16 Articles of the CEDAW. Through rigorous, evidence-based analysis, the report assesses the extent to which the Taliban's governance has affected the rights and lived experiences of women and girls in Afghanistan, specifically through the normative framework established by CEDAW. The report is intended to inform and complement national and international actions to support, uphold, and protect the rights of women and girls in Afghanistan currently living under Taliban rule.

Afghanistan, the Rule of Law, and the Convention to Eliminate All Forms of Discrimination against Women

The rule of law and respect for international human rights and humanitarian law are fundamental to a rights-based global society—one that upholds human dignity, ensures security, and protects individuals and their communities. These legal frameworks are essential mechanisms for safeguarding lives and guaranteeing fundamental rights and freedoms. As a member of the United Nations, Afghanistan is bound by the United Nations Charter, the Universal Declaration of Human Rights, and has ratified 17 international conventions, including, among others:

- International Covenant on Civil and Political Rights (1983)
- International Covenant on Economic, Social and Cultural Rights (1983)

- International Convention on the Elimination of All Forms of Racial Discrimination (1983)
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987)
- Convention on the Rights of the Child (1994)
- Convention on the Elimination of All Forms of Discrimination against Women (2003)
- Convention on the Rights of Persons with Disabilities (2012)

Importantly, in 2003, Afghanistan ratified CEDAW without reservations, indicating a formal acceptance of its full scope and obligations without exception. These treaties collectively guarantee the rights of women and girls and obligate the state to prevent discrimination and ensure equal protection under the law.

In the aftermath of the first Taliban regime (1996-2001), the 2001 creation of the Afghanistan Ministry of Women's Affairs played an important national, institutional role in promoting women's and girls' rights and opposing gender-based discrimination. In June 2002, the Afghanistan Independent Human Rights Commission was created to promote, protect, investigate, and monitor human rights in Afghanistan. The Afghanistan Independent Human Rights Commission played an essential role in promoting women's and girls' human rights, and in addressing widespread, institutionalized, sexual and gender-based discrimination and violence in the country. The Commission also played a strategic role in the government's ratification of CEDAW on March 5, 2003, and in promoting CEDAW's influence to shape the 2004 Constitution. The 2004 Constitution explicitly granted women equal rights and duties with men under the law, outlawed gender-based discrimination, and guaranteed women's right to fully participate in public, economic, social, and political life.¹ The Afghanistan Independent Human Rights Commission's mandate was further reinforced by its inclusion in the 2004 Constitution.

Advancements and Barriers

Following the fall of the first Taliban regime in December 2001, girls and women gained increased access to political participation and civic life, education, healthcare, economic, and social opportunities. During the Islamic Republic of Afghanistan (Republic Period) of 2004-August 2021, Afghan girls and women experienced both notable advancements and persistent challenges in the realization of their rights.

In 2004, Constitutional provisions were introduced to ensure gender equality, and Constitutional quotas were created to help promote and ensure Afghan women's representation in the National Assembly (parliament). Women served as ministers, deputy ministers, international diplomats, governors, deputy governors, mayors, judges, and prosecutors. Sixty-eight women were members of the national parliament (27 percent of parliament), with nine women holding deputy-minister or minister positions. In 2020, there were 280 women judges, more than 500 women prosecutors, and 21 percent of the defense counsel were women. There were over 1,500 women in the armed forces, and more than 3,100 in the police forces.²

Women were active in professional offices and the workforce. By 2020, women made up 21 percent of all Afghan civil servants and held 16 percent of managerial positions. Women comprised 6 percent of middle and senior management positions. Women comprised nearly half of the medical profession and were prominent in the media and airline industries. However, women were excluded from certain professions, including segments of the judiciary and civil service.³

Key health indicators showed solid progress for women and girls, including a halving of maternal mortality rates from 1,450 deaths per 100,000 live births in 2001 to 638 deaths per 100,000 live births in 2017. The rate of girls and women giving birth with skilled attendants markedly increased from 12 percent in 2000 to 59 percent in 2018. Infant mortality rates fell by half, from 127 for every 1,000 live births in 2001 to 59 for every 1,000 births in 2021. Under 5 years mortality fell by half, from 125 deaths per 1,000 children in 2001 to 58 deaths per 1,000 in 2020. By 2020, Afghans' access to health had greatly improved with over 3,100 functioning health facilities, ranging from primary health centers to specialized hospitals. By July 2021, 87 percent of

Afghans could reach a functioning health facility in two hours or less.⁴

Educational access expanded significantly, with millions of girls enrolling in schools and universities, and over 100,000 women becoming primary and secondary teachers. In 2001, there were almost no Afghan women professors at the universities. By 2021, 14 percent of university faculty were Afghan women. That same year, 2021, women made up 29 percent of all university students in Afghanistan.⁵

Despite these gains, progress was uneven and often constrained by deeply rooted patriarchal norms, particularly in rural areas where conservative views on gender roles remained entrenched. When the Taliban first gained momentum as a political movement in 1994, their ability to mobilize support by appealing to religious and cultural values—especially in contrast to the perceived corruption and ineffectiveness of previous governments—further accelerated this shift toward conservatism. Over 40 years of conflict and war in Afghanistan significantly contributed to the entrenchment of conservative and patriarchal norms across many sectors of society. Decades of armed conflict disrupted traditional economic structures, education systems, and social support networks, resulting in widespread instability and the erosion of state institutions. In such environments, Afghan communities often sought refuge in familiar social frameworks, including traditional and religious norms, which were perceived as sources of stability and order in times of uncertainty.

In Afghanistan, the collapse of formal governance structures and the persistence of insecurity provided space for the emergence and consolidation of conservative and fundamentalist groups. These groups frequently presented themselves as defenders of so-called traditional values, gaining legitimacy by promising order and moral clarity amid societal fragmentation. As a result, they often exerted significant influence over communities, particularly in rural areas, reinforcing patriarchal, conservative gender roles and norms.⁶

In Afghanistan, as elsewhere, conflict disproportionately impacted women and girls, increasing their vulnerability and frequently resulting in the reinforcement of restrictive practices. Families turned to child marriage as a perceived form of protection or as a coping strategy in response to economic hardship and insecurity. Additionally, the

violence and destruction associated with prolonged war, in some cases, led to disillusionment with secular or modernist ideologies, prompting a return to more cultural or religious frameworks.⁷

In such unstable contexts, traditional gender norms and strict social controls are often viewed as mechanisms for preserving family and community integrity in the face of persistent insecurity, and such perceptions and actions continued throughout the Republic Period.⁸ To illustrate, 2014 survey data from Pew Research Center highlights a stark contrast between formal support for gender equality and deeply entrenched conservative attitudes. While a strong majority of Afghans—90 percent—supported equal legal rights regardless of gender, and 83 percent endorsed equal access to education for women and men, these values were not consistently reflected in beliefs and practice. The survey data revealed that only half of the Afghan males surveyed supported a woman’s right to work, and over 90 percent said women should mostly or always obey their husbands. Together, these findings revealed that while public declarations of gender equality existed, girls and women in Afghanistan continued to face significant cultural, educational, and political barriers to fully exercise their rights.⁹

The impact of conflict on Afghan society has never been uniform. The lived experiences of Afghans during the years of war have varied widely based on factors such as geography, ethnicity, class, and gender, underscoring the complexity of social transformation in the context of protracted conflict. Thus, while a rise in conservatism has been observed, particularly in conflict-affected and rural regions, there have also been ongoing efforts by women’s rights and human rights advocates to promote human rights and democratic values. These efforts are most evident among urban populations, civil society actors, and particularly among educated women, who have continued to advocate for legal reform, gender equality, and civic participation.

Despite important gains during the Republic Period, Afghan girls and women continued to trail behind boys and men on all key development indicators and faced systemic barriers to accessing their rights across all sectors. Gender-based violence remained widespread, including within domestic settings, and early and forced marriage rates were high. Girls and women encountered restrictions on their freedom of movement, expression, and dress, and limited economic opportunities, especially in regions under

conservative control. Girls and women’s access to public spaces such as parks, gyms, recreational activities, and bathhouses was limited.¹⁰

In sum, while the Republic Period of 2004-2021 brought measurable improvements in Afghan girls’ and women’s access to services, health, education, and participation in public life, these advances were often fragile and unevenly distributed. Enduring conservative, patriarchal social, cultural, and institutional obstacles continued to undermine girls’ and women’s full enjoyment of their rights, highlighting the difficulty of progress in the Afghan context.

Taliban Return to Power

On August 15, 2021, the Taliban took over Afghanistan for the second time. Following their takeover, the Taliban declared that they reject international human rights law, claiming instead to follow the so-called “Law of God.” The Taliban implemented sweeping legal and institutional changes that significantly curtailed women’s and girls’ rights. They rejected the 2004 Constitution as a Western imposition. They disbanded the Ministry of Women’s Affairs, replaced it with the Ministry of Virtue and Vice, and ordered the Morality Police to enforce new laws and decrees that discriminate against women and girls. This new body, supported by the Morality Police, enforces restrictive and discriminatory laws, policies, and practices targeting women and girls. The Taliban repealed the Elimination of Violence Against Women Law. They abolished the Afghan Independent Human Rights Commission and other national mechanisms for the protection of human rights, including women’s and girls’ rights.¹¹ The Taliban closed the Special Prosecutor’s Office and the Special Court for the Prohibition of Violence against Women and the Prohibition of Harassment of Women. The Taliban dissolved all democratic institutions created under the previous government. Over the following months and years, the Taliban issued decrees and bans that violated both national and international legal standards, including Afghanistan’s commitments under the CEDAW. The Taliban’s laws, edicts, policies, and practices undermined women’s and girls’ human rights, equality before the law, and equal protection of the law.¹²

Since their takeover, the Taliban promulgated over 100 laws, edicts, bans, policies, and practices that

violate girls' and women's human rights, which are guaranteed under international law, including CEDAW, Afghanistan's national laws, and many Afghan traditions and customs.¹³ As we document and analyze throughout this report, these laws, edicts, policies, and practices discriminate against girls and women and violate their most fundamental human rights, most notably: freedom from torture; freedom of thought, conscience, and religion; the right to equality and non-discrimination; the right to life; the right to a fair trial; the right to freedom of movement; the right to education; the right to work; the right to health; the right to adequate standard of living; the right to freedom of expression; the right to freedom of association and assembly; and the right to participate in public affairs.

Passed on August 21, 2024, the Taliban's law entitled "Propagation of Virtue and Prevention of Vice," is one of the most wide-ranging and discriminatory laws against women and girls that the Taliban have passed (discussed in detail in CEDAW Articles 2 and 3 of this report).¹⁴ This law discriminates against and imposes severe restrictions on Afghan girls' and women's human rights, personal freedoms, and human dignity.¹⁵

Since the Taliban takeover in August 2021, Afghanistan has consistently ranked as one of the worst countries in the world for girls and women.¹⁶ In 2023, it placed last among 146 countries in the World Economic Forum's *Global Gender Gap Report*, based on women's economic participation, educational access, and political representation.¹⁷ In 2023, the United Nations named Afghanistan under Taliban rule the world's most repressive country for women.¹⁸ The United Nations has raised alarms regarding femicide in Afghanistan due to societal discrimination and extensive sexual violence used by actors as a tool for control, intimidation, and repression of women and girls.¹⁹ In 2025, UN Women's Gender Index, which combines UN Women's Empowerment Index and UNDP's Global Gender Parity Index, found that under the Taliban, Afghan women and girls have been forced out of nearly every arena of public and civic life. Afghan women and girls are now significantly behind in all international standards for human development, with no pathways left open to catch up.²⁰ UN Women's Gender Index also finds that Afghanistan has the second widest gap in equality between women and men in the world, "with a 76 per cent disparity between men and women across key dimensions: health,

education, financial inclusion, decision-making, and freedom from violence. These numbers are not just statistics, they represent millions of lives restricted, silenced, and stripped of dignity."²¹

The Taliban's Obligations Under CEDAW

Importantly, the Taliban are the de facto ruling authority in Afghanistan, and as such, they are legally obligated to uphold the country's international human rights commitments that the country signed and ratified, including CEDAW. Thus, as the de facto ruling authority in Afghanistan, the Taliban can be held in violation of CEDAW.

Can the Taliban withdraw Afghanistan from CEDAW? CEDAW does not contain an explicit provision allowing withdrawal or denunciation. In such cases, international treaty law looks to the Vienna Convention on the Law of Treaties, which governs treaties that are silent on withdrawal. Articles 54 and 56 permit withdrawal only where the parties clearly intended to allow it or where such a right can be inferred from the nature of the treaty.

Human rights treaties such as CEDAW are treated differently under international law. The Human Rights Committee and other international bodies have consistently affirmed that these treaties establish enduring legal obligations and do not imply a unilateral right of withdrawal. The object and purpose of human rights instruments are understood to preclude denunciation unless expressly provided for, which CEDAW does not do.

Even if a State nevertheless sought to withdraw, it would be required to submit formal written notification to the UN Secretary-General, the treaty's depositary, with withdrawal typically taking effect no earlier than twelve months after notification. Importantly, withdrawal would not extinguish obligations incurred while the State was a party to the Convention, including compliance with CEDAW Committee recommendations and reporting duties arising during the period of membership.²²

These legal constraints significantly limit the feasibility of withdrawal from CEDAW. The absence of a withdrawal clause, combined with established interpretations of international law, underscores the binding and continuing nature of CEDAW

obligations. To date, no State has attempted to withdraw from the Convention.

In Afghanistan's case, the Taliban cannot withdraw the country from CEDAW in any event. Only Russia has recognized the Taliban as Afghanistan's legitimate government since August 2021,²³ and the United Nations does not recognize the Taliban as the lawful government of Afghanistan. Lacking international legal recognition, the Taliban has no standing to enter into or denounce international treaties. At the same time, as the de facto authorities exercising control over the territory, the Taliban remains bound to respect international law, including Afghanistan's existing obligations under CEDAW.

International Efforts to Hold the Taliban Accountable for Discrimination Against and Violation of Women's and Girls' Rights

Galvanized and informed in large part by the Taliban's systematic discrimination and violence against Afghan women and girls, international efforts are mounting to find ways to hold the Taliban accountable for their widespread discrimination against and violation of women's and girls' rights.

An international effort led by Afghan women in exile and their allies that is gaining traction at the highest levels of international law and governance is to include the crime of gender apartheid as a crime against humanity under Article 2 of the draft Prevention and Punishment of Crimes against Humanity convention. The United Nations Human Rights Council's Working Group on the Issue of Discrimination against Women in Law and in Practice found, "In Afghanistan, Taliban edicts, policies and practices constitute an institutionalised system of discrimination, oppression and domination of women and girls, amounting to gender apartheid... Only the apartheid framework can fully grasp the role of intent, ideology and institutionalisation in gender apartheid regimes as seen in Afghanistan."²⁴ The Special Rapporteur on the situation of human rights in Afghanistan in his investigations found that "the Taliban's institutionalized system of discrimination, segregation, disrespect for dignity and exclusion of women and girls constituted in and of itself a widespread and systematic attack on the entire civilian population of Afghanistan. The attack is both widespread, being countrywide and affecting large

numbers of civilians, and systematic, being organized at the highest levels of de facto governance and following a regular pattern. It is committed pursuant to or in furtherance of an organizational policy, which Taliban officials have not attempted to hide."²⁵ The Special Rapporteur "is firmly of the view that gender apartheid most fully encapsulates the institutionalized and ideological nature of the abuses in question."²⁶ UN Secretary-General Antonio Guterres stated that the Taliban's laws, policies, and actions amount to "...unprecedented, systemic attacks on women's and girls' rights [that] are creating gender-based apartheid."²⁷

In September 2024, Australia, Canada, Germany, and the Netherlands, on behalf of a group of 22 nation-states, announced they are bringing a case against the Taliban to the International Court of Justice for violations of women's and girls' rights under CEDAW. This case would be the first time any country or its de facto leadership has been called before the International Court of Justice for discrimination against women and girls.²⁸

On June 24, 2025, amid growing concerns from Afghan women about the erosion of their rights and exclusion from the international arena, the UN Committee on the Elimination of Discrimination against Women CEDAW undertook an unprecedented review of Afghanistan's compliance with its obligations under the Convention—despite the absence of engagement from the current de facto authorities (who were invited but declined to respond or attend). The Committee held a public dialogue with a delegation of former Afghan officials and exiled women's rights advocates, marking a significant procedural development. To prepare the periodic report, the Permanent Mission of Afghanistan formed a Steering Committee, Drafting Committee, and Advisory Committee, supported by thematic working groups. These bodies collaborated with women human rights defenders and civil society organizations to collect data. The report drew on diverse sources, including human rights documentation, academic and media analyses, information from the Taliban de facto authorities, and a multilingual survey conducted across all provinces and among the diaspora. The resulting report provided limited specific instances, with quotes by women and girls, of Taliban violations of each of CEDAW's first 16 Articles, and documents the Taliban's widespread discrimination against and disempowerment of Afghan women and girls.²⁹

Women human rights defenders—both within Afghanistan and across the diaspora—have worked closely to gather and share evidence of the Taliban’s extensive rights abuses against women and girls. This work has been vital in raising international awareness and supporting legal actions before the International Criminal Court (ICC). Importantly, these efforts helped lead to the ICC’s issuance of arrest warrants in July 2025 for Taliban Supreme Leader Haibatullah Akhundzada and Chief Justice Abdul Hakim Haqqani, on charges of gender-based persecution. This marks a significant step forward in recognizing and confronting the Taliban’s systemic mistreatment of women and girls.

On October 6, 2025, the United Nations Human Rights Council approved the formation of an independent investigative mechanism tasked with documenting and preserving evidence of international crimes and human rights violations in Afghanistan. Initiated by the European Union and adopted by consensus, this resolution reflects a significant shift in the international community’s approach to Afghanistan’s entrenched culture of impunity. The mechanism’s mandate includes investigating abuses committed by all parties to the conflict, including the Taliban, the Islamic State of Khorasan Province (ISKP), the former Afghan government and security forces, as well as international military actors. Its objective is to compile and safeguard evidence of crimes such as war crimes, crimes against humanity, and acts of gender persecution. This evidence is intended for use in future legal proceedings, both domestic and international, including possible collaboration with the ICC, which has already issued arrest warrants for senior Taliban officials.

This initiative follows decades of advocacy by Afghan human rights defenders and civil society groups, including the now-defunct Afghanistan Independent Human Rights Commission. Although calls for an accountability mechanism began in the early 2000s, the urgency increased sharply after the Taliban regained control in August 2021 and engaged in consistent patterns of human rights abuses. These include arbitrary detention, torture, extrajudicial killings, and widespread discrimination against women, girls, and ethnic minorities.

The Taliban’s latest actions have drawn international concern for its institutionalized discrimination against women and girls, described by experts and advocates as a form of gender apartheid. The

new mechanism is expected to focus in part on investigating the enforcement of Taliban decrees that ban women and girls from accessing education, employment, and public life—practices considered violations of international law. While the mechanism does not have the authority to prosecute, its role in evidence collection marks an essential first step in establishing accountability. Its establishment sends a clear message that violations—particularly those targeting women—are not merely cultural or political matters, but serious breaches of international human rights norms. Ultimately, this mechanism lays the groundwork for future justice processes, including trials, truth commissions, and reparations.³⁰

Report Overview

Our report complements these international reports and actions by offering the first near-comprehensive documentation and analysis of how the Taliban’s laws, edicts, bans, policies, and actions interact with Afghanistan’s binding commitments to women’s and girls’ rights guaranteed under the first 16 Articles of CEDAW from the period of August 2021 to October 2025. Through rigorous analysis and evidence-based research, this report highlights the impact of the Taliban’s laws, edicts, policies, and practices on the rights and lives of women and girls in Afghanistan through the lens of the Taliban’s obligations under CEDAW.

In this report, each of the first 16 Articles of CEDAW is presented as a separate section. Each section starts with a concise overview of the relevant Article of CEDAW. We then highlight important developments regarding Afghan girls and women’s rights guaranteed in the specific Article that occurred between December 2004 to August 2021, during the time of the Islamic Republic of Afghanistan. Then, drawing on relevant material from the 379 sources identified for our study (see Methods below), in each section, we document and analyze the situation of the rights of women and girls in the specific Article of CEDAW under the current Taliban regime from August 2021 until October 2025. In our documentation and analysis, we seek to be as comprehensive as possible regarding the findings for the rights enshrined in each Article of CEDAW. Notably, some rights of Afghan girls and women within CEDAW have more comprehensive data available on them, such as the right to health care and education, than others, such as measures to suppress all forms of

trafficking in and prostitution of girls and women, and our write-up reflects this reality.

We recognize that the rights protected under CEDAW are interconnected and mutually reinforcing. To avoid repetition in our examples of Taliban violations, we placed each violation under the Article of CEDAW to which it is most relevant. Each Article has been written to be comprehensive and able to stand alone. As a result, reference to larger Taliban laws, policies, and practices that cut across multiple, interrelated rights appear in the section on every applicable Article.

Study Design and Research Methods

This report is authored by Professor Dyan Mazurana, Ph.D., Sima Samar, M.D., and a team of graduate students from the Fletcher School of International Law and Diplomacy at Tufts University, USA. Graduate student co-authors are Courtney Rosani, Sarah Haviland, Rio Ponce, Annie Levy, Allton Vogel-Denebeim, and Sejal Jain. Lauren Davis provided important assistance with citation of sources.

Research design

In the fall of 2023, Drs. Mazurana and Samar conducted a series of consultations with a total of 47 experts to help inform their design of a multi-year research project on the state of women's and girls' rights in Afghanistan. Mazurana and Samar held these consultations with scholars and academics with expertise on Afghanistan; international and national human rights and women's rights defenders; international human rights law, humanitarian law, and criminal law legal scholars; United Nations experts; senior Afghan government officials living in exile; government officials with experience on Afghanistan from the United States, Canada, United Kingdom, Italy, Germany, the Netherlands, Norway, Sweden, and South Korea; and members of Afghan civil society in Afghanistan and exile. Based on these consultations, Mazurana and Samar designed a research project to provide comprehensive documentation and analysis of the Taliban's legal and practical actions regarding Afghanistan's legal obligations to eliminate all forms of discrimination against women and girls under CEDAW.

Data collection

Because field research inside Afghanistan was impossible for members of the research team to

undertake due to Taliban prohibitions on local and foreign women's movement inside Afghanistan, we collected information from a variety of reliable sources regarding the Taliban's laws and practices for each of the first 16 Articles within CEDAW. Under the leadership of Mazurana and Samar, we recruited a team of seven Master's-level, graduate students—Courtney Rosani, Sarah Haviland, Rio Ponce, Annie Levy, Allton Vogel-Denebeim, and Sejal Jain—from the Fletcher School of International Law and Diplomacy at Tufts University to assist in the collection and analysis of this information.

The team conducted research into a variety of reliable sources regarding the Taliban's laws, decrees, proclamations, and practices as they pertained to and affected the situation of women's and girls' rights guaranteed under CEDAW. The team carried out their research of sources in Arabic, Dari, English, German, Pashto, and Urdu. A total of 379 sources were included in the study. To identify these relevant 379 sources, the team reviewed a series of publications, included scholarly peer-reviewed articles and books; official statements and publications by Taliban leadership; international resolutions, statements and reports by the United Nations Security Council, General Assembly, Special Advisors and Rapporteurs, and leading United Nations agencies; international reports by the World Bank and United Nations; national reports by governments; international reports by international non-governmental organizations, including but not limited to humanitarian organizations, and non-governmental organizations; international reports by human rights organizations and civil society organizations.

The team also searched credible and reliable media sites, including international sources such as Al Jazeera, BBC, CNN, New York Times, Washington Post, the Guardian, among others, and respected sources that focus on Afghanistan, including Zangeneh Times and KabulNow, among others. The team reviewed recorded webinars, recorded scholarly and expert panels, and media interviews on the topic of women's and girls' rights in Afghanistan between August 2021 to August 2025. The team also followed Taliban leadership on their official social media posts to collect relevant information.

Data management

All sources that contained relevant information were compiled in a Box file that was divided into folders for each of the first 16 Articles of CEDAW.

Researchers were divided into teams that worked on the first 16 Articles of CEDAW. A team leader reviewed all the sources to ensure they were relevant to the CEDAW Article.

Data analysis and write-up

We carried out scholarly, legal analyses of CEDAW to determine the parameters of each of the first 16 Articles of CEDAW and its application to Afghan women and girls. We then reviewed all 379 sources of information we collected to determine which applied to each of the 16 CEDAW Articles and sorted them into the Box files. All points of information from the 379 sources about Taliban laws and practices cited in the report were triangulated with at least two other unique sources to ensure accuracy.

Notably, in some cases, regional Taliban leadership may impose certain restrictions on Afghan women and girls living in their areas of control that those living outside those areas may not experience as fully. In these cases, we note the provinces where different forms or intensities of the restrictions are in place. Throughout the report, we include the voices of Afghan women, girls, men, and boys who were quoted in some of the 379 sources to bring to life their experiences under the Taliban since 2021. The masters-level students then wrote drafts of the violations of the Taliban for each of the 16 Articles. Each CEDAW Article and its accompanying data were then reviewed by Mazurana and Samar to check for accuracy and applicability. Mazurana wrote the overview of the content of each of the 16 Articles as well as the background of the issues covered in each Article before the Taliban takeover in August 2021. Samar reviewed all the materials for accuracy and provided additional insights throughout the drafting and writing process. Mazurana used ChatGPT to highlight any grammar, spelling, punctuation, and sentence structure errors, which she then corrected. Mazurana used ChatGPT to highlight areas within the overall report that should be edited to ensure a more consistent voice and academic tone, which she then edited and rewrote. The final version of each CEDAW Article was edited by Mazurana.

Overall Findings

We find that countrywide, the Taliban's laws, decrees, policies, and actions have institutionalized gender-based discrimination that violates every Article of CEDAW, inflicting harm on Afghan women and girls—physically, psychologically, economically,

politically, socially, and culturally. We find that the Taliban's violations of Afghan women's and girls' rights under CEDAW occur regularly, in numerous ways, with complete impunity.

While the Taliban's nationwide laws, decrees, policies, and actions that restrict and violate the rights of women and girls are broadly implemented across Afghanistan, the degree of enforcement varies. Several factors influence the strictness of implementation, including the individual Taliban commander overseeing a particular area; how well families or local leadership can negotiate with local Taliban officials or enforcers; the rural or urban nature of the locality—with rural areas occasionally experiencing slightly more leniency; the interaction between local customs or traditions and specific Taliban regulations; the proximity of the area to hardline elements within the Taliban leadership; and the political significance of the area to the Taliban's broader governance objectives. We note throughout our report when we encounter these variances. Nonetheless, our research finds that variations are minimal and do not indicate any substantial relaxation of the Taliban's widespread discrimination against women and girls.

Though the conditions are often severe and overwhelming, some Afghan women, girls, and their national and international allies have found ways to both adapt and resist these violations of their human rights. Inside Afghanistan, women, girls, and their allies have held public and online protests against the Taliban's rights violations. They have established secret schools. They continue to run businesses and work as artists, journalists, teachers, health care providers, social workers, and aid workers. Afghan women in exile and the diaspora continue to push international civil and human rights organizations and movements, governments, and national and international organizations to use a variety of methods to support Afghan women and girls and pressure the Taliban to uphold Afghan women's and girls' rights. Afghan women and their allies collaborate with national and international human rights bodies to document the violations of women's and girls' rights under the Taliban. Afghan women and their allies are also working to criminalize the gender apartheid as a crime against humanity in an international convention on preventing and punishing crimes against humanity, and to hold the Taliban accountable using international courts.

We hope this report serves as a critical resource by providing rigorous documentation and analysis of Afghan women's and girls' rights enshrined in the first 16 Articles of CEDAW, the Taliban's systematic and widespread violation of these rights, and Afghan women's and girls' and their allies' struggle to realize their rights under the Taliban regime. We encourage local, national, and international actors to use this report as a tool to strengthen

and create mechanisms for gender-just responses, accountability, and justice for Afghan women and girls living under Taliban rule. Challenging and remedying the Taliban's system of gender oppression and gender persecution—rooted in human rights violations and the collective punishment of Afghan women and girls based on their gender—should be a global imperative.

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