



**50th session of the UN Human Rights Council**

**Urgent debate on the human rights situation of Afghan women**

**1 July 2022**

**Oral Statement by the International Bar Association Human Rights Institute (IBAHRI)**

Mr President,

The International Bar Association's Human Rights Institute is seriously alarmed at deterioration of the rule of law in Afghanistan since the Taliban's army unlawfully took over the country in August 2021. We further condemn the forcible overthrow of the Afghanistan Independent Bar Association in November 2021.<sup>1</sup>

As the High Commissioner noted in its oral report in March 2022, 'the safety of Afghan judges, prosecutors and lawyers(...) particularly women legal professionals(...) is a matter of acute concern'.<sup>2</sup> This is also in line with what the Special Rapporteur for Afghanistan expressed after his country visit last May.<sup>3</sup>

Mr President, women jurists are at particular risk as the Taliban intensifies its restrictions on women's and girls' rights and attempts to erase<sup>4</sup> women from public life. Many women jurists fled from Afghanistan and are awaiting resettlement options; many others are stranded and wait to flee the country for their safety. Many of those are in hiding.<sup>5</sup> Women legal professionals from the Hazara community are further discriminated based on their ethnicity and religion.

We also urge all States to redouble efforts to protect Afghan legal professionals, particularly women, in providing resettlement options and ensure safe destination to those who remained in Afghanistan. We urge this council to establish an investigative and accountability mechanism.

Thank you.

This statement was delivered by  
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<sup>1</sup> On 23 November 2021, fifty armed Taliban forcibly took control of the Afghanistan Independent Bar Association (AIBA) during an AIBA leadership meeting. Taliban also seized the AIBA bank account and data base of information about its 2,500 members. The AIBA has also been merged into the Taliban Ministry of Justice. See UN Deputy High Commissioner for Human Rights, 14 December 2021, [www.ohchr.org/en/statements/2021/12/oral-update-situation-human-rights-afghanistan](https://www.ohchr.org/en/statements/2021/12/oral-update-situation-human-rights-afghanistan); International Bar Association, *Taliban takeover threatens independence of Afghan Bar*, 9 December 2021, [www.ibanet.org/Taliban-takeover-threatens-independence-of-Afghan-Bar](https://www.ibanet.org/Taliban-takeover-threatens-independence-of-Afghan-Bar); IBA letter to the Secretary-General, 30 November 2021, [www.ibanet.org/document?id=/IBA-letter-to-the-UN-on-Taliban-takeover-of-AIBA-2021Nov30](https://www.ibanet.org/document?id=/IBA-letter-to-the-UN-on-Taliban-takeover-of-AIBA-2021Nov30); International Observatory of Lawyers: <https://protect-lawyers.org/en/afghanistan-the-afghanistan-independent-bars-association-stormed-by-the-taliban>; Statement of the New York City Bar Association re: the Taliban Takeover of the Afghanistan Independent Bar Association, [www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/taliban-takeover-of-afghanistan-independent-bar-association](https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/taliban-takeover-of-afghanistan-independent-bar-association); *Afghanistan dispatch: formerly independent bar association merged with Taliban MoJ now subject to new regulations*, Jurist, 22 March 2022, [www.jurist.org/news/2022/03/afghanistan-dispatch-formerly-independent-bar-association-merged-with-taliban-moj-now-subject-to-new-regulations](https://www.jurist.org/news/2022/03/afghanistan-dispatch-formerly-independent-bar-association-merged-with-taliban-moj-now-subject-to-new-regulations); US Dept. of State, 2021 Country Report on Human Rights Practices: Afghanistan at p.17, 12 April 2022, [www.state.gov/reports/2021-country-reports-on-human-rights-practices/afghanistan](https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/afghanistan); Oral update on the situation of human rights in Afghanistan, Statement by Nada Al-Nashif.

<sup>2</sup> UN High Commissioner for Human Rights, Interactive dialogue on the High Commissioner's report on Afghanistan, 7 March 2022, [www.ohchr.org/en/statements/2022/03/interactive-dialogue-high-commissioners-report-afghanistan](https://www.ohchr.org/en/statements/2022/03/interactive-dialogue-high-commissioners-report-afghanistan)

<sup>3</sup> Statement by the United Nations Special Rapporteur on the situation of human rights, Richard Bennett, following his visit to Afghanistan from 15-26 May 2022, OHCHR, [www.ohchr.org/sites/default/files/2022-05/26052022-Afghan-SR-visit\\_press-statement.docx](https://www.ohchr.org/sites/default/files/2022-05/26052022-Afghan-SR-visit_press-statement.docx).

<sup>4</sup> Kate Clark and Sayeda Rahimi, *We need to breathe too': Women across Afghanistan navigate the Taleban's hijab ruling*, Afghanistan Analysis Network, 1 June 2022, [www.afghanistan-analysts.org/en/reports/rights-freedom/we-need-to-breathe-too-women-across-afghanistan-navigate-the-talebans-hijab-ruling%ef%bf%bc](https://www.afghanistan-analysts.org/en/reports/rights-freedom/we-need-to-breathe-too-women-across-afghanistan-navigate-the-talebans-hijab-ruling%ef%bf%bc).

<sup>5</sup> Oral update on the situation of human rights in Afghanistan, Statement by Nada Al-Nashif, *supra* note 5.