



Permanent Mission of Afghanistan to the United Nations

STATEMENT

BY

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at

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Madam Chair,

Excellencies, Distinguished Delegates,

We wish to draw the attention of this Commission to an issue that lies at the very heart of its mandate: *confronting systems of discrimination that deny women and girls access to justice, protection, and equal participation in public life.*

For Afghanistan, the priority theme of this session is not theoretical. Today, Afghan women and girls are living under one of the most severe systems of institutionalized gender discrimination in the world.

What we are witnessing is not merely restricted access to rights. It is the systematic dismantling of those rights.

As documented by the Special Rapporteur on the situation of human rights in Afghanistan, women and girls are subjected to an institutionalized system of genderbased discrimination, oppression, and domination that may amount to crimes against humanity. Institutions that should safeguard justice have instead been transformed into instruments of repression.

Madam Chair,

Access to justice cannot exist where the legal system itself is weaponized.

Since 2021, constitutional protections have been suspended, the legal framework dismantled, and the Law on the Elimination of Violence Against Women abolished.

Women judges and prosecutors have been removed from the justice system, and statutory law has increasingly been replaced by decrees rooted in ideological control.

Recent legal developments, including newly introduced penal and criminal procedure codes, further institutionalize discriminatory hierarchies and weaken due process guarantees, undermining equality before the law.

Women who attempt to seek justice frequently face dismissal of complaints, forced mediation, intimidation, and retaliation. Shelters for survivors of gender-based violence have been closed, and credible reports continue to document torture and illtreatment of women detainees.

In such conditions, the denial of justice is not incidental, it is systemic.

Madam Chair,

The erosion of justice cannot be separated from the broader erosion of women's rights. The ban on education beyond grade six has deprived more than 2.2 million girls of their right to learn. Restrictions on employment, mobility, and public participation have rendered women economically marginalized and socially isolated.

The Special Rapporteur's recent report on women's right to health further demonstrates how these restrictions undermine access to life-saving healthcare, including maternal and reproductive services, with profound consequences for women's physical and mental wellbeing.

When a woman cannot travel without a mahram, cannot consult a lawyer, cannot safely report violence, and cannot seek healthcare without fear, justice is structurally denied.

Madam Chair,

The international community must also confront the legal characterization of what is occurring.

The Working Group on discrimination against women and girls has called upon States to consider recognizing gender apartheid within the framework of crimes

against humanity. The Special Rapporteur has likewise characterized Taliban policies as gender persecution and supported the recognition of gender apartheid as an international crime.

Naming this system is not rhetorical, it is essential for accountability.

Madam Chair,

Encouragingly, important accountability pathways are beginning to emerge.

The establishment of an independent investigative mechanism for Afghanistan represents an important step toward preserving evidence and supporting future criminal proceedings. This mechanism complements ongoing work by the International Criminal Court and other accountability processes and must be fully resourced and operationalized.

Afghan women, legal experts, and civil society actors are also documenting decrees, judicial decisions, and survivor testimonies to meet international evidentiary standards. Their work is vital to ensuring that these violations are neither forgotten nor normalized.

Madam Chair,

A victim-centered and survivor-informed approach must remain at the core of this Commission's work.

Afghan women consistently remind us that justice is not limited to courtroom proceedings. Justice also means safety, dignity, recognition of harm, economic autonomy, access to healthcare, and meaningful participation in shaping their country's future.

The review theme of this session, women's full and effective participation in public life and the elimination of violence, cannot be realized while women are excluded from governance, silenced in public discourse, and punished for non-compliance with discriminatory edicts.

Madam Chair,

We therefore call on Member States to:

- Reject the normalization of systemic gender persecution;
- Support efforts to recognize gender apartheid within international law;
- Strengthen and adequately resource accountability mechanisms, including the independent investigative mechanism;
- Sustain support for Afghan women human rights defenders, legal professionals, and civil society actors.

Ultimately, access to justice in Afghanistan will only be possible through a legitimate, responsible, and inclusive system of governance grounded in the rule of law and reflecting the will of the Afghan people.

Justice delayed risks becoming injustice normalized.

We remain committed to working with Member States, UN mechanisms, and Afghan women in all their diversity to advance an approach that restores legality, equality, and dignity.

Thank you, Madam Chair.