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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Situation of human rights in Afghanistan

Report of the Office of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 57/3, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to present a comprehensive report, including a mapping of policies and practices, edicts and so-called laws by the Taliban that impair the enjoyment of human rights, also reflecting victims' and survivors' perspectives on the ground on justice and redress, building on the stocktaking of accountability options and processes for human rights violations and abuses in Afghanistan.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.



I. Introduction

1. The present report has been prepared pursuant to Human Rights Council resolution 57/3, in which the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to present a comprehensive report to the Council at its sixtieth session. It contains an update for the period from 1 August 2024 to 31 July 2025, as well as a broader mapping of policies and practices, edicts and so-called laws by the Taliban that impair the enjoyment of human rights, also reflecting victims' and survivors' perspectives on the ground on justice and redress, building on the stocktaking of accountability options and processes for human rights violations and abuses in Afghanistan. It also contains recommendations to the de facto authorities and the international community.

2. The report was prepared by OHCHR, drawing on the public reporting of the Human Rights Service of the United Nations Assistance Mission in Afghanistan (UNAMA). The report was shared with the Permanent Mission of Afghanistan to the United Nations Office and other international organizations in Geneva and with the de facto authorities in Kabul. The liquidity situation in relation to the regular budget of the United Nations Secretariat has directly affected the capacity of OHCHR to carry out the full extent of its planned work on the promotion and protection of human rights.

II. Human rights situation in Afghanistan

3. In the reporting period, the people of Afghanistan continued to be faced with multiple challenges, including an ongoing economic crisis, persistent unemployment, limited access to basic services and frequent severe weather events, such as droughts and floods, with de facto governing institutions that remain unrepresentative of the population and increasingly oppressive.¹ The situation was exacerbated by the economic and financial situation of the country, including sanctions and frozen State assets. Many Afghans remained trapped in poverty and faced food insecurity, with 9.5 million people severely food insecure and 4.7 million women and children malnourished.² The continuing strict implementation and adoption by the de facto authorities of restrictive policies, practices and edicts, such as the August 2024 Act on the Propagation of Virtue and the Prevention of Vice, has negatively affected the political, civil, economic, social and cultural rights of the Afghan population, especially women and girls. As documented in previous reports, the rule of law and institutional protection of human rights continue to fall far below international norms.³

4. The situation was compounded by an ever-deepening humanitarian crisis. In a recent report, the United Nations Development Programme highlighted a deepening subsistence crisis, with 75 per cent of Afghans now subsistence-insecure, a 6 percentage-point increase compared with 2023.⁴ Decreasing international financial assistance in 2025 and the continued freeze on Afghan State assets have exacerbated the dire economic situation of millions of Afghans and their families across the country, pushing much of the population into deeper poverty and precarity.⁵

5. Afghanistan is also experiencing significant returns from neighbouring countries, in particular Iran (Islamic Republic of) and Pakistan. More than 1 million Afghans returned in the first six months of 2025 alone, placing additional strain on humanitarian response and available resources. Most returnees arrive with no assets and limited access to services and job prospects. Due to global funding shortfalls, support to returning families that was provided in 2024 has been significantly scaled down in 2025.⁶ Many Afghans have been forced to leave or issued ultimatums from several other countries. A number of countries are

¹ [A/79/947-S/2025/372](#), para. 69.

² See <https://www.wfp.org/emergencies/afghanistan>.

³ UNAMA, "De facto authorities' moral oversight in Afghanistan: impacts on human rights" (July 2024).

⁴ "Afghanistan socio-economic review" (April 2025), p. 7

⁵ [A/79/947-S/2025/372](#), para. 69.

⁶ See <https://unama.unmissions.org/international-community-must-act-now-1-million-returning-afghans-2025>.

also considering reversing their asylum policies granting protection for Afghan refugees. This raises concerns over specific population groups being at risk of persecution, torture, ill-treatment or other irreparable harm, which would violate the principle of non-refoulement.⁷

6. A plethora of edicts and laws announced by the de facto authorities since 2021 have negatively affected the enjoyment of human rights by the Afghan population, in particular women and girls, who face extreme forms of gender-based discrimination and oppression, including through undue restrictions to their rights. These have an impact on every part of Afghan women's lives and human rights, from health, in particular sexual and reproductive health, education and work to civic space and media freedom. The policies of the de facto authorities amount to a form of systematic gender persecution.

7. In July 2025, in the context of its review of the fourth periodic report of Afghanistan, the Committee on the Elimination of Discrimination against Women noted with concern that, among other issues, the system that had resulted in the disappearance of women from public life could constitute gender apartheid.⁸

8. Afghanistan remains bound by its obligations under international human rights law, which the de facto authorities, having assumed effective control over Afghanistan, must also uphold. In September 2024, Australia, Canada, Germany and Netherlands (Kingdom of the) announced that they had formally taken steps against Afghanistan under article 29 of the Convention on the Elimination of All Forms of Discrimination against Women, arguing that the Taliban's policies since August 2021 constituted gross and systematic violations of the Convention on the Elimination of All Forms of Discrimination against Women.⁹

9. On 8 July 2025, Pre-Trial Chamber II of the International Criminal Court issued arrest warrants for Haibatullah Akhundzada and Abdul Hakim Haqqani after the judges found that there were reasonable grounds to believe that they had committed the crime against humanity of persecution, on "gender grounds, against girls, women and other persons non-conforming with the Taliban's policy on gender, gender identity or expression; and on political grounds against persons perceived as 'allies of girls and women'".¹⁰ The de facto authorities denounced the warrants and reiterated their non-recognition of the Court's jurisdiction and refusal to comply.¹¹

III. A mapping of policies and practices, edicts and legal measures affecting human rights in Afghanistan

10. The parliamentary system previously in place has been suspended and the de facto authorities govern by decree, with the Taliban leader's issuances as the final authority. Many edicts and decrees have had a deleterious impact on the enjoyment of human rights, in particular by women and girls, with only a limited number ostensibly aimed at protecting human rights. The latter category includes the decrees on the marriage rights of women and widows, as well as the prevention of torture and regulation of pretrial detention.¹² However, these have not been uniformly implemented and/or respected.

⁷ See <https://www.ohchr.org/en/press-briefing-notes/2025/07/afghanistan-returns-afghans-creating-multi-layered-human-rights-crisis>. See also UNAMA, "No safe haven: human rights risks faced by persons involuntarily returned to Afghanistan" (July 2025).

⁸ CEDAW/C/AFG/CO/4, para. 13.

⁹ Patrick Wintour, "Taliban to be taken to international court over gender discrimination", *The Guardian*, 25 September 2025.

¹⁰ See <https://www.icc-cpi.int/news/statement-icc-office-prosecutor-issuance-arrest-warrants-situation-afghanistan>.

¹¹ Flora Drury, "ICC issues arrest warrants for Taliban leaders for persecuting women and girls", BBC News, 8 July 2025.

¹² UNAMA, *The Treatment of Detainees in Afghanistan: Respecting Human Rights – A Factor for Trust* (Kabul, 2023).

A. Enforcement of measures of the de facto authorities regarding “propagation of virtue and the prevention of vice”

11. The de facto Ministry for the Propagation of Virtue and the Prevention of Vice has continued to enforce decrees and edicts, as well as directives, regulating the daily private and cultural life of individuals, including the provisions of the Act on the Propagation of Virtue and the Prevention of Vice. The Act formalizes and expands prior directives by the de facto authorities, codifying strict Islamic rules, as interpreted by the de facto authorities, governing appearance, behaviour and social conduct, targeting in particular women’s and girls’ autonomy. It embodies a determination by the Taliban leadership to ensure that its vision of a pure Islamic system is implemented nationwide, including through increased restrictions on Afghans’ personal and private spaces, women’s and girls’ access to public spaces, healthcare, dress code, travel and mobility in general, and on the business, health, education and media sectors.¹³

12. The Act on the Propagation of Virtue and the Prevention of Vice mandates full hijab (full face and head covering) and voice concealment for women, enforces Islamic dress and prayer attendance for men and prohibits various practices considered by the de facto authorities as “un-Islamic”, such as music, certain holidays and situations in which men and women are together. It restricts women’s ability to go out without a male guardian (*mahram*), prohibits association with non-Muslims and imposes strict media censorship.

13. On 30 March 2025, in his Eid sermon, the Taliban leader issued several messages urging full implementation of sharia law, with a focus on the enforcement of the Act on the Propagation of Virtue and the Prevention of Vice. In its April 2025 report on the impact, implementation and enforcement of the Act, UNAMA reported that, since August 2024, when the law had been promulgated, the de facto authorities had rapidly built a comprehensive enforcement system, deploying approximately 3,300 male de facto inspectors across 28 provinces, alongside provincial compliance committees chaired by de facto governors. The law grants broad powers to de facto inspectors, including the power to impose detention, property destruction and discretionary punishments, with escalation to courts if non-compliance persists.¹⁴

14. Propagation of virtue and the prevention of vice inspectors continued to restrict women’s freedom of movement in the reporting period and, in certain provinces, denied women without a *mahram* access to health clinics, markets and public transportation. In some provinces, de facto security officials also denied women, including women with a *mahram*, access to de facto government premises.

15. Enforcement occurred in public and private spaces, focusing heavily on women’s dress and mobility (including rules on *mahram*), but also on men’s appearance. Between its promulgation and 31 March 2025, over half of arbitrary detentions under the Act on the Propagation of Virtue and the Prevention of Vice involved men’s non-compliant hairstyles or beards and non-attendance at congregational prayers during Ramadan. In some provinces during Ramadan, individuals who failed to attend prayers in mosques or who kept their businesses open were arbitrarily detained or ill-treated.¹⁵

16. Beyond formal mechanisms, enforcement has expanded through social pressure and community surveillance, including by family members, religious leaders and neighbours. United Nations consultations and a survey showed male family member enforcement doubling from 22 per cent to 44 per cent and that by religious and community figures rising similarly.¹⁶ This has worsened existing gender discriminatory social norms, effectively embedding compliance into domestic life and creating widespread insecurity and fear.

¹³ [A/79/947-S/2025/372](#), para. 5.

¹⁴ UNAMA, “Report on the implementation, enforcement and impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan” (April 2025).

¹⁵ [A/79/947-S/2025/372](#), para. 39.

¹⁶ Between 13 and 23 October 2024, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the International Organization for Migration and UNAMA

B. Decrees and edicts affecting the rights of women and girls

17. During the reporting period, the de facto authorities continued to severely curtail the enjoyment of fundamental rights and freedoms by women and girls, including as a result of additional edicts and decrees. On 20 March 2025, the school year in Afghanistan commenced for the fourth year with the exclusion of girls from secondary schools, due to the de facto authorities' continued ban on girls' education beyond sixth grade. Between May and July, the *kankor* (university entrance examination) was conducted without female students, who have been banned from higher education since December 2022.

18. In the first half of 2025, women's freedom of movement remained restricted by requirements to be accompanied by a *mahram*.¹⁷ Women and girls were sometimes prevented from travelling or even detained if they were not accompanied by a *mahram* or were deemed not to be wearing the correct hijab. In general, women's employment continued to be restricted to the health sector, primary education, security at airports and in detention facilities and some segments of the manufacturing sector. Some women's businesses and some limited peripheral functions within the de facto administration were also permitted.

19. On 19 March 2025, the de facto authorities published a new decree of the Taliban leader on the prevention of improper customs during weddings and funeral ceremonies and upon return from hajj and umrah. The decree reaffirms the de facto authorities' decree of 3 December 2021 on women's rights by stating that it is unlawful to compel a woman to marry and that "forcibly marrying or violating a woman's rights should be prosecuted in the courts of the Islamic Emirate". The decree states that courts are obliged to handle complaints in accordance with the decree of 3 December 2021 on women's rights.¹⁸ UNAMA, however, recorded reports of survivors of gender-based violence experiencing significant barriers to accessing justice, including cases in which officials of the de facto authorities were accused of both perpetrating and enforcing forced marriages.¹⁹

20. On 28 December 2024, a decree was passed mandating that newly constructed buildings must not have any windows through which their neighbours' courtyard, kitchen, well or other areas used by women were visible.²⁰

C. Policies, decrees and edicts affecting economic, social and cultural rights

21. The de facto authorities' policies have affected the full range of economic, social and cultural rights, particularly for women and girls. The present subsection contains some illustrative examples.

1. Right to education

22. Initial policies introduced by the de facto authorities – such as the prohibition of co-educational settings in tertiary institutions, the revision of curricula and the suspension of secondary education for girls – were initially communicated in vague terms and presented as temporary measures. However, these measures were later extended and evolved from partial restrictions to broader exclusions across educational levels above sixth grade, depriving millions of women and girls of their right to learn.²¹

conducted in-person and online group consultations and telephone interviews across Afghanistan, reaching 774 women across 34 provinces and 76 men across 12 provinces.

¹⁷ Under article 20 of the Act on the Propagation of Virtue and the Prevention of Vice, drivers are not permitted to provide transport to women who are unaccompanied by a *mahram*.

¹⁸ On 3 December 2021, the Taliban leader issued a 10-article decree on women's rights that, among other rights, granted "adult women" the right to consent to marriage and granted widows the right to inherit the property of their husbands, children, fathers and relatives.

¹⁹ [A/79/947-S/2025/372](#), para. 36.

²⁰ UNAMA, "Update on the human rights situation in Afghanistan: October–December 2024 update".

²¹ [A/HRC/54/21](#), para. 31 (a) and (d).

2. Right to work

23. Policies, decrees and directives regulating access to work continued to restrict women's access to employment in the public and private sectors and in international and national non-governmental organizations (NGOs) and their participation in trade fairs. They also continued to ban women from operating beauty salons and provided specific criteria on the workplace for both women and men. As in the case of education, the de facto authorities' policies relating to women's access to work and the regulation of the workplace have been incremental. Initial restrictions were imposed in relation to the workplace before work bans were subsequently introduced. Two edicts significantly affecting women's ability to work were the aforementioned *mahram* rule, which was subsequently incorporated into the 2024 Act on the Propagation of Virtue and the Prevention of Vice, and the ban on Afghan women working for NGOs and the imposition of severe restrictions on national female staff working for the United Nations.²² In May 2025, dozens of female national United Nations staff were subjected to explicit death threats from unidentified individuals in relation to their work with UNAMA and other United Nations agencies, funds and programmes, requiring the United Nations to implement interim measures to protect their safety.²³

24. The exclusion of women and girls from education and employment opportunities has also had a negative impact on the economy, with projections of a cumulative loss of \$920 million (5.8 per cent of the gross domestic product) between 2024 and 2026.²⁴ The de facto authorities' ban on women working for national and international non-governmental organizations, despite a small number of exceptions, and restrictions on women's freedom of movement, continue to have a negative impact on women's access to humanitarian assistance and the ability of humanitarian organizations to reach those most in need, in particular female-headed households.²⁵

3. Right to health

25. In early December 2024 the de facto Deputy Minister in the de facto Ministry of Public Health issued a verbal directive banning women and girls from medical training – including programmes in midwifery, nursing, laboratory sciences and dental prosthetics – at both private and public institutions, effectively ending the last remaining path for female higher education in technical health fields. This has, and will have, devastating consequences on women's and girls' right to health, in particular their sexual and reproductive health. It decimates the supply of female midwives and nurses in a country with one of the highest maternal mortality rates in the world.²⁶

D. Civic space and media freedom

26. Civic space and media freedom in Afghanistan continued to be restricted by the de facto authorities in the reporting period, which was characterized by censorship, intimidation and gender-based discrimination. A series of edicts have been passed that severely restrict civic space and media freedom. These include bans on images of living beings, music and content deemed un-Islamic or insulting to Islam, as interpreted by the de facto authorities. Under these edicts, media outlets must align with sharia, and content is subject to inspection and censorship by the de facto Ministry of Propagation of Virtue and the Prevention of Vice. Journalists continued to face intimidation, arrest and restrictions on covering women's issues or dissent, contributing to widespread self-censorship.

27. In a joint report issued in November 2024 and entitled "Media freedom in Afghanistan", UNAMA and OHCHR reported that human rights violations had been committed against 336 media professionals during the period 15 August 2021 and

²² UNAMA, "Human rights situation in Afghanistan: February to April 2023 update".

²³ UNAMA, "Update on the human rights situation in Afghanistan: April–June 2025 update".

²⁴ UNDP, "Afghanistan socio-economic review", p. 9.

²⁵ UN-Women, "Out of jobs, into poverty: the impact of the ban on Afghan women working in NGOs", Gender Alert No. 3, 13 January 2023.

²⁶ Vibhu Mishra, "Afghanistan: UN condemns Taliban ban on women attending medical classes", United Nations News, 5 December 2024.

30 September 2024, including 256 arbitrary arrests, 130 instances of torture or ill-treatment and 75 threats or acts of intimidation. Many outlets were forced to close due to official pressure, economic collapse and the withdrawal of donor support. It was noted in the report that media workers who crossed vague “red lines” faced detention without due process – some for months – and in some cases were convicted of crimes and imprisoned. The situation was particularly dire for female journalists, who were subjected to discriminatory regulations – such as dress requirements, workspace segregation and limited participation in press events – that severely restricted their ability to report. Interference by the de facto authorities in editorial content and in the operation of media outlets has substantially diminished media freedom. The prohibition on broadcasting music and drama, combined with the easy access to programmes from abroad over the Internet and by satellite, as well as the country’s economic difficulties, have contributed to a decrease in national media viewership and revenue. Restrictions imposed on women in the media have either prohibited them from working in the sector or confined them mainly to office duties.

28. Article 17 of the Act on the Propagation of Virtue and the Prevention of Vice mandates inspectors to ensure that media content complies with sharia as interpreted by the de facto authorities, does not insult Muslims and does not contain images of living beings. Media outlets have been subject to frequent visits by personnel of the de facto Ministry of the Propagation of Virtue and the Prevention of Vice to monitor compliance with the Act. After the Taliban takeover in August 2021, the de facto Ministry for the Propagation of Virtue and the Prevention of Vice instructed media outlets not to broadcast movies reflecting foreign culture or containing humour that it considered offensive. Women were prohibited from appearing in movies altogether, and female media workers were required to wear a hijab, with the types dictated by the de facto authorities, and men were prohibited from exposing their bodies. The Ministry also prohibited movies deemed to be against sharia principles and Afghan values. The de facto departments of information and culture regularly required journalists to obtain its approval before publishing their work, amounting to a form of censorship.²⁷

29. The types of content that are considered in compliance with sharia can be subject to broad interpretation and may lead to further self-censorship among journalists, as well as the Act on the Propagation of Virtue and the Prevention of Vice being used as a basis for arbitrary arrests and detentions.²⁸

30. While the prohibition of images of living beings was in place in some areas prior to the publication of the Act on the Propagation of Virtue and the Prevention of Vice, it was not immediately enforced across the media sector. As of July 2025, approximately half of the provinces of Afghanistan were subject to some level of the prohibition of images of living beings – ranging from the prohibition of photos of the de facto authorities during meetings to a complete ban of images of living beings on television.²⁹

31. Under article 13 (3) and (8) of the Act on the Propagation of Virtue and the Prevention of Vice, women’s voices are considered private and should be concealed, which contributes to pushing women further out of public life and discourse. On 26 October 2024, the de facto Ministry of the Propagation of Virtue and the Prevention of Vice stated that women were forbidden from reciting the Qur’an or singing loudly.³⁰ In some provinces, women’s voices continue to be heard in radio programmes and women-run radio stations remain in operation. In May 2025, the de facto Ministry announced that it had extended its monitoring of social media. On 14 May 2025, the spokesperson for the de facto Ministry stated that the use of media for “intellectual deviation, insult and humiliation, ethnic prejudice and against religious values” was legally a crime. He noted that no individual or institution was allowed to engage in “illegal activities” on social media. In the same month, UNAMA documented

²⁷ OHCHR and UNAMA, “Media freedom in Afghanistan” (November 2024).

²⁸ UNAMA, “Report on the implementation, enforcement and impact of the Law on the Propagation of Virtue and the Prevention of Vice in Afghanistan”, p. 17. See also “Media freedom in Afghanistan”, p. 20.

²⁹ A/80/366-S/2025/554, para. 6.

³⁰ Ministry of the Propagation of Virtue and the Prevention of Vice (@MOPVPE), 26 October 2024, available at <https://x.com/MOPVPE1/status/1850065214445691021>.

the arrests of five individuals, in Baghlan, Balkh, Kunduz and Zabul Provinces, by inspectors of the de facto Department for the Propagation of Virtue and the Prevention of Vice. They were accused of posting videos on TikTok with content that was considered inappropriate.³¹

E. Use of the death penalty and corporal punishment

32. Since August 2021, the de facto authorities have carried out 10 public executions, rendering them arbitrary and a violation of the right to life,³² contrary to the international human rights obligations of Afghanistan. All executions have been of individuals convicted of murder. Four took place during the reporting period. On 11 April 2025, the de facto authorities carried out public executions in Badghis, Farah and Nimroz Provinces. In Qala i Naw city, Badghis Province, two men convicted of separate murders were executed in public in the sports stadium by the victims' relatives. Two additional men were convicted of murder and publicly executed in sports stadiums: one in Zaranj city, Nimroz Province, and one in Farah city, Farah Province. The latter was executed by being shot by the murder victim's wife and son. These executions have followed judicial decisions approved by the Taliban leader. The de facto Supreme Court stated on social media that, for each execution, mediation to seek forgiveness had failed and the decision to impose the death penalty had been reviewed by the de facto primary, appeal and supreme courts and approved by the Taliban leader before being carried out.³³

33. In the reporting period, the de facto authorities continued to implement judicially ordered corporal punishment in public,³⁴ contrary to the international human rights obligations of Afghanistan.³⁵ Generally, these have taken place in venues such as football stadiums and the exterior courtyards of local de facto government buildings, with both local residents and de facto officials in attendance. Such punishments involved a specified number of lashings, often accompanied by a period of imprisonment. The implementation of judicial corporal punishment is usually announced by the de facto Supreme Court on social media³⁶ and concerns a variety of offences, including *zina* (sexual intercourse outside marriage), running away from home, theft, homosexuality, consuming alcohol, fraud and drug trafficking.

IV. Reflection of victims' and survivors' perspectives on justice and redress

34. In its resolution 57/3, the Human Rights Council requested OHCHR to reflect victims' and survivors' perspectives on justice and redress, building on the stocktaking of accountability options and processes for human rights violations and abuses in Afghanistan. While broad and inclusive consultations, including with victims and survivors of gross human rights violations and crimes under international law, are a key component of effective future accountability, including truth, justice and reparation,³⁷ opportunities to date for Afghan victims and survivors to be consulted with respect to their expectations for truth, justice and reparation have been relatively limited. The present section provides an overview of consultation processes conducted over the past 20 years that provide some insights into victims' perspectives.

³¹ "Update on the human rights situation in Afghanistan: April–June 2025 update", p. 8.

³² Human Rights Committee, general comment No. 36 (2018), para. 40.

³³ UNAMA, "Update on the human rights situation in Afghanistan: April–June 2025 update".

³⁴ UNAMA, "Corporal punishment and the death penalty in Afghanistan" (May 2023); and UNAMA, "Update on the human rights situation in Afghanistan: January–March 2025 update", p. 5.

³⁵ Human Rights Committee, general comment No. 20 (1992), para. 5.

³⁶ See https://x.com/supremecourt_af.

³⁷ Updated set of principles for the protection and promotion of human rights through action to combat impunity.

A. *A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan (2005)*

35. In 2005, the Afghanistan Independent Human Rights Commission conducted a national consultation process to explore whether Afghans wanted the past legacy of human rights violations addressed and, if so, how. It covered the Soviet-backed era of 1978 to 1992, the factional fighting between armed groups led by mujahidin leaders between 1992 to 1996 and the Taliban period from 1996, until the 2001 military action undertaken by the United States of America and its coalition partners.

36. The consultation comprised a survey designed to capture quantitative data and test for the preferences of 4,151 respondents and the convening of over 200 focus group discussions with over 2,000 participants, of whom 30 per cent were women, designed to capture qualitative data and test for perceptions. The consultation took eight months and covered 32 of the provinces of Afghanistan, as well as refugee populations in Iran (Islamic Republic of) and Pakistan. The consultation process resulted in the publication of *A Call for Justice: A National Consultation on Past Human Rights Violations in Afghanistan*, in which it was noted that the vast majority of participants in the consultation process lacked trust in public authorities due to the absence of justice and protection of their rights and entrenched impunity. Many respondents called for the Government to hold known perpetrators to account as a way to restore trust and confidence in the then leaders of Afghanistan. They expressed their desire for their suffering be recognized and their expectation for both the Government and the international community to act as the main providers of justice. The Afghanistan Independent Human Rights Commission made a series of recommendations to the then Government and the international community, including for the Government to demonstrate a political commitment to justice, to vet human rights abusers in government institutions and to undertake a wide range of legal and institutional reforms. It also recommended that capacity be built domestically, in particular through the establishment of a special prosecutor's office, to allow for criminal justice to occur in Afghanistan.

37. The then Government's reaction to the publication was notably mixed and hesitant. The then Cabinet approved parts of the Action Plan for Peace, Justice and Reconciliation derived from that report, in particular initiatives aimed at acknowledging the suffering of victims, promoting truth-seeking and reforming institutions. Implementation efforts effectively stalled, with almost none of the substantive justice mechanisms such as prosecutions, vetting or institutional accountability ever carried out.

B. *Victim consultation processes on the Afghanistan situation before the International Criminal Court (2017–2022)*

38. As part of its investigation into the situation in Afghanistan, the International Criminal Court has undertaken several consultations with victims, both prior and subsequent to the Taliban takeover, providing valuable insights into the perspectives of victims with respect to justice and redress.

39. A first consultation with victims was carried out by the Victims Participation and Reparations Section of the Registry of the International Criminal Court between November 2017 and January 2018. Subsequently, 699 representations were transmitted to the Pre-Trial Chamber, which were submitted primarily by victims' groups, representing approximately 6,220 individual victims and 1,590 families. Of the 165 individual representations transmitted, only 10 were introduced by or on behalf of women, due to several structural and cultural barriers.

40. The main motivating factors invoked for continued investigation in almost all representations included the value of an impartial and respected international court, bringing the perceived perpetrators of crimes to justice, ending impunity, preventing future crimes, knowing the truth about what happened to victims of enforced disappearance, allowing for victims' voices to be heard and protecting freedom of speech and freedom of the press in Afghanistan.

41. In November 2021, the Pre-Trial Chamber invited the victims of crimes under the jurisdiction of the International Criminal Court in the Afghanistan situation to provide further views. Sixteen representations were received, covering approximately 11,150 victims and 130 families.

42. Supporting the need for continued investigation, the need for impartial, timely scrutiny to combat impunity, to comprehensively address crimes against humanity and war crimes allegedly committed by all parties and to ensure victims' voices were heard was emphasized in the representations by victims. The victims highlighted fears for their personal safety, the collapse of the country's justice system and the lack of domestic recourse.

C. Civil society initiatives

43. Over the past two decades, civil society has also engaged in transitional justice in Afghanistan, including by consulting victims. Momentum increased in particular after the Government adopted the Amnesty Law in 2007 and failed to implement the Action Plan on Peace, Justice and Reconciliation. Although civil society could not block the law, it secured a vital amendment allowing individuals to file claims against alleged perpetrators. One notable initiative, led by the Transitional Justice Coordination Group in 2010 and consisting of 25 national and international civil society organizations, was aimed at preserving a victim-centred justice approach and organizing national events such as the victims' jirga in May 2010, at which victims publicly shared their experiences for the first time about the impact of all periods of the conflict and all regions of Afghanistan.³⁸ The final statement of the victims' jirga contained a number of outcomes and demands, which included examining the past and recognizing the crimes against humanity, war crimes and human rights violations, as well as their perpetrators, and investigating the abuses and crimes of the present time.³⁹ Numerous other civil society initiatives have taken place since then, aimed at gathering the perspectives of victims and survivors, both inside and outside Afghanistan.

44. It has been noted that, historically, victims' organizations remained weak and fragmented in Afghanistan, partly due to the fluid and multi-factional nature of the conflict in the country, in which shifting allegiances blurred lines between perpetrators and victims. Many communities remain unaware of atrocities outside their own regions, limiting national solidarity. Moreover, fear of reprisals has made civil society reluctant to address violations that occurred after 2001. A lack of outreach beyond Kabul further restricted the ability of victims' organizations to foster unified support for transitional justice across the country.⁴⁰ The current situation with respect to ongoing restrictions to civic space, as outlined above, further places limitations on civil society's ability to mobilize and seek the views of victims and survivors in Afghanistan. Notably, on 31 July 2025, a coalition of Afghan civil society organizations launched a people's tribunal for women of Afghanistan before the Permanent Peoples' Tribunal to address the impunity around gender persecution in Afghanistan, with public hearings scheduled to begin in Madrid in October 2025.⁴¹

D. Work of the United Nations Assistance Mission in Afghanistan on victims' rights

45. The mandate of UNAMA, as established by the Security Council, requires it not only to monitor, report and advocate with regard to the situation for civilians, but also to promote responsible governance and the rule of law, including transitional justice, and provide support

³⁸ Patricia Gossman and Sari Kouvo, *Tell Us How this Ends: Transitional Justice and Prospects for Peace in Afghanistan* (Afghanistan Analysts Network, 2013), pp. 34 and 35.

³⁹ Transitional Justice Coordination Group, "The victims' jirga: we're not seeking to wash blood with blood!", 9 May 2010, available at <https://tjcgafghanistan.wordpress.com/2010/05/09/the-victims-jirga/>.

⁴⁰ Gossman and Kouvo, *Tell Us How this Ends*, pp. 35 and 36.

⁴¹ Ewelina U. Ochab, "People's tribunal to consider dire situation of women in Afghanistan", *Forbes*, 11 August 2025. See also <https://permanentpeopletribunal.org/a-peoples-tribunal-for-women-of-afghanistan-before-the-permanent-peoples-tribunal/?lang=en>.

for the rights of victims.⁴² In line with this mandate, the UNAMA Human Rights Service has continuously advocated with the Government of Afghanistan, international military forces and the de facto authorities about the importance of ensuring accountability for human rights violations. Further, since 2024, UNAMA has continued the process of initial consultation with victims of armed conflict to understand the gaps in fulfilling their rights under international law and seek their views on what is needed to fulfil their rights in the future. A report on this work will be released in late 2025.

46. Since 2002, UNAMA has also worked with the Afghanistan Independent Human Rights Commission and civil society on victim-centred justice in Afghanistan. During peace talks held in Doha in 2019 and 2020, the Human Rights Service and the Commission advocated for victims' concerns to be taken into account in a future settlement. Ultimately, however, the manner in which the peace talks in Doha unfolded, combined with the military takeover of country by the Taliban, left little room for adequate representation of the voices of victims.

47. In 2020 and up to mid-2021, the Human Rights Service conducted post-incident interviews with victims of the armed conflict. Interviewees spoke of how little had been done to provide them with effective reparation, to acknowledge the harm done and to fulfil their rights in the aftermath of civilian casualty incidents. Only in exceptional circumstances did the responsible party to the conflict make contact to recognize harm done or to apologize. Victims were often not aware of whether investigations were being conducted into the incident that had caused harm, and few victims received compensation. Many victims indicated that non-recurrence of such incidents was of major importance to them and expressed their desire for peace.

E. Observations emanating from the consultation processes

48. Despite relatively limited consultation processes conducted with Afghan victims and survivors in the past 20 years, and their variations in approach, methodology and temporal scope, they provide important insights with respect to victims' needs and expectations regarding truth, justice and reparation.

49. Most notably, the desire for holistic and impartial justice that combines various measures, including acknowledgement of and compensation for harms caused, guarantees of non-recurrence and the need for criminal prosecutions, is a common thread among those consulted. While the primary duty to fulfil victims' right to truth, justice and reparation lies with the de facto authorities, without the necessary political will and domestic reforms, the pursuit of justice will inevitably require involvement by the international community, both inside and outside Afghanistan, to fulfil victims' rights to truth, justice and reparation. Victims and survivors have expressed their expectation that all parties and actors responsible for gross human rights violations and serious violations of international humanitarian law be held to account and that international actors also continue to bear responsibilities towards victims in this regard, especially in the context of decades of conflict involving a multitude of actors.

50. In this context, inclusive consultation processes are needed that ensure that all victims across Afghan society, including minorities and women, are fully represented, regarding justice and accountability for human rights violations. To date, the participation of women, in particular, in these processes remains glaringly inadequate. There are various reasons for this, including historical constraints and discrimination and past and current barriers to education for women and girls, resulting in disproportionately low literacy levels and general underreporting by women of gender-based crimes, including sexual violence, in Afghanistan.

51. Going forward, it will be crucial to explore ways to ensure that women's and girls' specific perspectives on truth, justice and reparation can be collected, analysed and ultimately reflected in developing future options for gender-transformative redress, including with

⁴² See [\conf-share1\LS\ENG\COMMON\FINAL\ Security Council resolution 2626 \(2022\)](#).

respect to allegations of recent and ongoing gross human rights violations and crimes under international law being committed against them.

52. Lastly, although many domestic and international actors have been involved in raising awareness about victims' rights, additional work is needed to raise awareness around the various forms of redress that are – or could be – made available to victims to ensure a fully informed consultation process.

V. Conclusions and recommendations

53. The policies, practices, edicts and legal measures promulgated by the de facto authorities that affect the human rights of people in Afghanistan have had devastating consequences, in particular for women and girls. Many of them were framed as temporary measures and were general and/or vague in language but have been progressively expanded to become formal de facto edicts and laws. To date, no practice, edict or legal measures adversely affecting human rights has been reversed or revoked, despite multiple calls to do so. The measures undertaken by the de facto authorities have silenced women's voices and deprived them of their autonomy. No country can progress – politically, economically or socially – while excluding half of its population from public life and systematically denying their right to equality, including in the private sphere.

54. Overall, during the reporting period, the human rights situation in Afghanistan continued to deteriorate, with ongoing gender persecution against women and girls. Recent mass returns of refugees from neighbouring countries have further exacerbated the worrying human rights situation. Human rights defenders and media workers continued to be arbitrarily arrested and detained for expressing opinions perceived as critical of the de facto authorities. The death penalty continued to be applied, in public, as did corporal punishment, in violation of the obligations of Afghanistan under international human rights law.

55. In reiterating previous recommendations to the de facto authorities to immediately cease all human rights violations, it is recalled that Afghanistan as a State remains bound by its obligations under international law, including the human rights instruments to which it is a Party.⁴³ The de facto authorities remain accountable for crimes and violations committed on its territory. The international community has a prevention role in terms of ensuring the non-recurrence of violations in the future.

56. Holding all perpetrators of gross human rights violations and abuses and serious violations of international humanitarian law accountable through all available processes remains an essential pillar for long-term sustainable peace, development and reconciliation in Afghanistan. A holistic and comprehensive process is needed for re-establishing the rule of law, strengthening the institutional protection of human rights, preventing the continued recurrence of gross violations and abuses, allowing Afghanistan to achieve effective and lasting reconciliation and allowing victims to achieve justice and redress.

57. In advancing accountability and redress for human rights violations in Afghanistan, initiatives need to be further explored to find meaningful ways to consult with victims and survivors, including women, girls in all their diversity, and minorities, in a broad and inclusive manner. They should also involve effective capacity-building and awareness-raising among all stakeholders, especially in relation to the concepts of truth, justice and reparation. They should not be construed as one-off events, but as ongoing processes that continuously capture the needs of victims, which may evolve throughout what are often decades-long transitions. The principles of do no harm, consent and confidentiality are essential requirements for meaningful consultations,⁴⁴

⁴³ See tinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=1&Lang=EN.

⁴⁴ “Transitional justice: a strategic tool for people, prevention and peace”, Guidance Note of the Secretary-General (2023), p. 13.

which remain particularly challenging in the Afghan context and will require careful calibration in developing a way forward.

A. Recommendations to the de facto authorities

58. OHCHR reiterates its previous recommendations, which, to date, remain unfulfilled, renews its calls upon the de facto authorities to adhere to international standards and the human rights obligations that Afghanistan is bound by, including those relating to women and girls, and reiterates its previous recommendations to urgently take effective steps to fully comply with the obligations of Afghanistan under international human rights law.

59. OHCHR recommends that the de facto authorities:

(a) Promptly rescind all discriminatory laws, edicts and decrees and policies that deny the human rights and fundamental freedoms of the Afghan population, especially women and girls, enable their access to secondary and tertiary education, work and healthcare, respect their freedom of movement and cease interference with other aspects of their daily lives;

(b) Establish a complete moratorium on executions, with a view to the abolition of the death penalty, and end the application of corporal punishment;

(c) Ensure that all legislation applicable in Afghanistan is in accordance with international human rights law;

(d) Permit resumption of the operation of a credible and independent national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with a mandate to support transitional justice initiatives and victim-centred redress;

(e) Respect and ensure the right to freedom of expression and remove restrictions on the media sector;

(f) Meaningfully engage with victims and survivors and promote dialogue and consultation about accountability and victims' rights to truth, justice, reparation and guarantees of non-recurrence, whether through traditional or criminal or quasi-judicial mechanisms, or both, ensuring processes are fully inclusive and gender responsive.

B. Recommendations to Member States and the international community

60. OHCHR recommends that Member States and the international community more broadly:

(a) Bring to justice alleged perpetrators of gross human rights violations and serious violations of international humanitarian law and abuses, including crimes against humanity, by applying accepted principles of extraterritorial or universal jurisdiction;

(b) Support the ongoing investigation by the International Criminal Court into the situation in Afghanistan and provide all necessary cooperation to it;

(c) Provide support and platforms for victims, survivors and civil society representatives, particularly women in all their diversity, as well as minority groups, to hold consultations and advocate for truth, justice, reparation and guarantees of non-recurrence, and map the results of these consultation processes;

(d) Undertake broad-based awareness-raising of the meaning of victims' rights among all affected victims' groups;

(e) Ensure the equal and inclusive and meaningful participation of women and girls, men and boys, in all their diversity, as well as minorities, in consultation processes;

(f) Immediately halt all forced returns of Afghan refugees, ensuring protection against refoulement to Afghanistan of any person at real risk to life, of torture or other irreparable harm, including based on gender, and ensure the protection of Afghan victims and witnesses through resettlement and other measures, as appropriate.
