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Situation of human rights in Afghanistan

Report of the Special Rapporteur on the situation of human rights in Afghanistan, Richard Bennett*

Summary

In the present report, submitted pursuant to Human Rights Council resolution 60/2, the Special Rapporteur on the situation of human rights in Afghanistan notes human rights developments between November 2025 and August 2026 and reviews policies adopted by the Taliban, as the de facto authorities in Afghanistan, over the past five years, since they retook power, with a specific focus on their impact on children's rights.

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I. Introduction

1. Just over five years ago, the Taliban again seized power in Afghanistan. Since then, the group has instituted and enforced a growing network of restrictive edicts, discriminatory policies and institutional controls that have transformed nearly every aspect of public and private life, especially for women and girls. Through both overt repression, enforced with violence, and more subtle mechanisms of control, such as of education and the media, the de facto authorities are seeking to engineer a society founded on ideological conformity, fear and exclusion.

2. Children, who comprise approximately half of the population, are at the centre of this transformation. They are growing up amid intersecting human rights and humanitarian crises that threaten their development, well-being and future opportunities. Under the Taliban, girls and women continue to be denied their right to education beyond the sixth grade. They are largely excluded from public life, placed at heightened risk of gender-based violence, including forced and child marriage, and confronted with diminishing opportunities. Meanwhile, all children and young people, particularly boys and young men, face increasing risks of economic exploitation, indoctrination and pressure to conform to restrictive ideological expectations. Together, these policies reinforce harmful gender norms, deepen inequality and limit children's ability to realize their full potential. These overlapping harms are contributing to a growing mental health crisis, as children and young people navigate trauma, uncertainty, isolation and diminishing hope for the future.

3. These violations are unfolding against the backdrop of the enduring legacy of decades of armed conflict. Adults and children continue to live with the physical and psychological consequences of past violence, entrenched impunity, displacement and family separation. Meanwhile, widespread poverty, unmet humanitarian needs and the dismantling of protection systems by the de facto authorities have heightened the exposure of Afghans, especially women, girls and boys, to violence, abuse and exploitation.

4. The de facto authorities are continuing to consolidate control over the justice and education systems, the media, civil society and cultural life. The imposition of harsh penalties for infractions of their so-called moral code, including public executions and corporal punishment, has created a climate of fear. As civic space contracts and independent voices are silenced, children are growing up in an environment where discrimination is normalized and diversity of thought is suppressed.

5. However, children and young people in Afghanistan are not only victims of these developments. The denial of education to teenage girls and young women appears to have strengthened their determination to pursue learning. Across the country, children and young people continue to demonstrate resilience, creativity and determination. They remain active participants in supporting their families, strengthening their communities and imagining a different future. Their experiences, perspectives and aspirations are indispensable to any meaningful discussion about the future of Afghanistan, despite efforts to silence them. Ensuring that children's and young people's voices are heard is not simply a matter of participation. It is essential to protecting their rights today and to building a more just, inclusive and peaceful Afghanistan for generations to come.

II. Mandate and methodology

6. The present report is submitted pursuant to Human Rights Council resolution 60/2, in which the Council requested the Special Rapporteur to present a report to the Council at its sixty-third session and to present that report, in combination with an oral update, to the General Assembly at its eighty-first session.

7. In the report, the Special Rapporteur summarizes key developments relating to the legal and policy framework imposed by the Taliban since August 2021 and provides an update on new policies and their implementation from November 2025 until July 2026. The report also focuses on children and youth, examining how the policies of the Taliban affect their enjoyment of human rights. In this regard, the Special Rapporteur recalls Human Rights Council resolution 51/20, in which the Council decided to include a children's rights perspective within the mandate.

8. Regarding children and youth, the Special Rapporteur conducted focus group discussions with 102 Afghan participants of diverse backgrounds and identities in 24 provinces and a number of interviews. Participants included human rights defenders, legal professionals, teachers, health workers, social workers, civil society members, parents and youth of 16 to 28 years of age.

9. In response to a public call for submissions, the Special Rapporteur received 26 submissions from organizations and individuals, including youth. Additional information was gathered through meetings with representatives of United Nations entities, representatives of international and national non-governmental organizations, and Afghan and international experts. He appreciates their cooperation.

10. As is his regular practice, the Special Rapporteur sought views and inputs from the de facto authorities in Afghanistan. In addition to written requests for information about efforts to ensure the rights of children and youth in Afghanistan, an advance copy of the report was shared with the de facto authorities for comments on any factual errors. The Special Rapporteur also wrote to the Permanent Mission of Afghanistan to the United Nations Office and other international organizations in Geneva and appreciates its inputs.

III. International legal obligations

11. As a Party to international conventions and human rights treaties, Afghanistan is bound by obligations derived from these commitments, regardless of the authorities assuming control over the country and their formal international recognition. [1] This includes establishing and enforcing laws and policies through institutions that protect human rights and promote the rule of law, while adopting positive measures to prevent human rights violations, hold perpetrators accountable and ensure that the people of Afghanistan can enjoy their rights.

12. With regard to children, as a Party to the Convention on the Rights of the Child, Afghanistan is required to ensure the rights of every child without discrimination and to take all appropriate legislative, administrative and other measures to fulfil those rights. These obligations include ensuring children's access to education and healthcare, their protection from violence, exploitation and abuse and their right to participate in decisions affecting them. The Convention further requires that the best interests of the child be a primary consideration in all actions concerning children and that children be recognized as rights holders entitled to special protection due to their age and vulnerability. Afghanistan is also bound by relevant protections under other international and regional instruments, including obligations relating to non-discrimination, education, child labour and justice.

IV. Measures adopted by the Taliban to consolidate control and their human rights implications

13. The present section outlines and reviews the major policy measures adopted by the de facto authorities since August 2021 that have significant human rights implications, including gender-discriminatory policies and the overhaul of legal and judicial systems. The details of these policies are included in section B of the accompanying annex.[2] The present section also highlights some important developments since November 2025. According to a young Afghan woman from Khost: "Although we have always lived in a patriarchal society and have suffered discrimination because of it, our society has become more conservative and religiously rigid since the Taliban came to power. When a young woman or a girl leaves the house, she is viewed negatively, and people assume she has gone out for an immoral purpose."

[1] See A/HRC/58/74.

[2] The annex to the present report will be made available on the web page of the Special Rapporteur.

A. Policy measures adopted between August 2021 and October 2025

14. Over the last five years, the Taliban have incrementally imposed a policy framework, based on their interpretation of Islam and ideological objectives, seeking to regulate nearly every aspect of people's lives, from education and employment to expression, behaviour and personal choices, and aiming to consolidate their control over the country (see section B of the annex for a compendium of the policies).

15. The de facto authorities have upended pre-existing legislative and judicial structures crucial to protecting human rights, including those of minorities. They suspended the application of the 2004 Constitution and announced that all Islamic Republic-era laws would be assessed for their compliance with sharia law. Key institutions for protecting human rights, including the rights of women, were abolished. Meanwhile, the de facto Ministry for the Propagation of Virtue and Prevention of Vice was re-established and plays a significant role in implementing and policing newly adopted policy measures.

16. The de facto authorities have targeted women and girls with extremely discriminatory policies and practices. While defending their actions as upholding women's rights in accordance with Islam and Afghan culture, their policy measures – implemented by force – dictate fundamental aspects of the lives of women and girls, which may amount to the crime against humanity of gender persecution. Codification of such discriminatory policies has accelerated in the past two years. One example is the so-called law on the propagation of virtue and prevention of vice of 2024. While some measures, such as the decree on women's rights of December 2021, appear intended to protect women and girls, their implementation remains highly questionable, including because pre-existing legal and protection systems were dismantled. The de facto authorities' policies, grounded in their strictly binary definition of gender, have also left persons perceived to be LGBTIQ+ particularly vulnerable.

17. The de facto authorities have instituted various measures to control speech and social narratives. The "11 journalism rules", issued in September 2021, banned publishing stories contrary to Islam or insulting national figures or authorities, without specifically defining these terms.[3] The so-called law on the propagation of virtue and prevention of vice also heavily curtailed freedom of expression, including through the ban on publishing images of living beings. Television and radio programmes have come under increasing restrictions, including through the 2024 ban on live political programmes, while women's appearances are heavily restricted.

18. The de facto authorities' measures have suppressed the rich cultural diversity and traditions of Afghanistan. The ban on performing or broadcasting music has been reinstituted, musical instruments have been destroyed in public, and secular singing and poetry are restricted, as are other forms of art. Despite a history of women playing a wide of range of sports, their participation was banned. Many women athletes have been forced into exile to pursue their passions, while seeking international recognition to compete internationally as representatives of Afghanistan.

B. Developments since November 2025

1. Gender-discriminatory policy

19. Women and girls continue to suffer under the de facto authorities' institutionalized system of gender-based discrimination and oppression. The Special Rapporteur received repeated and increasingly desperate reports of declining mental health among women and girls, with widespread feelings of despair, anxiety, hopelessness and social isolation. According to an Afghan girl from Bamyan: "I love cycling. My biggest wish is that, one day, I can ride my bicycle again. It sits in our garage, and sometimes I sit on it too, but I cannot take it outside."

[3] A/HRC/52/84, para. 71.

20. In May 2026, the de facto authorities published a decree on separation of spouses.[4] While on the surface its provisions appear to protect women, the conditions imposed make it almost, if not entirely, impossible for women, especially those in abusive relationships, to obtain separation.

21. Under the decree, a woman can seek separation due to "oppression" by her husband or his failure to fulfil her rights; however, she must engage in mandatory arbitration.[5] If it is deemed that prevention of "oppression" is possible through other means, separation without the husband's consent is not attainable.[6] Similarly, where separation is sought on the grounds of sexual abuse by in-laws,[7] the husband's admission of his relatives' conduct or witnesses are required. These requirements create almost insurmountable barriers for women seeking separation, particularly those experiencing intimate partner or family violence.

22. Equally concerning, the decree on separation appears to implicitly validate child marriage, which the 2021 decree on women's rights had banned. The decree on separation does not set out a legal age of marriage, and provisions relating to "boys" and "girls" appear to recognize marriages involving children.[8] The decree provides the grounds for individuals married as children to seek separation, but with various conditions to obtain such separation. A girl who has reached puberty is considered eligible for marriage, and her "silence" is taken as her consent; the same does not apply to boys or to women who have already been married. It is likely to be extremely difficult for girls to learn about this option let alone to express their wish not to consent.

23. Another regressive development was decree No. 12 on the "criminal rules of courts", circulated in January 2026.[9] The decree further weakens legal protections for women and girls and effectively permits violence against women unless it reaches the level of "severe beating" that results in "a fracture, a wound or bruising".[10] Even where violence meets this threshold, the burden of proof rests with the woman, and the maximum punishment for a husband is merely 15 days of detention. The Special Rapporteur and other mandate holders sent a communication concerning the decree, including detailed analysis and questions, to the facto authorities, which have not responded.[11] The decree also reinforces men's control over women by allowing a husband, acting as a private individual, to impose *tazir* (discretionary) punishment on wives who repeatedly visit their father or relatives' homes without his permission or sharia-based justification.[12]

24. Against this backdrop of weakened legal protections, the Special Rapporteur received disturbing reports of killings of women. While difficult to verify, reported cases include women and girls killed in incidents of domestic violence, child and forced marriage, inheritance-related disputes, and targeted attacks by unidentified perpetrators. The circumstances surrounding the killings, including the status of investigations, often remained unclear, reinforcing concerns regarding pervasive impunity and the safety of women and girls.

25. The de facto authorities continue to enforce their gender-discriminatory policies through restrictions, detention and other measures against those who challenge them. In January 2026, a young woman taekwondo coach was detained for nearly two weeks, allegedly for running a gym for girls in Herat. On 6 and 7 June 2026, officials from the de facto Ministry for the Propagation of Virtue and Prevention of Vice and police reportedly detained at least 30 and probably more women and girls for alleged dress code violations in Herat city. On 9 June 2026, during protests against the arbitrary detention of these women

[4] Decree No. 18, issued on 21 January 2026.
[5] Ibid., art. 22 (1) and (2).
[6] Ibid., art. 22 (3).
[7] Ibid., art. 14.
[8] Ibid., arts. 5–10.
[9] Decree No. 12, issued on 8 January 2026.
[10] Ibid., art. 32.
[11] See communication OTH 33/2026, available at https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=30851.
[12] Decree No. 12, art. 34.

and girls over the preceding days, de facto police allegedly shot towards the crowd in Herat city, killing at least two people, including a boy, and injuring at least 20 others.[13]

26. While girls and young women bear the brunt of the misogynistic ideology of the Taliban, boys and men also face increasing constraints on autonomy and self-expression.[14] During consultations, young men informed the Special Rapporteur that they no longer feel free to choose their clothing or appearance or to socialize with friends without fear of interference or harassment.[13]

27. Persons perceived to be LGBTIQ+ remain extremely vulnerable. The decree on "criminal rules of courts" punishes "sodomy" with imprisonment and imposes the death penalty for repeated "sodomy" and repeated "sexual intercourse in a non-vaginal manner".[14] The decree does not distinguish between consensual and non-consensual sexual intercourse, meaning that survivors of sexual violence may be subjected to the same punishment as perpetrators.[15]

2. Measures related to due process and the rule of law

28. The de facto authorities have also introduced new legal measures that further undermine due process rights and the rule of law. The decree on "criminal rules of courts", which regulates both procedural and substantive aspects of the penal system, raises concerns regarding compliance with the international obligations of Afghanistan, including under the International Covenant on Civil and Political Rights.

29. The decree does not enumerate the rights of accused persons or any procedural guarantee to protect them.[15] In establishing the commission of an offence, *hudud* crimes must be proven beyond doubt;[16] however, crimes with *tazir* punishment can be established despite doubt,[17] contrary to the presumption of innocence.[18] The decree identifies four classes of people,[19] based on which courts are to impose different *tazir* punishments.[20] Crucially, *tazir* punishment may be imposed by a private individual "on grounds of public interest".[21] The decree does not define "public interest". Although not explicitly stated in the decree, the mandatory sentences for *hudud* crimes presumably remain as defined by the Qur'an and sharia law, without judicial discretion.

30. The decree on "criminal rules of courts" also codified the death penalty as a *tazir* punishment, granting judges discretion to impose capital punishment in two contexts: (a) specific criminal offences, including "sodomy",[22] blasphemy[23] and abducting and killing a person;[24] and (b) situations where the death of offenders of certain criminal offences, such as corruption, opposition to Islam and "sodomy", is deemed to "safeguard the public interest" or to serve "public expediency".[25] The breadth of these provisions raises serious concerns under the International Covenant on Civil and Political Rights, which limits the use of capital punishment to the "most serious crimes". Except for certain forms of intentional killing, the offences covered by the decree do not appear to meet this threshold.

31. The decree on "criminal rules of courts" similarly codified lashing as a punishment, at the discretion of the judge, for a range of offences, including insulting imams[26] or Taliban

[13] See https://www.ohchr.org/en/press-releases/2026/06/afghanistan-experts-condemn-arrests-dress-code-violations-and-excessive-use.
[14] See https://rwi.lu.se/wp-content/uploads/2026/05/Afghan-Youth-Qualitive-Survey-report-Final.pdf.
[15] See communication OTH 33/2026.
[16] Decree No. 12, art. 5.
[17] Ibid., art. 4 (1) and (2).
[18] Human Rights Committee, general comment No. 32 (2007), para. 30.
[19] Decree No. 12, art. 9.
[20] See https://unama.unmissions.org/sites/default/files/2026-05/English%20-%20UNAMA%20HRS%20Update%20on%20human%20rights%20in%20Afghanistan%20Jan-Mar%202026.pdf, where reference is made to https://www.alemarahenglish.af/transcript-of-the-recent-interview-of-zabihullah-mujahid-spokesman-of-the-iea-with-bbc/.
[21] Decree No. 12, art. 48.
[22] Ibid., art. 60.
[23] Ibid., art. 16.
[24] Ibid., art. 42 (2).
[25] Ibid., art. 14.
[26] Ibid., art. 18.

leaders[27] and eating or drinking during Ramadan fasting.[28] Until April 2026, the Supreme Court published records of court-sanctioned corporal punishment. Although publication subsequently ceased, there is no indication that the use of corporal punishment ended or declined.

C. Restrictions on freedom of religion

32. The de facto authorities continue to adopt measures restricting the rights and freedoms of religious minorities, especially Shia Muslims. In December 2025, the de facto authorities issued a decree on preachers.[29] While the decree appears to regulate the qualifications and conduct of preachers, it stipulates that only Muslims following the Hanafi school of Islam may be recognized as preachers and that preaching must be conducted according to this school.[30]

33. The decree on separation of spouses discriminates against Shia Muslims by preventing them from having their marriage status determined by their own religious jurisprudence. The decree supersedes previous laws, including the Shiite Personal Status Law,[31] creating a monolithic, non-inclusive approach to family law, which appears to have been adopted without consulting Shia or other religious minorities that also appear to experience discrimination under the decree.

34. In the context of an increasingly restrictive environment for religious minorities, the Special Rapporteur expresses deep concerns about ongoing reports of violence against them. On Friday, 11 April 2026, four unidentified individuals shot people gathering near a Shia shrine in Injil District, Herat, reportedly after separating the men from the women and searching the men. The Special Rapporteur received information from witnesses that 13 ethnic Tajik Shia Muslims were killed. He urges the de facto authorities to ensure a thorough, impartial and effective investigation and to hold those responsible to account.

D. Restrictions on freedoms of expression and peaceful assembly

35. The de facto authorities continued to tighten restrictions affecting the freedoms of expression and peaceful assembly. The decree on "criminal rules of courts" reiterated the criminalization of certain forms of expression, including almost any criticism or perceived "insulting" of religious figures, rituals, scholars and imams[32] and "disrespect" towards public officials and courts.[33]

36. Restrictions on access to communications also appear to have intensified. Following the shutdown of fibre-optic Internet services in several provinces in mid-September 2025, all Internet and telecommunications services were suspended between 29 September and 1 October 2025. The shutdown had serious implications, including for women and girls, for whom the Internet provides a vital means of accessing information, education and the outside world.[34]

37. In June 2026, the de facto authorities reportedly issued a directive prohibiting the use of smartphones by government employees,[35] and some provincial officials reportedly collected and destroyed smartphones. Some university staff reported restrictions on smartphone use in their institutions. Journalists have also highlighted that restrictions on smartphone use are impacting their ability to access information.

[27] Ibid., art. 23 (2).
[28] Ibid., art. 41.
[29] Decree No. 10, issued on 3 December 2025.
[30] Ibid., arts. 6 (1) and 10 (1).
[31] See https://www.musawah.org/wp-content/uploads/2020/02/Afghanistan-Thematic-Report-2020-CEDAW75.pdf.
[32] Decree No. 12, arts. 16–18.
[33] Ibid., art. 23.
[34] See https://www.unwomen.org/en/news-stories/news/2025/10/when-the-taliban-shut-down-the-internet-women-lost-their-lifeline-to-aid-education-and-each-other.
[35] See https://afjc.media/english/index.php/news/press-release/afjc-condemns-taliban-ban-on-smartphones-calls-it-a-threat-to-press-freedom-and-access-to-information.

38. For the past five years, the arbitrary detention of journalists, often on unspecified grounds, has continued. In 2025, the Afghanistan Journalists Centre documented that at least 34 journalists had been detained by the de facto authorities.[36] In May 2026, the de facto authorities reportedly detained at least three journalists,[37] including two from TOLOnews, for unspecified charges following a raid by intelligence officers at their office.[38] In June 2026, the de facto authorities were reported to have briefly detained a woman journalist in Kabul for working with a male camera operator who was not her relative.[39] Also in June 2026, the de facto authorities reportedly detained the managing editor and an employee of Tamadon TV, one of the few remaining independent stations.[40]

E. Other developments

39. The Special Rapporteur reiterates concern about ongoing reports of killings of former Afghan National Defence and Security Forces personnel and government officials in Afghanistan, despite the "general amnesty" repeatedly confirmed by Taliban officials. Between October 2025 and June 2026, the United Nations Assistance Mission in Afghanistan (UNAMA) reported that at least 27 such personnel had been killed.[41] Other human rights sources indicate that the actual number may be considerably higher. Many killings allegedly involve shooting by unidentified men. For example, in June 2026, a former Afghan National Army officer was shot and killed by unidentified men in Daykundi Province, where he had returned to civilian life. Former security personnel have reportedly been subjected to prolonged detention without due process and in some cases have been subjected to torture and other ill-treatment. Independent investigation of these killings and allegations of torture is essential to identify perpetrators and facilitate accountability.

40. The Special Rapporteur expresses serious concerns about continuing air strikes and shelling by the Pakistan Armed Forces in the eastern areas of Afghanistan, as well as in Kabul, which have resulted in civilian casualties. The Special Rapporteur urges prompt, independent and impartial investigations into these recent killings of Afghan civilians, including the strikes on the Omid drug rehabilitation centre, in Kabul, on 16 March 2026, which allegedly killed at least 269 Afghans, mostly patients, and could potentially amount to a war crime.[42]

41. Meanwhile, the reporting period also witnessed the return, in many cases forcibly, of Afghans who had sought refuge abroad. Both the Islamic Republic of Iran and Pakistan, the two largest host countries of Afghan refugees, tightened measures against those present in their territory without valid documentation in 2025. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), in 2025 alone, nearly 2.9 million Afghans returned from the Islamic Republic of Iran and from Pakistan, many following deportation, bringing the total number of returnees since October 2023 to more than

[36] See https://afjc.media/english/index.php/news/press-release/afjc-publishes-report-on-the-state-of-media-freedom-and-journalists-in-afghanistan-for-the-year-2025.

[37] See https://unama.unmissions.org/en/news/unama-expresses-concern-over-detention-of-journalists.

[38] See https://cpj.org/2026/05/taliban-raids-tolonews-office-in-afghanistan-after-detaining-2-journalists/.

[39] See https://www.afintl.com/en/202606262262; and https://www.pakistantv.com/article/taliban-detain-female-journalist-for-working-alongside-a-male-cameraman.

[40] See https://cpj.org/2026/06/taliban-shuts-down-tamadon-tv-amid-crackdown-on-afghanistans-shia-broadcasters/.

[41] See https://unama.unmissions.org/sites/default/files/2026-02/ENGLISH%20-%20UNAMA%20HRS%20Update%20on%20human%20rights%20in%20Afghanistan%20Oct-Dec%202025_0.pdf; https://unama.unmissions.org/sites/default/files/2026-05/English%20-%20UNAMA%20HRS%20Update%20on%20human%20rights%20in%20Afghanistan%20Jan-Mar%202026.pdf; and https://unama.unmissions.org/sites/default/files/2026-07/ENGLISH%20-%20Update%20on%20human%20rights%20in%20Afghanistan%20-%20April-June%202026.pdf.

[42] See https://unama.unmissions.org/sites/default/files/2026-05/English%20-%20UNAMA%20HRS%20paper%20on%20cross-border%20civilian%20casualties%20-%20Jan-Mar%202026_Updated_11.05.26.pdf; https://www.hrw.org/news/2026/03/27/pakistan-airstrike-on-afghan-medical-facility-unlawful; and https://www.amnesty.org/en/latest/news/2026/07/afghanistan-pakistan-deadly-pakistan-air-strikes-on-kabul-drug-rehab-centre-should-be-investigated-as-possible-war-crime-new-investigation/.

5.4 million.[43] Pakistan has further intensified the measures through a directive issued on 28 June 2026 according to which those found without valid documentation after 10 July 2026 will be immediately detained, pending deportation. Meanwhile, Germany and Poland have resumed deportation of Afghan nationals, while other European Union countries have also started exploring this avenue, culminating in a Taliban delegation from Afghanistan being invited to a meeting held in Brussels on 23 June 2026. The Special Rapporteur urges States Members of the United Nations to ensure that any deportation to Afghanistan takes place after individualized risk assessment and complies with the non-derogable principle of non-refoulement.

42. Despite the near-total exclusion of women and girls from sport inside Afghanistan, some international sporting bodies have taken important steps to support Afghan women athletes in exile. On 29 April 2026, the Fédération Internationale de Football Association (FIFA) amended its governing rules to allow the exiled Afghan women's football team to represent the country in international competitions.[44] The move represents an important recognition of Afghan women athletes, who continue to represent their country despite being forced into exile. The Special Rapporteur calls upon other international bodies, such as the International Cricket Council, to similarly recognize the national women's teams in exile. He calls upon international sporting bodies to continue to urge the de facto authorities to restore the right of women and girls inside Afghanistan to participate in sports. The aspirations of Afghan women athletes are captured in the words of one member of the Afghan women's cricket team: "I hope for a future where girls can freely participate in sports, education and all aspects of society. Above all, I hope sports can once again become a source of empowerment, confidence and hope for the next generation of Afghan girls."

V. Impact of policy measures adopted by the Taliban on children and youth

A. Legal and protection framework

43. The de facto authorities have dismantled the previous child rights and protection framework of Afghanistan, suspending key laws and dismantling institutions that previously provided safeguards for children. Restrictions on women's education, employment and freedom of movement have also directly affected children, undermining their access to essential services, including education and healthcare.

44. Most fundamentally, there is no longer a legal definition of a child, as the Law on the Protection of Child Rights of 2019, which defined a child as any person under 18 years of age, has been suspended. This lack of legal recognition has resulted in multiple negative impacts, depriving children of age-specific legal protections and weakening safeguards against abuse and exploitation. Other key laws, including the Juvenile Code of 2005, the Law on Juvenile Rehabilitation Centers of 2009 and the Law on Prohibition of Harassment against Women and Children of 2017, have similarly been suspended. Although implementation under the Islamic Republic of Afghanistan was uneven, these laws provided important protections and safeguards for children. Children and adolescents continue to be involved in hazardous and harmful labour, although the de facto authorities appear to be continuing efforts begun under the Islamic Republic to regulate this area.

45. Prior to 2021, child protection policies[45] had identified 12 categories of children at risk and had provided a coordinated framework for their protection through State institutions

[43] Office of the United Nations High Commissioner for Refugees (UNHCR), "One year recap: 2025 Afghan returns", 24 February 2026, p. 6; and https://www.unicef.org/innocenti/media/12866/file/UNICEF-Innocenti-Cost-of-Inaction-Afghanistan-brief-2026.pdf.

[44] The Fédération Internationale de Football Association (FIFA) and the Asian Football Confederation allowed Afghan women to represent their country in official matches through landmark governance reform.

[45] The National Strategy for Children at Risk, developed in 2004 and updated in 2014, identified 12 categories of children at risk. The national child protection policy was developed in February 2021 by the National Commission on the Protection of Child Rights as a national child protection framework implementing the Law on the Protection of Child Rights.

and the community-based Child Protection Action Network. The de facto authorities dismantled State child protection mechanisms and restructured the Child Protection Action Network. Child protection centres providing specialized support and temporary shelter have been closed. Some girls, including survivors of sexual abuse and family separation, were reportedly transferred to State-run orphanages, and boys to religious schools. State-run and private orphanages have themselves reportedly closed or been disrupted, with oversight transferred to the de facto Ministry for the Propagation of Virtue and Prevention of Vice. This raises serious concerns regarding children's safety, best interests and continued access to protection and care services.

46. The de facto authorities have reportedly replaced many experienced child protection practitioners with members of the Taliban who lack specialized expertise. These changes raise serious concerns regarding the capacity of the child protection system to effectively prevent, identify and respond to violations against children, particularly those most at risk.

47. The de facto authorities also dismantled the juvenile justice system established by the Juvenile Code of 2005, including juvenile courts, prosecution offices and other child-specific justice mechanisms. Juvenile rehabilitation centres have been repurposed or closed, leaving children in conflict with the law without the procedural safeguards and access to rehabilitation services that had previously been available. Meanwhile, the decree on "criminal rules of courts" appears to permit the corporal punishment of children,[46] imposing sanctions on teachers or instructors only where such punishment results in broken bones, skin injuries or visible bruising.[47]

48. The policies of the Taliban, combined with funding cuts, have severely constrained civil society organizations, reducing children's access to essential services despite continuing humanitarian needs. The ongoing exclusion of girls and women from education and training is rapidly eroding the country's human capital, including the capacity of essential public services. The number of qualified women entering the education and health professions – the two sectors in which the employment of women remains both permitted and critically needed – is projected to decline sharply. According to the United Nations Children's Fund (UNICEF), by 2030, Afghanistan could lose up to 20,000 women teachers and 5,400 women health workers, equivalent to around one quarter of the 2021 female workforce in the education and health sectors,[48] further undermining access to education and health services for children and the wider population.

B. Right to education

49. Since August 2021, the de facto authorities have denied millions of girls and women their right to education through a series of escalating restrictions, including the ongoing ban on girls' secondary schooling and women's tertiary education. As previously documented by the Special Rapporteur, these measures form part of an institutionalized system of gender-based discrimination and persecution, which may amount to the crime against humanity of gender persecution.[49] According to an Afghan girl from Herat: "When education was closed to us, my dreams were destroyed. I wanted to become a pilot. Now, I cannot become a pilot, and my youth has been wasted. Who will give me back these lost years?"

50. These restrictions, compounded by declining international funding, have severely weakened the education system of Afghanistan. In 2024, according to UNICEF, an estimated 3.8 million girls between the ages of 7 and 18 were not in school, including more than 2.6 million adolescent girls.[50] Over the past five years, restrictions on secondary education have directly affected at least 1 million girls, and the figure is projected to exceed 2 million by 2030 if current policies remain unchanged.[51] Each additional year of exclusion from

[46] Article 19 of the Convention on the Rights of the Child protects children from all forms of physical and mental violence, while article 28 (2) requires that school discipline respect the child's human dignity, and article 37 (a) prohibits cruel, inhuman or degrading treatment or punishment.

[47] Decree No. 12, art. 30.

[48] UNICEF, "The costs of inaction on girls' education and women's labour force participation in Afghanistan", April 2026, pp. 2 and 8.

[49] See A/HRC/56/25.

[50] UNICEF, "The costs of inaction", p. 1.

[51] Ibid., pp. 1 and 6.

education deprives another cohort of girls of learning opportunities, reducing their future participation in the skilled labour force, reinforcing cycles of poverty and dependency and contributing to deteriorating mental health.

51. The Special Rapporteur notes that girls' enrolment in primary education reportedly increased from 74 per cent in 2022 to 87 per cent in 2024.[52] While increased enrolment at the primary level may indicate continued demand for education, it does not reflect meaningful access to a complete, safe and quality education pathway, as required by the right to education. Girls attending primary schools reportedly face restrictions, including mandatory compliance with restrictive dress codes.[53] Inspectors from the de facto Ministry for the Propagation of Virtue and Prevention of Vice have reportedly monitored some primary schools, including private schools, and expelled or discouraged girls showing signs of puberty from continuing their education. For example, in Herat Province, the inspectors have reportedly measured girls' height and, for those above a certain height, prevented them from continuing their education or required them to wear a full hijab.

52. Despite the ban on formal education, girls and women continue to seek alternative pathways to learning, including online and in-person clandestine education and peer-to-peer teaching initiatives.[54] The ban by the Taliban does not appear to have reduced the appetite for education among girls and young women, with alternative learning pathways expanding and becoming increasingly sophisticated. A growing network of more than 100 organizations now provides online, community-based and cross-border education opportunities for Afghan girls and women. The Fourth Annual Meeting of the Alliance for the Education of Women in Afghanistan, held in Geneva in June 2026, was a sign of progress towards developing more coordinated and internationally recognized education pathways through strengthened accreditation, recognition and institutional partnerships.[55] However, such alternatives remain unevenly accessible and are often dependent on access to a reliable Internet connection, digital devices and supportive learning environments, which are currently unavailable for the majority of girls, particularly those in rural areas or from economically disadvantaged households. While these alternative pathways play a vital role and should be expanded, they cannot replace the State's obligation to guarantee the right to education.

53. Although religious education has long been part of the education system of Afghanistan, the growing emphasis on, and expansion of, madrasas is raising concerns, including that they are increasingly substituting for mainstream education, rather than complementing it. The increase from approximately 5,000 government-registered madrasas before 2021 to more than 23,000 religious institutions registered, repurposed or established by the de facto authorities by September 2025 reflects a large-scale expansion and centralization of religious education.[56] This model, alongside restrictions on formal education, particularly for girls, as well as having economic consequences, may permanently reshape the country's social fabric. For girls excluded from secondary education, madrasas are among the few remaining avenues for continued education, although concerns have been expressed regarding the content and restrictiveness of instruction and permitted activities. According to one girl: "My younger sister from Kabul, who joined a madrasa, used to love painting, but she stopped after her teacher told her that painting was against sharia."

54. Boys have also reportedly experienced a marked decline in the quality of education received, due to a combination of factors, including a reduction in the number of qualified female teachers, who have reportedly been replaced by male teachers, regardless of their qualifications, a shortage of subject-specialist educators and the removal of subjects such as

[52] Ibid., p. 7.

[53] See https://www.aopnews.com/taliban/taliban-in-ghazni-female-students-from-4th-grade-to-6th-must-cover-their-faces/.

[54] UNESCO, *Banned from Education: A Review of the Right to Education in Afghanistan* (Paris, 2025), p. 34.

[55] See https://righttolearn.ca/international-gathering-to-advance-education-pathways-for-afghan-women-and-girls-takes-place-in-geneva/.

[56] See HAMRAH Network, "Taliban madrasas: ideological consolidation, gender exclusion and Afghanistan's future stability", June 2026.

art, sports, English and civic education.[57] Many boys leave education early to find work and support their families due to economic pressures. According to recent research, the education system is undergoing a broad transformation, with the ideological influence over the learning environment for children increasing significantly.[58] The Special Rapporteur repeatedly heard concerns from families regarding changes in the attitudes and behaviours of their children attending madrasas. Some women and girls reported that their sons and brothers who attended madrasas had become controlling over their behaviour, including with regard to how they dressed. The Special Rapporteur reiterates his previous concerns about the future security implications of the current trend of education, including madrasa education.

55. The Special Rapporteur has received worrying reports of shifting social attitudes towards girls within families and communities. Women and health workers reported increasingly negative reactions to the birth of girls in some families, as well as declining social standing for young women. Some families reportedly refuse to invest in the education of their daughters, while others restrict their movement, effectively confining them to the home in the name of "family honour", due to fear of sanctions by the de facto authorities or because they are needed for labour to supplement family income. Further research is needed to better understand the extent and impact of these emerging dynamics. The Special Rapporteur is concerned that, if left unaddressed, such dynamics may further erode girls' agency and opportunities.

C. Right to health

56. Afghanistan continues to face a long-standing crisis in child and adolescent health, driven by chronic undernutrition, a fragile healthcare system and inadequate access to preventive health services. Recent reductions in funding, declining humanitarian assistance and gender-based restrictions affecting the operations of humanitarian organizations have further exacerbated these challenges.[59] As mentioned above, severe restrictions on medical education, including midwifery and nursing training for women and girls, are eroding critical human resources, further undermining access to healthcare, combined with restrictions on freedom of movement, with particularly serious health consequences for children. According to an Afghan woman from Helmand: "My daughter was sick all night. My husband was not home to accompany me to the hospital, and by the time we were able to take her, it was too late. I lost my daughter because of lack of a *mahram*."

57. The Special Rapporteur is deeply concerned that preventable hunger and malnutrition continue to threaten the right to health and even the right to life of millions of children in Afghanistan. According to the Integrated Food Security Phase Classification, approximately 9 million children in Afghanistan – around one in three – are facing severe hunger, while 3.7 million children under the age of 5 are acutely malnourished. These figures illustrate the devastating impact of the ongoing humanitarian and economic crisis on children's rights to food, health and development.[60] In consultations with children, families and other stakeholders, the Special Rapporteur heard concerns about the impact of food insecurity on children, including reductions in the quantity and quality of meals. Some children were reportedly going to school hungry and experiencing difficulties concentrating due to inadequate nutrition.

D. Mental health

58. The Special Rapporteur is gravely concerned at consistent reports of high levels of psychological distress among children and young people, particularly girls. The denial of

[57] See https://www.hrw.org/report/2023/12/06/schools-are-failing-boys-too/talibans-impact-boys-education-afghanistan.

[58] HAMRAH Network, "Taliban madrasas", p. 6. See also https://rwi.lu.se/wp-content/uploads/2025/05/Rahimi-and-Watkins-2025.pdf.

[59] See A/HRC/61/63.

[60] See https://www.savethechildren.net/news/afghanistan-more-one-three-children-facing-crisis-levels-hunger-winter-starts.

education, restrictions on their rights and freedoms, the absence of future opportunities and chronic poverty and economic insecurity are exacerbating existing mental health vulnerabilities. An Afghan girl from Balkh told the Special Rapporteur: "Three words have come to define our lives: fear, tears and despair."

59. Access to mental health services remains constrained by shortages of qualified professionals, limited availability of child-focused services, stigma and barriers affecting girls' ability to seek confidential support. The Special Rapporteur has received reports of some girls attempting suicide. However, such incidents are likely underreported due to prevailing social sensitivities, stigma and religious interpretations by the de facto authorities according to which suicide is prohibited (*haram*) under Islam. The framing of suicide primarily as a moral issue rather than as a possible manifestation of mental distress or trauma, or as being associated with violence or socioeconomic hardship, may discourage families from reporting such incidents or from seeking support, if it is available. The Special Rapporteur is concerned that, unless structural restrictions are lifted and child-sensitive psychosocial services are strengthened, an entire generation of girls and boys in Afghanistan risks long-term and potentially irreversible harm to their well-being, development and ability to enjoy their human rights.

E. Exposure to exploitation and other forms of violence

60. Child labour in Afghanistan, especially of boys, has reportedly been increasing, driven by entrenched poverty, food insecurity and the weakening of child protection mechanisms.[61] According to sources inside Afghanistan, families rely on children's income as a survival strategy at the expense of their education, health, safety and overall development.[62] Children reportedly continue to be engaged in hazardous and exploitative forms of child labour, including in agriculture, brick making, mining and domestic work. The Special Rapporteur noted that girls' experiences of child labour might have been underreported, as their labour is often performed in domestic settings and remains invisible due to restrictions on their mobility and the gendered and unpaid nature of domestic labour.

61. Despite the 2021 decree on women's rights, which prohibited child and forced marriage,[63] such marriage is reportedly increasing in Afghanistan,[64] driven by the worsening economic and humanitarian crisis, restrictions on women's and girls' rights and the absence of other viable prospects for them. While arranged marriages, including for those under the age of 18, are not new in Afghanistan, these factors have reportedly increased their incidence, including in urban areas and among more educated Afghan families. Some girls are reportedly forced to marry significantly older men or enter into polygamous marriages. The Special Rapporteur is alarmed by reports of girls being sold to settle household debts, being forced to marry individuals affiliated with the Taliban or facing detention or other forms of retaliation for resisting such marriages. For example, the Special Rapporteur received a report of a 19-year-old woman who had been married at the age of 16 to a much older man to settle her father's debt. She had suffered severe domestic violence and had then managed to obtain a divorce, but she had been separated from her young child after custody had been granted to the father.

62. Children continue to be subjected to rape, sexual violence and harmful practices, such as *bacha bazi*. Despite the so-called law on the propagation of virtue and prevention of vice prohibiting conduct associated with *bacha bazi*,[65] the practice reportedly persists, including allegedly by Taliban officials and local commanders.[66] Such cases raise serious concerns regarding impunity and the ability of victims and their families to access justice and effective

[61] See https://www.savethechildren.net/news/drought-fuels-child-labour-and-school-absences-northern-afghanistan-save-children.
[62] United Nations Development Programme, *Afghanistan Socio-economic Outlook 2023* (2023), p. 66.
[63] Decree No. 83 concerning women's rights, issued on 2 December 2021, art. 1.
[64] See https://www.theguardian.com/global-development/2026/jul/15/afghanistan-girls-sold-into-child-marriage.
[65] Law on the promotion of virtue and the prevention of vice, arts. 22 (5) and 26.
[66] See https://www.state.gov/reports/2025-trafficking-in-persons-report/afghanistan/.

remedies. Furthermore, some boy victims of *bacha bazi* are allegedly imprisoned for "sodomy". The Special Rapporteur reiterates that all children, regardless of gender, must be protected from sexual violence, exploitation and abuse and that perpetrators must be held accountable.

63. The de facto authorities' policy of permitting corporal punishment has exposed children in schools and madrasas to physical and psychological violence and degrading treatment. During consultations, participants informed the Special Rapporteur that their children and siblings are frequently subjected to beatings, humiliation and verbal abuse by teachers and mullahs. Such treatment is inconsistent with the obligations of Afghanistan under the Convention on the Rights of the Child, which requires States Parties to prohibit corporal punishment and other cruel or degrading treatment of children in all settings.[67]

64. Following the dismantling of the juvenile justice system, children are reportedly arrested and detained, often alongside adults. The Special Rapporteur was informed that detention facilities do not systematically separate children from adults, exposing them to a heightened risk of abuse. Furthermore, charges against children appear to vary across provinces, but reportedly include begging and non-compliance with mandatory dress codes. The Special Rapporteur also received reports that children, particularly boys, had been flogged alongside adults for offences such as theft or drug use or sale or based on allegations related to extramarital relations.[68] Such practices undermine children's dignity and physical integrity and, when authorized or imposed by State authorities, may amount to cruel, inhuman or degrading treatment or punishment.

65. Although the nature of armed conflict in Afghanistan has changed since August 2021, children remain affected by grave violations in armed conflict, with serious consequences for their rights to life, security, physical integrity and protection from violence. Cross-border hostilities with Pakistan have been a particular source of harm during the reporting period. According to a recent report by the Secretary-General, there were 1,070 grave violations against children between January and December 2025, underscoring the continued severity of the situation of protection of children in Afghanistan. The report notes that 103 children were killed or injured in cross-border shelling and air strikes by the armed forces of Pakistan in 2025.[69] According to UNAMA, between January and June 2026, 72 children were killed and 183 children were injured.[70]

66. The protection of children, particularly boys, is undermined by continued reports of their recruitment and use by the armed forces of the Taliban. According to the Secretary-General's report, in 2025, the de facto authorities recruited 204 boys, including 62 for combat roles and 142 for support roles,[71] despite measures reportedly taken to prohibit the recruitment of children.[72] The Special Rapporteur is concerned that the absence of a legal definition of a child is facilitating the recruitment and use of children, in violation of the obligations of Afghanistan under both international humanitarian and international human rights law.

67. Despite demining efforts by the de facto authorities and international organizations, children in Afghanistan remain particularly vulnerable to explosive hazards, including explosive remnants of war and landmines. Children encounter these hazards while playing outdoors, herding animals and collecting firewood or scrap metal.[73] According to the Office

[67] Convention on the Rights of the Child, art. 19. See also Committee on the Rights of the Child, general comment No. 8 (2006).

[68] See https://unama.unmissions.org/sites/default/files/hr_brief_on_cpdp_03052023-_english_0.pdf.

[69] A/80/723-S/2026/357, paras. 11 and 13.

[70] See https://unama.unmissions.org/sites/default/files/2026-05/English%20-%20UNAMA%20HRS%20paper%20on%20cross-border%20civilian%20casualties%20-%20Jan-Mar%202026_Updated_11.05.26.pdf; and https://unama.unmissions.org/sites/default/files/2026-07/ENGLISH%20-%20Annex%20B%20-%20Cross-border%20civilian%20casualties%20April%20-%20June%202026.pdf.

[71] A/80/723-S/2026/357, para. 12.

[72] In 2023, the de facto authority reportedly established a commission to identify children among their troops and discharge them.

[73] See https://www.ohchr.org/en/statements-and-speeches/2026/04/call-sustained-funding-mine-action-afghanistan-amid-ongoing-child.

for the Coordination of Humanitarian Affairs, approximately 130 children were killed or injured by unexploded ordnance between January and May 2026.[74] Similarly, Save the Children has reported that, on average, nearly one Afghan child is killed or injured by explosive ordnance every day.[75] The Special Rapporteur emphasizes that sustained and predictable funding remains essential to protect children from explosive hazards, expand clearance operations, provide mine risk education and ensure assistance and rehabilitation for survivors.[76]

F. Groups with particular vulnerabilities

68. While all children in Afghanistan face serious risks and challenges, certain groups face particularly severe restrictions on the enjoyment of their rights. In the present section, the Special Rapporteur highlights two groups: returnee children and children with disabilities. However, this analysis is not exhaustive. The Special Rapporteur plans to further examine how different and intersecting identities shape children's experiences of human rights violations and their vulnerability to them in a future report.

1. Returnee children

69. In recent years, millions of Afghans have returned to Afghanistan, often involuntarily. A significant proportion of the 2.9 million who returned from neighbouring countries in 2025 are children and young people, with approximately 42 per cent under the age of 15 and nearly two thirds under the age of 25.[77] While the de facto authorities have reportedly taken some measures to support the returnees, many continue to face significant unmet humanitarian and protection needs amid the broader humanitarian crisis and weakened economy. Consequently, millions of school-aged returnee children face heightened barriers in accessing education, food and protection, while being exposed to the risk of child labour and other forms of exploitation.

70. Particular concern arises in relation to unaccompanied children, deported without their parents and/or caregivers, who may have no family members to return to or may face a real risk of harm or persecution upon return to Afghanistan, especially girls who are vulnerable to forced marriage and sexual violence.[78] In 2025, UNICEF documented more than 8,000 unaccompanied and separated children among returnees from the Islamic Republic of Iran and from Pakistan, with some becoming separated during deportation procedures or because parents or caregivers were detained or unable to travel. These children face heightened risks of exploitation, violence and trafficking.[79] Many were born outside Afghanistan and have no meaningful social ties or lived experience in the country, further complicating their reintegration and access to protection. Their situation is compounded by significant barriers to family reunification and cross-border movement, including difficulties in obtaining visas or travel documents to return to countries such as Pakistan, even in cases where parents or caregivers hold lawful status there.

2. Children with disabilities

71. Children with disabilities face multiple and intersecting barriers to the enjoyment of their rights, including their rights to non-discrimination, healthcare and education. The de facto authorities have dismantled or neglected legal, policy and institutional measures that previously supported their protection and inclusion, while failing to address persistent stigma

[74] See https://kabulnow.com/2026/07/unexploded-ordnance-kills-or-injures-175-in-afghanistan-in-five-months-un-says/.
[75] Save the Children, "Camels carry mine awareness in Afghanistan where nearly one child killed or injured on average a day by explosives", 4 April 2026.
[76] See https://www.ohchr.org/en/statements-and-speeches/2026/04/call-sustained-funding-mine-action-afghanistan-amid-ongoing-child.
[77] See https://www.unicef.org/innocenti/media/12866/file/UNICEF-Innocenti-Cost-of-Inaction-Afghanistan-brief-2026.pdf.
[78] See, e.g., https://www.unicef.org/press-releases/afghan-children-returning-iran-face-uncertainty-and-rising-humanitarian-needs.
[79] Ibid.

and discriminatory attitudes towards persons with disabilities.[80] These measures, combined with the broader deterioration of public services, have further weakened protection and access to essential services.

72. The de facto authorities have closed, or failed to adequately support, specialized education centres for children with visual or hearing impairments, which had previously been established in several provinces. These centres provided education, including in Islamic studies, rehabilitation support and vocational training. Information received by the Special Rapporteur indicates that girls' access to these centres has been severely restricted. Even in provinces where some centres remain operational, girls' attendance is reportedly limited, subject to restrictive conditions or denied altogether.

73. Children with disabilities, in particular girls with disabilities, also face significant barriers to healthcare and rehabilitation services due to the shortage of women health professionals, the long distances to available health facilities and pervasive economic hardship.[81] The de facto authorities have failed to address stigma and discriminatory social attitudes that discourage families from seeking medical care or other support. These barriers undermine the rights of children with disabilities to the highest attainable standard of health and to non-discrimination, as protected under the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child.

74. Declining international assistance has further undermined inclusive education. Many schools lack accessible facilities, appropriate learning materials and teachers trained to support children with disabilities, while essential accommodations, for example Braille materials and sign language services, remain largely unavailable. Consequently, many children with disabilities are unable to enrol in or complete their education, deepening their exclusion and undermining their rights to education, health, equality and inclusion.

G. Participation of children and youth in processes affecting their future

75. Participation, whether of children or young people, is grounded in the ability to exercise agency and influence decisions affecting their lives. For children, this requires recognition of their evolving capacities and ensuring that their views are given due weight in decisions affecting their lives. For young people, participation also encompasses broader civic, social and political engagement.[82] According to a young Afghan man from Herat: "Young people need opportunities to come together, exchange ideas and support one another. If we can work with like-minded youth and have a voice in shaping our future, we can bring positive change to Afghanistan."

76. In Afghanistan, as in many societies, age and family hierarchies have traditionally shaped decision-making, with children and young people often expected to defer to parents, elders and community leaders. While such social structures vary across communities and do not diminish children's and young people's rights to participate in decisions affecting them, the de facto authorities' policies have further narrowed opportunities for children and young people, particularly girls, to exercise agency and participate in decisions affecting their lives. Restrictions on education, freedom of movement, appearance and personal choices, including decisions relating to marriage, have significantly limited their ability to shape their own futures.

77. Opportunities for young people to participate in political, social and decision-making processes have narrowed considerably. The closure of civic spaces, restrictions on civil society and non-governmental organizations, threats and reprisals against human rights defenders and educators and broader restrictions on freedom of expression and association have limited their ability to express their views and engage in public life. The absence of

[80] See https://img1.wsimg.com/blobby/go/7a4c839f-aead-417a-8600-ceeae81a7f9f/Rahyab%20Report%202025%20Final%20Version-130ebcb.pdf.

[81] A/HRC/61/63, paras. 85–87.

[82] Convention on the Rights of the Child, art. 12. See also The United Nations Youth Strategy of 2018.

inclusive mechanisms for consultation further prevents young people from meaningfully contributing to decisions affecting their lives and futures.

78. At the same time, Afghan children and young people, including those living in exile, continue to demonstrate a strong desire and capacity to participate. Through youth-led initiatives, advocacy networks, educational platforms and digital spaces, many continue to share their experiences, raise concerns about issues affecting their lives and contribute to discussions about the future of Afghanistan. These efforts demonstrate the importance of creating safe, inclusive and meaningful spaces for young people to be heard and to participate in processes shaping their future.

VI. Conclusions and recommendations

79. **Five years after the Taliban seized power, the de facto authorities have consolidated a governance and policy framework that seeks to reshape all aspects of life in Afghanistan, in accordance with the group's ideological vision. Through a growing body of decrees, directives and practices, the de facto authorities have incrementally institutionalized restrictions that affect the rights and freedoms of all Afghans, with particularly severe consequences for women, girls, boys, gender-diverse persons and ethnic and religious minorities. Most of these policies are incompatible with the obligations of Afghanistan under international human rights law.**

80. **The consequences of these policies extend far beyond the immediate violations of human rights. They have fundamentally altered the conditions in which children and young people grow, learn, develop and participate in society. As civic space contracts and independent voices are silenced, children are growing up in an environment where discrimination is normalized and space for independent thought and diverse perspectives is increasingly restricted. Without a change in course, the cumulative impact of these policies will continue to shape future generations, limiting the opportunities of children and young people – now and as they grow into adulthood – to develop, exercise their rights and contribute to the future of Afghanistan.**

81. **In this context, the Special Rapporteur calls upon the international community to facilitate the operationalization of the Independent Investigative Mechanism for Afghanistan, established in October 2025, which has a comprehensive mandate and with which he looks forward to cooperating in support of justice for Afghan survivors of human rights violations. He continues to urge an "all tools" approach to accountability, including support for the investigation of the International Criminal Court, the dispute brought against Afghanistan by four States Parties to the Convention on the Elimination of All Forms of Discrimination against Women, steps to codify gender apartheid as a crime against humanity, potential universal jurisdiction cases and initiatives by civil society. He continues to cooperate with other special procedure mandate holders and the treaty bodies to keep attention on Afghanistan.**

82. **The Special Rapporteur reiterates his detailed recommendations set out in previous reports, which remain applicable and, unfortunately, unimplemented in large part. The Special Rapporteur urges the de facto authorities to take immediate steps in particular to:**

(a) **Fulfil their obligations under international human rights law;**

(b) **Dismantle the institutionalized system of gender discrimination and persecution, including by:**

(i) **Revoking all policies and practices that deprive women and girls of rights and fundamental freedoms and that violate the international human rights obligations of Afghanistan;**

(ii) **Replacing the decree on separation of spouses and making it feasible for women to seek separation, while offering physical protection and independent legal services to women and children before, during and after separation proceedings;**

(iii) **Reinstituting the protection mechanisms for women and girls at risk, including shelters and access to legal advice and representation;**

(c) **Revoke the 2026 decree on "criminal rules of courts" and adopt a new law to ensure due process and the right to a fair trial, in compliance with the International Covenant on Civil and Political Rights;**

(d) **Review and revise the 2025 decree on preachers to ensure the right to freedom of religion, particularly for religious minorities;**

(e) **End the systematic repression of civic space, by:**

(i) **Ceasing all acts of violence, arbitrary detention and intimidation of human rights defenders, journalists and media workers, artists and writers, among others;**

(ii) **Ending all forms of censorship, control or interference in the operations, content or structures of media outlets and civil society organizations that are incompatible with the rights to freedom of expression, association and peaceful assembly;**

(f) **Adopt a definition of a child in accordance with the international standard, under which a child is any person under the age of 18;**

(g) **Reinstitute or establish a functioning and effective child protection system, by:**

(i) **Reviewing and reinstituting the child protection policies, laws and mechanisms previously in existence;**

(ii) **Strengthening measures to prevent child labour;**

(iii) **Prohibiting corporal punishment in all settings, including educational institutions, in line with the Convention on the Rights of the Child;**

(h) **Enhance efforts to enforce the prohibition of child and forced marriage, by explicitly addressing the contradiction between the 2021 decree on women's rights and the 2026 decree on separation of spouses, protect all girls and women from these harmful practices and ensure accountability for perpetrators;**

(i) **Restore disability-inclusive healthcare, education and social protection services, strengthen community-based rehabilitation and early intervention programmes, combat stigma and discrimination and ensure the meaningful participation of children with disabilities and their families in decisions affecting their lives.**

83. The Special Rapporteur recommends that States urgently take steps to:

(a) **Refrain from normalizing relations with and potentially legitimizing the de facto authorities at least until there are demonstrated, significant, measurable and independently verified improvements in the human rights situation, particularly for women and girls;**

(b) **Strengthen human rights diplomacy and advocacy efforts, including by regional and Muslim-majority countries, to persuade the Taliban to end ongoing human rights violations;**

(c) **Ensure adequate and sustained funding for the humanitarian response, human rights and gender equality activities, protection measures, transitional justice initiatives, climate action and environmental programmes, including by:**

(i) **Reversing funding cuts and prioritizing long-term, accessible and direct support for Afghan-led organizations, in particular women-led organizations;**

(ii) **Expanding protection for at-risk Afghans, especially women and girls, human rights defenders, journalists and persons perceived to be LGBTIQ+, including through safe houses, legal aid, resettlement and emergency grants;**

(d) **Support the meaningful participation of Afghans, in particular women and girls, young people, members of minority and marginalized groups and persons with disabilities, in international decisions that affect them;**

(e) **Uphold the principle of non-refoulement by halting deportations and involuntary returns of Afghans, protect Afghan refugees and those in exile from discrimination, harassment and intimidation, expand and enhance resettlement pathways and ensure adequate support for host countries;**

(f) **Support inclusive, quality education for Afghan children and youth, including through funding and technical assistance for community-based, distance and broadcast learning accessible to children marginalized geographically and in other ways, and expand scholarships and safe pathways, including visas and relocation support, where appropriate, particularly for girls and young women denied secondary and higher education;**

(g) **Ensure that the humanitarian response plan, including child protection programmes addressing food insecurity, malnutrition, healthcare needs and psychosocial support, is fully funded, and increase support for mine action and explosive ordnance risk education;**

(h) **Support independent Afghan-led mechanisms to monitor, document and preserve evidence of violations of children's rights and ensure that evidence is preserved for accountability processes;**

(i) **Engage with Afghan civil society organizations, children's rights actors, educators and youth-led initiatives to maintain child-focused services and amplify the voices and experiences of Afghan children and young people in policy and humanitarian responses;**

(j) **Support accountability mechanisms, including by providing adequate funding for the operationalization of the Independent Investigative Mechanism for Afghanistan, and support the investigation by the International Criminal Court, the codification of gender apartheid as a crime against humanity, the dispute brought against Afghanistan for violations of the Convention on the Elimination of All Forms of Discrimination against Women, and Afghan-led transitional justice mechanisms, similar to the People's Tribunal for the Women of Afghanistan, ensuring the participation of survivors, including women and children.**