Introduction

Since August 2021, the Taliban have implemented a consistent and continuously expanding assault on women’s rights in Afghanistan. An assault which, with each passing day, decree after decree, sees the Taliban move closer to approximating their period of rule in Afghanistan during the 1990s. Decrees issued by the de facto authorities (DFA) since August 2021 have been rationalized as ‘temporary’, put in place for ‘protection’ of women and ‘morality’, and accompanied by many unfulfilled promises regarding the formulation of plans and guidelines to remove decrees that impact the lives of Afghanistan’s women and girls.

This Gender Alert brings together publicly available gender data and analysis covering the period between August 2022 and February 2023. Its findings show that: 1) DFA decrees are not only rolling back decades of hard fought advances in gender equality and women’s rights, but also putting the brakes on Afghan development prospects and future prosperity; 2) Incremental closure of political, social, and economic spaces for women in the face of international condemnation provides a dangerous model for other groups seeking to systematize misogynistic and oppressive ideals.

Humanitarian assistance

Some 13.8 million women and girls in Afghanistan will need humanitarian assistance to survive in 2023. Yet Afghanistan is a context in which the DFA cut spending on social services by 81 per cent in 2022 and continue to limit delivery of humanitarian aid to women. On 24 December 2022, women were banned from working for national and international non-governmental organizations (NGOs). As a direct result of the ban, on 12 January 2023, 83 per cent of UN, international or national NGOs, and women-led civil society organizations either fully or partially
ceased operations, affecting all programming, particularly those in the areas of gender-based violence and social cohesion.\(^5\)

Afghan women continuously raise concerns about the implications of removing women from the humanitarian response, highlighting that humanitarian needs assessments and distribution carried out solely by men excludes Afghan women from selection as aid recipients, reinforcing the barriers to women accessing distribution sites. Giving men exclusive control over humanitarian aid contributes to asymmetrical power relations between Afghan women and men. Taken together with existing sociocultural norms in Afghanistan which dictate gender segregation, a ban on women aid workers in effect excludes women, particularly the most vulnerable women, from receiving aid.

In a recent study, 79 per cent of Afghan women surveyed stated that it was important for them to receive humanitarian assistance from an aid worker of the same gender. Yet, in practice, this only occurred for 34 per cent of women (compared with 74 per cent of men).\(^5\) **Negative coping mechanisms** that already disproportionately affect women are also likely to increase,\(^6\) alongside heightened risk of sexual exploitation and abuse during aid selection and delivery, impacting the quality of assistance, and more broadly, equality between men and women for generations to come.\(^7\)

**Civic space**

The Taliban continue to crack down on women human rights defenders (WHRDs), men, and journalists protesting restrictions on women’s rights.\(^8\) The diminished civic space and desperate economic crisis lead to a low number of opportunities for collective resistance (and the individual cost of resistance is high), especially in the absence of a functioning, inclusive legal system. Some 90 per cent of WHRDs or human rights defenders reported experiencing multiple risks and threats — including kidnapping, imprisonment, torture, defamation, threats, and violence, including murder.\(^9\) The fraught civic space is further contributing to the erasure of women’s voices from Afghan life — 42 per cent of whom already feel that they have little to no influence in their wider family (increasing to as high as 93 and 96 per cent at the provincial and national level, respectively).\(^10\)

Censorship and repression of the media has continued unabated. Between October 2022 and February 2023, the Taliban shut down the websites of numerous major media outlets — for allegedly spreading ‘propaganda’ and ‘unbalanced’ information.\(^11\) A further reduction of the number of women working in the media has been foretold by DFA officials in Kandahar Province, who recently reinforced gender segregation among media staff, hijab requirements, and bans on women participating in non-religious programming.\(^12\) Afghanistan’s civic landscape no longer features women — which will impact trust in authorities for decades to come.

**Education**

The DFA has now blocked girls and women from receiving formal education beyond grade six (or above the age of 13 years); most recently banning, in December 2022, women from attending university.\(^13\) Contravention of gender segregation and hijab requirements were cited as reasons for enacting the university ban.\(^14\) **The DFA continues to emphasise that the bans on education are temporary**, until ‘technical issues’ can be resolved.\(^15\) Similar promises were made by the Taliban in the 1990s. During that period of Taliban rule, the ban on girls’ access to education was not removed, and recent UN reports show no progress has been made to return girls to school.\(^16\)

---


\(^2\)Survey of 1,974 Afghan women and men, spanning diverse population groups and including information on people living with a disability, as well as aid recipiency status, household size and literacy level.

\(^3\)Women were more likely than men to resort to coping mechanisms such as borrowing money: Global Protection Cluster. 2022. Protection Analysis Update: Q2 2022. November 2022. The REACH Whole of Afghanistan Assessment 2022 found that Female Headed Households were more likely to use high-risk negative coping strategies, with 29 per cent of FHHs having at least one child engaged in child labour (up from 19 per cent in 2021).

\(^4\)The scale of forced, early, and child marriage — mainly of girls — as a coping mechanism has been continuously highlighted by humanitarian aid organizations, putting numbers at between two and six per cent of households affected: Protection Cluster Afghanistan. 2022. Protection Analysis Update; Save the Children. 2022. Breaking Point: children’s lives one year under Taliban rule; REACH. 2022. WoAA 2021: Female Voices: Women are twice as likely as men to sacrifice their own meals so that other family members can eat; WFP (World Food Programme). 2022. WFP Afghanistan Situation Report; 22 December 2022.


\(^7\)Save the Children. 2022. Breaking Point: children’s lives one year under Taliban rule; REACH. 2022. WoAA 2021: Female Voices: Women are twice as likely as men to sacrifice their own meals so that other family members can eat; WFP (World Food Programme). 2022. WFP Afghanistan Situation Report; 22 December 2022.


Evidence now points to the multigenerational impact of banning girls from school. It could cost Afghanistan’s economy up to US$5.4 billion in lifetime earnings potential among the current cohort of three million secondary schoolgirls. Failure to educate girls will have other intergenerational consequences linked to early, forced and child marriages, increased domestic violence, and risky dependency on male relatives, while severely weakening the long-term trajectory of the national labour force and the performance of the Afghan economy.

Health services

Analysis of the impact of restrictions targeting women shows that women without a mahram are turned away from health clinics with increasing frequency. Meanwhile, women doctors and health workers have been ordered to wear the full hijab, which limits their ability to perform tasks, including surgery, while enforced gender segregation between health workers and patients continues. Further, bans on girls’ education effectively stem the pipeline of new women health workers – which will negatively impact health indicators for Afghan women across generations, given the gender segregation of health services in Afghanistan.

The mental health crisis affecting women and girls in Afghanistan is worsening. Women are regularly stopped in public and subjected to verbally abusive and threatening behaviour, further coercing women to remain confined to the home. In this context, reports abound of an increasing sense of hopelessness, anxiety, depression, alongside a rise in the number of suicides, among women and girls. It is notable then that formal mental health support is almost totally absent from this situation, with up to 86 per cent of Afghans not aware of any dedicated mental health services in their area.

Employment

The limitations on women’s access to services, combined with gender segregation requirements, have led to reduced demand for – and thus the number of – women staff across the various sectors. Onerous gender segregation and mobility requirements on employers disincentivise the hiring of women and push those women who are still employed into marginal, non-public facing roles. Despite needing skilled women, 17 per cent of businesses reported being unable to hire candidates from this population because of DFA restrictions. These barriers risk forcing women, particularly female-headed households (FHHs), into exploitation and abuse and boys are being sent out to work to compensate for loss of earnings among women family members.

Those women who continue to work outside the home mainly do so in health care and education, whereas those inside the home in many cases take on work in dress-making, embroidery, and carpet weaving – sectors that ultimately reflect sociocultural norms in line with the Taliban view of women and work, but also activities that struggle to lift households out of poverty.

Both groups of women remain equally dependent on a mahram to access their workplace or market, which puts logistical and economic strain on households and reduces women’s influence, which in turn brings increased risk of domestic abuse. The disregarding of women’s right to work will hold severe intergenerational consequences for Afghanistan’s development as women’s full human potential to equally participate in economic life is hampered.

Justice and accountability

The number of women in the judiciary remains low, and women defence lawyers cannot practice in most provinces of Afghanistan due to challenges faced in renewing their legal licences. Women’s engagement with the police,
lawyers, courts, and relevant de facto departments is dependent on their ability to secure the accompaniment of a mahram. Inside the courtroom, testimony from women is either deemed inadmissible or given less weight than that provided by men. Although the number of cases of violence against women have reportedly increased, opportunities for justice through formal and informal channels continue to decrease, in a context where the services for women survivors of violence have been decimated since August 2021. 

Hudud and qisas punishments have been systematically implemented across various provinces since November 2022. These public corporal punishments and executions are often publicly announced on social media and enacted in football stadiums in front of thousands of onlookers, particularly in cases of crimes such as theft, drug trafficking, adultery, and homosexuality. The criminalization of adultery (or ‘moral crimes’) disproportionately targets women and girls, and reports suggest that investigations are not thoroughly conducted prior to punishment being administered. In many cases, stigmatization of those whom have received punishment may also bring various consequences, such as hampering their access to health services.

The dismantling of the Republic’s judicial system and its replacement with the Sharia Law has implications beyond corporal punishments. Recent reporting shows that the Taliban might deem divorce obtained before the imposition of Sharia Law as invalid, creating the possibility of forced marriage and further abuse. Remarried women fear arrest for adultery because their divorce proceedings under the previous Afghan government do not comply with the version of Islamic law adopted by the Taliban. The Sharia Law imposition also means that women who experience gender-based violence cannot seek justice in the absence of their abuser – under the Republic’s judicial system, women were able to go before a judge to testify that her husband was physically abusive and obtain divorce, even if he refused to go to court.

The de facto ‘Ministry for the Propagation of Virtue and Prevention of Vice’ is once again implementing public corporal punishment and executions, using mahram and hijab requirements and gender segregation to justify removal of the right to work and receive an education, and offering but vague and discordant justifications for these actions. Human rights experts now report that the systematic denial of women and girls’ human rights may amount to gender persecution, which is a crime against humanity.

While the Taliban introduced a decree in December 2021 on women’s rights, safeguarding women’s inheritance and banning forced marriage, the tenets of the decree have yet to be implemented; and the broader set of decrees targeting women ultimately negate the worth of the decree.

The cost of gender inequality, as seen in the 1990s, has been laid out in the economic loss caused by excluding half of the population’s labour, ideas, and potential. Corporal punishment has been reintroduced and continues in the background, while the world zeroes in on the consequences of the NGO ban. Gender inequality markers – such as the prevalence of cases of early marriages, gender inequality under the law, and violence against women – which have also been linked to violent political instability and poverty, are likely to show increases on each of these fronts.

Not one of the Taliban decrees or directives impacting women and girls has been removed, and these actions taken by the group are set to impact the development of Afghanistan for generations to come. Beyond Afghanistan, other extremist groups have paid heed to these developments, with mahram requirements increasingly enforced in Houthi-controlled Yemen over the past year, leading to comparable restraints on women’s movement and access to services, employment, and humanitarian aid.

Conclusion

The focus of most of the Taliban decrees targeting women and girls since the takeover of Afghanistan in August 2021 were also the subject of similar Taliban decrees in the 1990s, cornerstones of Taliban rule during that period.

---

27Ibid.
28The ongoing law review process has removed the Elimination of Violence Against Women Law and currently cases are reportedly mainly settled through mediation with community elders. Comment by international expert in Rule of Law.
29These include floggings, cutting off hands and fingers, lashings, and public execution. Reports suggest that punishment is sometimes carried out without sufficient investigation and allegations of adultery have been used to cover up rape: UN.org, “Afghanistan: Taliban urged to halt public floggings and executions.” Human Rights, 16 December 2022.
30George, Susannah. 2023. Afghan women who were divorced under prior government fear for their status. Washington Post.
34Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths - Statement for the Security Council Briefing on Yemen, 16 January 2023.
Annex – Timeline of decrees impacting women and girls and other major events

17 August 2021
The Taliban assure women of their rights “within the framework of Sharia law” at a press conference, adding that “no discrimination and violence will be committed against women”.

27 August 2021
Women healthcare workers are advised, via a press statement, to return to work.

8 September 2021
Decree issued banning protests and slogans that do not have prior approval; the de facto Deputy Head of Cultural Commission states that women will be banned from playing sport.

17 September 2021
Reopening of schools for boys announced.

22 November 2021
Set of guidelines on Afghan media released, including banning television dramas that include female actors and ordering women news presenters to wear “Islamic hijab”.

3 December 2021
A “special decree on women’s rights” is released, setting out new rules governing marriage.

4 January 2022
A press statement orders cafe owners in Herat to refuse admittance to women unless accompanied by a mahram.

26 February 2022
Universities reopen, with gender-segregated classrooms.

26 March 2022
The Taliban order airlines via letter to stop women from boarding airplanes without a mahram, or domestic and international flights.

15 August 2021
The Taliban take full control of Afghanistan.

24 August 2021
Press statement released on temporary restrictions on women due to security situation.

7 September 2021
The de facto care taker administration announced does not include any women; the Ministry of Women’s Affairs and its provincial Directorates of Women’s Affairs are abolished, replaced by the de facto Ministry of Propagation of Virtue and Prevention of Vice.

12 September 2021
The de facto Higher Education Minister states that women will be allowed to study and teach in universities, but not alongside men; and announces the introduction of a new dress code and a review of the subjects taught.

27 October 2021
Secondary schools reopen for girls in some Afghan provinces, including Balkh, Kunduz, Jowzjan, Herat, Sar-e Pul, Zabul, and Bamiyan.

27 November 2021
The Taliban publicly state that they have given women their rights, adding that they are working to improve the situation of girls’ education.

26 December 2021
Guidance issued prohibiting women from travelling farther than 78km from their place of residence without a mahram; guidance issued banning taxi drivers from accepting women passengers without a hijab, and from playing music.

12 February 2022
Four Afghan women’s rights activists are released after forced disappearance lasting one month and international attention.

23 March 2022
The Taliban’s commitment to reopen schools for girls’ attending grade seven and up is not fulfilled, instead girls’ schools are closed indefinitely.

28 March 2022
Gender segregation in amusement parks in Kabul announced.
21 April 2022
The Taliban issue a ban on TikTok, announced via Twitter, citing “immoral content” leading Afghan youth astray.

3 May 2022
Driving schools are ordered via letter to no longer issue driver licences to women.

7 May 2022
Women are advised to stay home, except in cases of necessity — when they are required by decree to wear a hijab, covering the face in its entirety apart from the eyes.

29 May 2022
Women in Kandahar are prohibited from using public transport if unaccompanied.

26 June 2022
Students at Kabul University are banned from listening to music and playing games in their dormitory or dining hall.

6 July 2022
Private secondary schools in Samangan ordered to close girls’ classes above grade six.

30 July 2022
Men and women health care workers are prohibited from communicating with each other or treating patients of the opposite gender in Kabul hospitals.

23 August 2022
The Taliban announce the establishment of a female moral police department.

26 September 2022
The Taliban announce that female TV guests must cover their faces.

14 October 2022
The Taliban block young women from studying for university degrees deemed “too difficult for women to handle”, including engineering, economics, veterinary medicine, agriculture, geology, and journalism.

23 April 2022
Universities are segregated by timetable — three days of the week for female students and three days of the week for male students.

4 May 2022
The Afghan Independent Human Rights Commission is officially dissolved.

21 May 2022
Women TV presenters are ordered to cover their faces when on air.

1 June 2022
Schoolgirls in Ghazni in grades 4-6 are ordered to cover their faces when commuting to school — or face expulsion.

30 June 2022
The Taliban holds an all-male gathering of 4,500 clerics and leaders in Kabul, issues an 11-point declaration which includes a call for the DFA authorities to “pay attention to the rights of minorities, children and women.”

7 July 2022
Statement issued banning women from visiting parks if the park authorities cannot ensure partition between men and women.

1 August 2022
The de facto acting Minister of Virtue and Vice accuses the international community of trying to violate Afghan women’s dignity under the guise of human rights, including by making them indecent and exposed.

20 September 2022
The Taliban order women medical students to not take photos or videos on campus.

6 October 2022
The Taliban expel girls who are 13 or older from primary schools in Kandahar.

10 November 2022
The de facto Ministry of Virtue and Vice announces a ban on women attending parks or gyms across Afghanistan.
13 November 2022
The de facto Ministry of Vice and Virtue orders public baths to be closed to women.

20 December 2022
The de facto Higher Education Ministry instructs all universities to suspend access to female students.

24 December 2022
International and national NGOs are ordered by the de facto Ministry of Economy to immediately suspend (Afghan) female staff from work.

6 January 2023
Morality police in Balkh order women-run market businesses to cease trading within one week.

30 January 2023
The de facto Ministry of Vice and Virtue bans female health workers in Kandahar from travelling to work without a mahram.

17 February 2023
Pharmacists in Kabul and Mazar-i-Sharif are ordered by the Taliban to stop stocking birth control medicine.

14 November 2022
The Taliban Supreme Leader announces the reintroduction of hudud and qisas – public corporal punishments and executions.

22 December 2022
The Taliban ban girls from attending any educational course beyond grade six.

27 December 2022
The Taliban ban women-run bakeries in Kabul.

28 January 2023
The de facto Higher Education Ministry issues an order via letter that private higher education institutions bar female students from registering or sitting entrance exams.

1 February 2023
All female doctors and health workers in Kabul are ordered by the Taliban to wear full hijab and cover their faces when working.