AI Index: IOR 40/7778/2024

29 February 2024

- CHECK AGAINST DELIVERY-

Oral Statement
UN Human Rights Council
55th session

Afghanistan: States must consider the urgent need for a mechanism to collect and preserve evidence – joint statement for the interactive dialogue with the Special Rapporteur on the Situation of Human Rights in Afghanistan

Mr. President,

In this joint-statement we welcome all the efforts by the UN Special Rapporteur on the Situation of Human Rights in Afghanistan and express our continuing concern regarding the lack of accountability for serious past and ongoing human rights violations – including those that may amount to crimes under international law.

The Taliban`s intentional and severe deprivation of fundamental rights of women and girls contrary to international law may, as documented by Amnesty International, amount to the crime against humanity of gender persecution. Additionally, extrajudicial killings, torture and other ill-treatment, including public corporal punishment, arbitrary arrest, unlawful detention and enforced disappearance, amongst other serious violations, continue to prevail with impunity under the Taliban. The Taliban have also been carrying out public executions.

Many have been arbitrarily arrested, forcibly disappeared, subjected to torture, and unlawful and incommunicado detention by the Taliban. Woman human rights defender Manizha Seddiqi, education activists Ahmad Fahim Azimi and Sediqullah Afghan are currently imprisoned unjustly and the Taliban refuse to release them despite holding no evidence against them.

Measures violating the rights of women and girls have been steadily increasing, this includes, as highlighted by the Special Rapporteur, the Taliban's unlawful and arbitrary arrests of women and girls for non-compliance with harsh dress codes (hijab), that primarily targeted Hazaras and Tajik populated areas.

Afghanistan has a long track record of impunity that is exacerbated by the lack of accountability for crimes under international law committed by the Taliban, as well as for those committed by other parties in conflicts prior to the Taliban takeover of the country. Furthermore, attacks by the Islamic State in Iraq and the Levant-Khorasan (ISIS) against Shia Muslims of Hazara ethnicity also continue to claim lives.

In this context, we note with concern that there is, at present, no dedicated international mechanism to collect and preserve evidence of serious violations in Afghanistan for criminal proceedings. We call on this Council to establish such a body when it considers its next resolution on Afghanistan.

We ask the Special Rapporteur how his repository of information can contribute to the work of a future body for the collection and preservation of evidence for criminal proceedings?

Thank You.