

Subject: Urgent Call for EU Action on Afghan Women's Rights

Dear President of the European Commission Ursula Von der Leyen, European Commission,

Dear High Representative of the European Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, Kaja Kallas,

Dear European Commissioner for International Partnerships, Jozef Síkela

Dear European Commissioner for Preparedness, Crisis Management and Equality, Hadja Lahbib,

Dear Chargée d'Affaires of the EU Delegation to Afghanistan, Veronika Boskovic Pohar (maybe in cc)

Dear Raquel García Hermninda-Van der Walle, Chair of the EP Delegation Delegation for the relations with Afghanistan

Dear Mounir Sartouri, Chair of the EP Sub-Committee on Human Rights

We, the alumni of the <u>European Masters in Human Rights and Democratisation (EMA)</u>, part of the <u>Global Campus for Human Rights</u>, write to express our deep concern over the continuing and systemic violations of human rights since the Taliban's return to power in August 2021. The situation has rapidly deteriorated, and particularly Afghan girls and women face unprecedented oppression and institutionalised discrimination, including exclusion from education, forced unemployment, and severe restrictions on their movement and freedoms, all of which have a detrimental immediate and long-term impact on Afghan society as a whole.

These repressive measures have led to widespread poverty and starvation. Women who resist these discriminatory policies are subjected to violence, imprisonment, torture, sexual abuse, rape and forced disappearances. These actions are blatant violations of international human rights standards, and the international community must not normalize this situation.

We commend the European Parliament's resolution of 19 September 2024 on the deteriorating situation of women in Afghanistan, particularly following the adoption of the

"Promotion of Virtue and Prevention of Vice" law, another step taken by the Taliban to restrict the situation for Afghan women and girls. This resolution highlights the urgent need for action on behalf of Afghan women. We also acknowledge the important discussions held during the constitutive meeting of the European Parliament's Delegation for Relations with Afghanistan on 3 October 2024, which reflect the EU's ongoing commitment to addressing these human rights violations. While these efforts are commendable, we urge the European Commission to ensure that such concerns are translated into actions at the EU level.

However, despite these efforts, the current regime continues to restrict women's rights. For example, in December 2024, Taliban leader Hibatullah Akhundzada issued a directive barring women from attending medical and semi-professional institutes, closing one of the last avenues for higher education. Additionally, institutes in provinces such as Daikundi and Herat were systematically shut down in late 2024 and early 2025. These actions highlight the urgent need for more decisive and comprehensive EU measures.

In light of these horrific circumstances, we urge the European Commission to consider the following actions to support Afghan women and promote their rights both inside Afghanistan and in the diaspora:

1. Strengthen Human Rights Monitoring and Increase Targeted Sanctions Against the Taliban Regime

The EU has a responsibility to hold the Taliban accountable for its violation of human rights, especially the rights of Afghan women, girls and LGBTQI+ members. Therefore:

We support the Afghan civil society's call to support the establishment of an independent fact-finding and accountability mechanism for Afghanistan through UNHRC. The mechanism should have a mandate and sufficient financial and technical resources to adequately investigate, collect, consolidate, preserve and analyse evidence to facilitate future criminal proceedings in national and international courts. Such a mechanism should be designed to advance accountability for past and ongoing violations and abuses of human rights and crimes under international law, including those faced by women and girls and LGBTQI+ people across Afghanistan. We urge the EU, the Afghanistan penholder in UNHRC, to suggest establishing such a mechanism in the upcoming UNHRC regular session. Additionally, we commend the UNSR for Afghanistan's efforts and emphasise the need for renewal and full support of his mandate.

We call on the EU to implement additional targeted sanctions on Taliban officials responsible for enforcing policies that harm women. This should include measures

to restrict their access to international finance and travel, along with other punitive actions aimed at compelling the Taliban to respect women's rights.

Targeted sanctions serve as a punitive measure and help identify violators more clearly, showing who is involved in enforcing oppressive policies. This approach encourages further research and transparency among scholars. It is crucial to monitor the implementation of these sanctions and assess their effectiveness in driving behavioural changes within the Taliban regime. This should include documenting their impacts and the challenges faced during implementation.

2. EU Recognition of Gender Apartheid in Afghanistan as a Crime Against Humanity

We welcome the European Parliament's resolution of 19 September 2024, which acknowledges the deteriorating situation of women in Afghanistan due to the "Promotion of Virtue and Prevention of Vice" law. However, further steps are required to strengthen the legal framework. The term "gender apartheid" must be legally recognised as a crime against humanity in the EU and European legal systems as well as in the UN draft convention on crimes against humanity, which is under discussion. We urge the European Commission to take all necessary steps to advocate for the criminalisation of gender apartheid as a specific crime under international law and to raise this issue in every human rights multilateral and bilateral discussion. We also urge the EU to lead efforts in documenting and publicising the ongoing gender apartheid in Afghanistan, ensuring that the world remains aware of the situation and that these repressive policies are never tolerated.

3. Expedited Refugee Status and Protection for Afghan Women Inside and Outside Afghanistan

Afghan women remain at risk of persecution, gender apartheid, other kinds of severe human rights violence, torture, forced marriage, and imprisonment if they stay in Afghanistan. Exiting the country is a bureaucratic and dangerous ordeal. The EU should expedite the asylum process for Afghan women, girls and members of LGBTQI+ by ensuring that they receive the necessary protection, support, and access to the labour market inside and outside Afghanistan. Special attention should be given to the most vulnerable, including women with children, pregnant women, and those who have been directly involved in advocacy or activism for women's rights.

We welcome the European Court of Justice (ECJ) ruling of October 2024, which acknowledges that Afghan women's gender and nationality alone are sufficient grounds for granting asylum within EU member states. However, implementation has been inconsistent across member states, with some blatantly disregarding the ruling and adopting restrictive immigration policies. **We urge the European Commission to use**

its political influence, cooperation tools, and legal authority to enforce the ECJ ruling across all EU member states, ensuring compliance throughout the EU.

4. Increased Humanitarian Support for Afghan Women and Girls

The European Union must commit to continuing funding for humanitarian aid specifically directed at Afghan women and girls. This support should focus on programs that provide access to education, healthcare, economic opportunities, and protection from violence. In particular, support for women's vocational training, mental health services, and reproductive healthcare is essential to help Afghan women rebuild their lives in the face of extreme adversity. Providing basic necessities, including food and shelter, for displaced Afghan women must also remain a priority. We urge the humanitarian aid provider to ensure that the Taliban apartheid regime does not benefit from the aid or influence the aid distribution.

5. Advocacy for Afghan Women's Representation in International Forums and Increased Funding for Civil Society Organisations (CSOs) Working on Women's Rights Issues

The European Commission should advocate for the inclusion of Afghan women and girls in all international dialogues and negotiations concerning Afghanistan's future. This includes ensuring Afghan women's participation and representation in all talks with the Taliban, peace negotiations, aid discussions, and any other forums where decisions about the country and its future are made. Afghan women must be allowed to participate in shaping their own future, and their voices must be heard in the international, regional and national communities and groups. This should be a sine qua non-condition when "engaging" with the Taliban regime. Connecting Afghan women to civil society organizations working on Afghanistan and EU policymaking is crucial.

The situation for Afghan women is dire, and we are at a critical juncture in determining how the international community will respond. While we acknowledge the progress the EU has made, we call on the European Commission to take concrete actions that will protect Afghan women and girls from further harm and empower them to reclaim their rights.

We respectfully call upon the European Commission to lead the way in advocating for the rights of Afghan women and girls by ensuring that these recommendations are addressed in diplomatic talks, pressuring the Taliban regime to respect women's basic freedoms and rights, and providing tangible support to those suffering. The EU and its state members must uphold its commitments to human rights and gender equality, ensuring that Afghan women and girls are not abandoned in their time of need.

We look forward to your response and hope the European Commission will act swiftly and decisively to protect the lives and rights of Afghan women and girls and contribute to a sustainable, democratic and just future for Afghanistan.

Thank you for your attention to this critical issue.

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