During the Taliban’s previous rule from the 1990s to the early 2000s, women in Afghanistan lived as second-class citizens—devoid of basic civil rights.[[1]](#footnote-1) Women were forced to marry, were excluded from public life, were not able to attend school or hold employment, and could not leave their home without a male chaperone.[[2]](#footnote-2) When the Taliban was ousted by the U.S. government in the early 2000s, women began to make remarkable progress towards equal rights.[[3]](#footnote-3) However, those 20 years of progress were eviscerated overnight, when the Taliban regained power following the United States’ withdrawal from Afghanistan in August of 2021. Women once again face oppression and persecution in Afghanistan.[[4]](#footnote-4) The Taliban have quickly restricted women’s ability to engage in public life: including access to most job sectors, to various levels of education, to health services, to the media, and to government participation.[[5]](#footnote-5)

Prior to the Taliban’s takeover, women composed 89 of the 352 members of parliament.[[6]](#footnote-6) There were similarly 13 female ministers and deputy ministers.[[7]](#footnote-7) After the takeover, the previous government was dismantled and replaced by an *all-male* 53-member cabinet.[[8]](#footnote-8) Women have effectively been banned from government. The Ministry of Women’s Affairs—founded in 2001 to advance women’s rights—was similarly disbanded and replaced by the Ministry for Propagation of Virtue and Prevention of Vice;[[9]](#footnote-9) a ministry notorious for its history of abuse against women from 1996 – 2001 when it arbitrarily enforced its restrictions through public beatings and imprisonment.[[10]](#footnote-10) The Taliban have also severely restricted women and girl’s access to education. Since the Taliban’s takeover, less than a third of the country’s 34 provinces have reopened their girls’ schools.[[11]](#footnote-11) Girls, similarly, no longer have access to secondary education in Afghanistan—the Taliban have closed most institutions to females.[[12]](#footnote-12) The Taliban had previously stated that schools above the sixth grade would reopen for girls after March 23, 2022—an eight month wait. However, once March 23rd arrived, the Taliban reneged on the promise and stated that education above the sixth grade would remain closed for girls “until school uniforms are designed in accordance with the Afghan customs, culture, and Sharia law.”[[13]](#footnote-13) The Taliban have also created barriers for those pursuing higher education.[[14]](#footnote-14) Those who have been able to resume classes have been segregated from their male counterparts in their classrooms and cannot be taught by male professors unless no female professor is available. Education officials have likewise banned women professors from teaching male students.[[15]](#footnote-15) Student’s curricula have furthermore been altered to include more religious studies and a dress code—enforced through inspection and intimidation—has been implemented.[[16]](#footnote-16)

The persecution similarly expands to employment. The Taliban have pushed women out of most job sectors.[[17]](#footnote-17) Women have been pushed out of journalism, education (if they taught at boys’ schools and universities), government, most aid work, law, and sports—among other fields.[[18]](#footnote-18) Female activists, who are particularly vulnerable to the Taliban’s violence, have had to flee or to go into hiding.[[19]](#footnote-19) It’s largely only female healthcare workers and teachers who teach girls, as well as women in fields that men cannot fulfill, that are allowed to go to work.[[20]](#footnote-20) Nevertheless, those that have been allowed to return to work have been segregated from their male counterparts and have been given “behavior” codes and dress codes.[[21]](#footnote-21)

 Women also face restrictions in the media. The Taliban have issued guidelines prohibiting television channels from broadcasting TV dramas featuring female actresses.[[22]](#footnote-22) Some women have been replaced by males in several programs and female journalists are required to wear hijabs.[[23]](#footnote-23) By December 2021, 84% of female journalists in Afghanistan had lost their jobs.[[24]](#footnote-24) Among women in the media, activists and women who worked for nongovernmental organizations are particularly vulnerable to threats and persecution by the Taliban.[[25]](#footnote-25) Women activists have reportedly been detained or disappeared.[[26]](#footnote-26) Women who previously worked for the security forces or police under the former government have similarly been attacked and killed.[[27]](#footnote-27)

Given all these restrictions, since the Taliban have taken over, women have become afraid to leave their homes. In many places in Afghanistan women have been banned from leaving their homes without a male chaperone—called a “mahram”.[[28]](#footnote-28) Although the Taliban’s official stance is that mahrams are only required for trips that are longer than three days, some Taliban officers have been accosting women who leave their home without a male relative regardless of where the women are going.[[29]](#footnote-29) This policy has severely restricted women’s mobility and their ability to go to work, go to school, to be self-sufficient, and to obtain medical care. Although enforced marriages are not currently being implemented by the Taliban, women who do not have a male family member to serve as a mahram are finding themselves trapped at home and feeling pressure to get married in order to have someone to accompany them to fulfill their daily tasks to avoid reprisals from the Taliban.[[30]](#footnote-30) Taxi drivers have furthermore been instructed not to pick up women who are not wearing a hijab or who want to travel over 45 miles without a male chaperone.[[31]](#footnote-31) Airlines have similarly been instructed to deny women the ability to board a flight if they are not accompanied by a male chaperone.[[32]](#footnote-32) The Taliban have even created restrictions on what kind of technology and cellphones women are allowed to have, restricting their access to information, including health information.[[33]](#footnote-33) Women have likewise been banned from public bathhouses, which are traditionally used by women as part of a purification ritual under Islamic law.[[34]](#footnote-34) Parks have similarly been segregated; the Ministry of Promotion of Vice and Virtue has declared that women will only be allowed to visit public parks three days of the week, while men will be able to visit the other four.[[35]](#footnote-35) In effect, this means families and couples cannot visit public parks together.[[36]](#footnote-36)

Beyond imposing restrictions and employing violence against women, the Taliban have also made women more vulnerable to private violence. The Taliban have disregarded the 2009 Law on the Elimination of Violence Against Women and dismantled specialized courts and prosecutors units that were created to enforce the law.[[37]](#footnote-37) The Taliban have closed or targeted services for women experiencing gender-based violence such as shelters.[[38]](#footnote-38) They furthermore set many previously incarcerated persons free when they took over the government, including individuals who had been imprisoned for violence against women—putting the women they hurt, and the safe house directors and counselors who helped the women, in danger of reprisals.[[39]](#footnote-39) The requirement that women have a mahram when they go out in public has also created a state of dependency that traps women in violent relationships.[[40]](#footnote-40)

Since the Taliban took power, women in Afghanistan live in constant fear and severely restricted. Many do not feel safe leaving their homes. Some women who were able to, fled Afghanistan. Those who were left behind, currently face the choice of living an oppressed life or facing violence and possibly death. Given that it is the government that is oppressing them, women have no form of redress in Afghanistan.

1. Int’l Rescue Comm., Afghanistan: Situation of Single Women 6 (Sept. 2021), <https://www.clearygottlieb.com/-/media/files/irap/coi-reports/single-women-pdf.pdf> [hereinafter Situation of Single Women]; Heather Barr, *Standing with Afghan Women and Girls on International Women’s Day*, Hum. Rts. Watch (March 8, 2022, 8:00 AM), https://www.hrw.org/news/2022/03/08/standing-afghan-women-and-girls-international-womens-day. [↑](#footnote-ref-1)
2. Situation of Single Women, *supra* note 1, at 6. [↑](#footnote-ref-2)
3. *Id.* at 10. [↑](#footnote-ref-3)
4. *Id.* [↑](#footnote-ref-4)
5. UN High Comm’r for Hum. Rts (Iran), Afghanistan Situation: Emergency Preparedness and Response in Iran (Jan. 2022), https://data2.unhcr.org/en/documents/details/90577; *Afghanistan: Taliban Attempting to Steadily Erase Women and Girls from Public Life – UN Experts*, UN Hum. Rts Off. of the High Comm’r (Jan. 17, 2022), <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=28029&LangID=E> (“[T]he experts highlighted their particular concerns for women human rights defenders, women civil society activists and leaders, women judges and prosecutors, women in the security forces, women that were former government employees, and women journalists, all of whom have been considerably exposed to harassment, threats of violence and sometimes violence, and for whom civic space had been severely eroded.”). [↑](#footnote-ref-5)
6. Eltaf Najafizada, *A Taliban Ban on Women in the Workforce Can Cost Economy $1bn*, Aljazeera (Dec. 1, 2021), https://www.aljazeera.com/economy/2021/12/1/talibans-ban-on-women-in-the-workforce-can-cost-economy-1bn. [↑](#footnote-ref-6)
7. *Id.* [↑](#footnote-ref-7)
8. *Id.*; Heather Barr, *For Afghan Women, the Frightening Return of ‘Vice and Virtue*,’ Hum. Rts. Watch (Sept. 29, 2021, 10:00 AM), https://www.hrw.org/news/2021/09/29/afghan-women-frightening-return-vice-and-virtue; Frud Bezham, *Afghan Women At Forefront of Nonviolent Resistance to**Taliban*[,](https://gandhara.rferl.org/a/women-resistance-afghanistan/31454337.html) Gandhara (Sept. 10 2021), https://gandhara.rferl.org/a/women-resistance-afghanistan/31454337.html (“The Taliban said women were not suited to serve in the cabinet.”); Alasdair Pal, *Taliban Replaces Women’s Ministry With Ministry of Virtue And Vice*, Reuters (Sept. 17, 2021), https://www.reuters.com/world/asia-pacific/taliban-replaces-womens-ministry-with-ministry-virtue-vice-2021-09-17. [↑](#footnote-ref-8)
9. Heather Barr, *For Afghan Women, the Frightening Return of ‘Vice and Virtue*,’ Hum. Rts. Watch (Sept. 29, 2021, 10:00 AM), https://www.hrw.org/news/2021/09/29/afghan-women-frightening-return-vice-and-virtue; *Afghanistan: Taliban Deprive Women of Livelihoods, Identity*, Hum. Rts. Watch (Jan. 18, 2022, 12:01 AM), https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity. [↑](#footnote-ref-9)
10. Heather Barr, *For Afghan Women, the Frightening Return of ‘Vice and Virtue*,’ Hum. Rts. Watch (Sept. 29, 2021, 10:00 AM), https://www.hrw.org/news/2021/09/29/afghan-women-frightening-return-vice-and-virtue (“The ministry beat women publicly for, among other things, wearing socks that were not sufficiently opaque; showing their wrists, hands, or ankles; and not being accompanied by a close male relative. It barred women from educating girls in home-based schools, from working, and from begging.”). [↑](#footnote-ref-10)
11. Emma Graham-Harrison, *‘We Have Never Given Up’: How Afghan Women Are Demanding Their Education Under The Taliban*, The Guardian (Feb. 10, 2022, 6:00 AM), https://www.theguardian.com/world/2022/feb/10/we-have-never-given-up-how-afghan-women-are-demanding-their-education-under-the-taliban; *Afghanistan: Taliban Deprive Women of Livelihoods, Identity*, Hum. Rts. Watch (Jan. 18, 2022, 12:01 AM), https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity (noting that girls’ secondary schools were closed in 27 out of 34 of Afghanistan’s provinces). [↑](#footnote-ref-11)
12. Int’l Rescue Comm., Afghanistan: Situation of Single Women 6 (Sept. 2021), https://www.clearygottlieb.com/-/media/files/irap/coi-reports/single-women-pdf.pdf. [↑](#footnote-ref-12)
13. Safiullah Padshah & Christina Goldbaum, *Taliban Renege on Promise to Open Afghan Girls’ Schools*, N.Y. Times (Mar. 23, 2022), https://www.nytimes.com/2022/03/23/world/asia/afghanistan-girls-schools-taliban.html; *Statement by the Secretary-General - on Afghanistan*, U.N. Assistance Mission in Afghanistan (Mar. 23, 2022), https://unama.unmissions.org/statement%E2%80%AF%E2%80%AF%E2%80%AFsecretary-general%E2%80%AF-afghanistan; Susannah George, *Taliban Reopens Afghan Schools – Except for Girls Beyond Sixth Grade*, N.Y. Times (Mar. 23, 2022, 3:51 PM), https://www.washingtonpost.com/world/2022/03/23/taliban-afghan-girls-school-secondary. [↑](#footnote-ref-13)
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16. *Afghanistan: Taliban Deprive Women of Livelihoods, Identity*, Hum. Rts. Watch (Jan. 18, 2022, 12:01 AM), https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity. [↑](#footnote-ref-16)
17. Heather Barr, *When Foreign Man Talk to the Taliban About Women’s Rights*, Hum. Rts. Watch (Oct. 18, 2021, 12:15 PM), https://www.hrw.org/news/2021/10/18/when-foreign-men-talk-taliban-about-womens-rights; *Afghanistan: Taliban Abuses Cause Widespread Fear*, Hum. Rts. Watch (Sept. 23, 2021), https://www.hrw.org/news/2021/09/23/afghanistan-taliban-abuses-cause-widespread-fear

(“Employment for women, the women were told, would be permitted only in areas in which the Taliban felt it was necessary for women to do jobs. . . . The officials emphasized that the Taliban had made a concession by allowing girls even primary education and said girls could have basic education by learning to read and write, and that would suffice. They urged the women to support the Taliban and warned of harsh action if they opposed the Taliban or protested.”). [↑](#footnote-ref-17)
18. Heather Barr, *For Afghan Women, the Frightening Return of ‘Vice and Virtue,’* Hum. Rts. Watch (Sept. 29, 2021, 10:00 AM), https://www.hrw.org/news/2021/09/29/afghan-women-frightening-return-vice-and-virtue; *31st Special Session of the Human Rights Council, The Serious Human Rights Concerns and Situation in Afghanistan: Statement by Michelle Bachelet*, UN High Comm’r for Hum. Rts (Aug. 24, 2021), https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27403&LangID=E (“In 2021, 27 percent of members of parliament and one fifth of civil servants were women.”); Heather Barr, *When Foreign Man Talk to the Taliban About Women’s Rights*, Hum. Rts. Watch (Oct. 18, 2021, 12:15 PM), https://www.hrw.org/news/2021/10/18/when-foreign-men-talk-taliban-about-womens-rights; (“‘I don’t think women will be allowed to play cricket because it is not necessary that women should play cricket,’ the deputy head of their cultural commission said.”); [Paul Workman](https://www.ctvnews.ca/ctv-national-team/paul-workman-1.815589), *'We Have Nothing Now': Female Taekwondo Star Banned From Sport by Taliban*, CTV News (Jan. 27, 2022), https://www.ctvnews.ca/world/we-have-nothing-now-female-taekwondo-star-banned-from-sport-by-taliban-1.5757833**;** [Emma Graham-Harrison](https://www.theguardian.com/profile/emma-graham-harrison) & Akhtar Mohammad, *‘I Am Losing My Skills’: Female Boxes Who Was on Afghan National Team*, The Guardian (Jan. 20, 2022), https://www.theguardian.com/world/2022/jan/20/i-am-losing-my-skills-female-boxer-who-was-on-afghan-national-team; George Wright, *Afghanistan Women’s Cricket Team: Players Hiding In Kabul Fear Taliban Rule*, BBC News (Sept. 1, 2021), https://www.bbc.com/sport/cricket/58396310 (“‘When the Taliban came here and took Kabul they threatened them, saying, “We may come and kill you if you try to play cricket again,”’ Asel says.”). [↑](#footnote-ref-18)
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20. *Afghanistan: Taliban Deprive Women of Livelihoods, Identity*, Hum. Rts. Watch (Jan. 18, 2022, 12:01 AM), https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity; *From Taliban to Taliban: Cycle of Hope, Despair on Women’s Rights*, Hum. Rts. Watch (Nov. 1, 2021), https://www.hrw.org/news/2021/11/01/taliban-taliban-cycle-hope-despair-womens-rights; *Afghan Women Seek Right to Return to Govt Jobs*, TOLO News (Sept. 10, 2021), https://tolonews.com/index.php/afghanistan-174594; *Afghanistan: Taliban Blocking Female Aid Workers*, Hum. Rts. Watch (Nov. 4, 2021), https://www.hrw.org/news/2021/11/04/afghanistan-taliban-blocking-female-aid-workers (citing previous female government workers at 5,000); UN High Comm’r for Hum. Rts, Regional Bureau For Asia And Pacific (Rbap), Flash External Update: Afghanistan Situation #5 (Sept. 2021), <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR%20Regional%20Bureau%20for%20Asia%20and%20Pacific%20%28RBAP%29%20Bi-Weekly%20External%20Sitrep%20-%20Afghanistan%20Situation%20%235%2C%20as%20of%2008%20September%202021.pdf>. [↑](#footnote-ref-20)
21. *Afghanistan: Taliban Deprive Women of Livelihoods, Identity*, Hum. Rts. Watch (Jan. 18, 2022, 12:01 AM), https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity (“‘A health worker said her boss arranged a meeting with a senior Taliban official. ‘The hospital assembled all female staff to tell us how we should behave after this,’ she said. ‘How we should dress, and how we should work separately from the male personnel. We were advised to talk to male personnel in an insolent manner and angry tone, not in a soft tone, so that we don’t evoke sexual desires in them.’”). Some women have expressed their dress code, namely long dresses for nurses, are hazardous in their fields. [↑](#footnote-ref-21)
22. *Taliban Forces Pepper-Spray Women’s Rights Protesters In Kabul*, The Guardian (Jan. 16, 2022), <https://www.theguardian.com/world/2022/jan/16/taliban-forces-pepper-spray-women-rights-protesters-kabul>; Azadi, *Afghan Women Banned From Making Trips Unless Chaperoned By A Chaperone*, Gandhara (Dec. 26, 2021), <https://gandhara.rferl.org/a/taliban-woman-banned-travel-chaperone/31626822.html>; Farah Najjar, *Afghan Women Speak Up Against New Taliban Media Guidelines*, AlJazeera (Nov. 25, 2021). https://www.aljazeera.com/news/2021/11/25/afghan-women-speak-up-against-new-taliban-media-guidelines. [↑](#footnote-ref-22)
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25. *Afghanistan: Taliban Deprive Women of Livelihoods, Identity*, Hum. Rts. Watch (Jan. 18, 2022, 12:01 AM), https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity; *Afghanistan: Taliban Abuses Cause Widespread Fear*, Hum. Rts. Watch (Sept. 23, 2021), https://www.hrw.org/news/2021/09/23/afghanistan-taliban-abuses-cause-widespread-fear (“‘For these women, the best-case scenario is to be unharmed but forced to live a drastically diminished existence. The worst-case scenario is to be arrested or attacked for their past achievements or for their fight to keep their hard-earned rights.’”). [↑](#footnote-ref-25)
26. Emma Graham-Harrison, *Taliban Have Detained 29 Women And Their Families In Kabul, Says US Envoy*[,](https://www.theguardian.com/world/2022/feb/12/taliban-have-detained-29-women-and-their-families-in-kabul-says-us-envoy) The Guardian (Feb. 12, 2022), https://www.theguardian.com/world/2022/feb/12/taliban-have-detained-29-women-and-their-families-in-kabul-says-us-envoy; Ali M. Latifi, *Rights Groups Accuse Taliban Of Rolling Back Civil Liberties*[,](https://www.aljazeera.com/news/2021/9/20/rights-groups-accuse-taliban-of-rolling-back-civil-liberties) AlJazeera (Sept. 20, 2021), https://www.aljazeera.com/news/2021/9/20/rights-groups-accuse-taliban-of-rolling-back-civil-liberties; *4 Missing Women Activists Freed: UNAMA*[,](https://avapress.com/en/258122/4-missing-women-activists-freed-UNAMA) Afghan Voice Agency (Feb. 14, 2022), https://avapress.com/en/258122/4-missing-women-activists-freed-UNAMA. [↑](#footnote-ref-26)
27. Emma Graham-Harrison, *Taliban Have Detained 29 Women And Their Families In Kabul, Says US Envoy*[,](https://www.theguardian.com/world/2022/feb/12/taliban-have-detained-29-women-and-their-families-in-kabul-says-us-envoy) The Guardian (Feb. 12, 2022), https://www.theguardian.com/world/2022/feb/12/taliban-have-detained-29-women-and-their-families-in-kabul-says-us-envoy; Emma Graham-Harrison*, ‘I Loved My Job in the Police. Then the Taliban Came for Me’*, The Guardian (Nov. 14, 2021), https://www.theguardian.com/world/2021/nov/14/i-loved-my-job-in-the-police-then-the-taliban-came-for-me. [↑](#footnote-ref-27)
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