

CSHL NEWSLETTER

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Women's Rights in Afghanistan under the Second Rule of the Taliban Government

From a legitimate government ruling Afghanistan from 1996 to 2001 to a terrorist group named by the West, the Taliban has now returned to Kabul, the capital city of Afghanistan, as the ruler of the nation during the total withdrawal of US troops in Afghanistan leading to the collapse of the Afghan government led by President Ashraf Ghani.[1]

This event marked a new chapter of Afghan history and the re-enforcement of Sharia law covering the limitations of women's rights.[2] The first rule of the Taliban saw the stringent enforcement of Sharia law, while this time, the Taliban has pledged to extend rights to women by providing them access to work and education.[3]

However, the actual implementation seems to be contrary to its pledge. Girls are not allowed to attend secondary education since the Taliban government's announcement only opened schools for boys.[4] In addition, eight new rules imposed by the Taliban group has banned women from being filmed in dramas in Afghanistan which the group considers against Sharia principles.[5]

Afghanistan has been a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) since 1983.[6] Article 3 of the covenant clearly states gender equality between men and women in economic, social and cultural rights.[7] Additionally, Article 6 and 13 of ICESCR recognize the right of everyone to work and education respectively.[8] Therefore, the Taliban government is violating the covenant in its name as a member state.

The international community has expressed concern over the matter.[9] Simultaneously, the UN Committee on the Elimination of Discrimination against Women (CEDAW) and the UN Committee on the Rights of the Child (CRC) urge the Taliban to honor its promise to respect the fundamental human rights of women and girls.[10]

[1] Rajeev Agarwal, 'The Taliban Takeover In Afghanistan: Who Is Really To Blame?' (The Diplomat, 2021)

<https://thediplomat.com/2021/09/the-taliban-takeover-in-afghanistan-who-is-really-to-blame/>

[2] 'What Is Sharia Law? What Does It Mean For Women In Afghanistan?' (BBC News, 2021)

<https://www.bbc.com/news/world-27307249>

[3] 'Taliban Promises Women's Rights Under 'Islamic Law' (VOA, 2021)

<https://learningenglish.voanews.com/a/taliban-promises-women-s-rights-under-islamic-law-/6006103.html>

[4] 'Taliban Ban Girls From Secondary Education In Afghanistan' (The Guardian, 2021)

<https://www.theguardian.com/world/2021/sep/17/taliban-ban-girls-from-secondary-education-in-afghanistan>

[5] 'Afghanistan: Taliban Unveil New Rules Banning Women In TV Dramas' (BBC News, 2021)

<https://www.bbc.com/news/world-asia-59368488>

[6] 'OHCHR Dashboard' (OHCHR, 2021) <https://indicators.ohchr.org/>

[7] International Covenant on Economic, Social and Cultural Rights, Art. 3.

[8] International Covenant on Economic, Social and Cultural Rights, Art. 6 & 13.

[9] 'Abandoning Afghanistan Now, Amid Humanitarian Crisis, Would Be 'Historic Mistake'', Special Representative

Tells Security Council | Meetings Coverage And Press Releases' (United Nations, 2021)

<https://www.un.org/press/en/2021/sc14706.doc.htm>

[10] 'Afghanistan: UN Committees Urge Taliban To Honour Their Promises To Protect Women And Girls' (OHCHR, 2021)

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27414&LangID=E>

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