BÂTONNIÈRES
DU MONDE

PRESS RELEASE
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INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN

Afghan women: erased by decree, defended by law

On 25 November, Bâtonnières du Monde, which brings together women who lead or have led bar associations around the world, dedicates this day to the women and girls of Afghanistan. Its members call for gender apartheid to be recognised as a crime against humanity, and for those responsible for this persecution to be held accountable.

Some forms of violence strike in the shadows. In Afghanistan, violence against women is carried out in broad daylight under the law.

Since the Taliban's return to power in August 2021, decree by decree, women have been removed from Afghan society. Beyond the age of twelve, girls are no longer allowed to go to school. University, most forms of employment, public spaces and travel without a male guardian are all forbidden to them. In August 2024, the Law on the Propagation of Virtue and the Prevention of Vice formalised this exclusion: faces and bodies covered, women's voices banned in public.

The restrictions keep tightening, down to the windows of homes, which must now be blocked when they overlook spaces used by women. Since 2024, further measures have restricted women's employment, their access to vocational training and their participation in civil society. The last medical training programmes still open to them have been closed. In a country where women can, in practice, only be treated by other women, it is their health as well as their lives that are being condemned.

To appear. To speak. To learn. To seek care. To live. Everything is forbidden to them. In Afghanistan being a woman is an offence. They are guilty, in a word, of existing.

On 12 October in Geneva, during the General Assembly of Bâtonnières du Monde, Fawzia Koofi, former Deputy Speaker of the Afghan National Assembly bore witness to this before the bar presidents and vice-presidents gathered for the occasion. She described a country where women have been made invisible and where violence towards women is the norm. She asked us to protect those whose voices have been confiscated. She also warned us that what Afghan women are living through today, other women could live through tomorrow. This 25 November, we are standing alongside her.

When the law becomes an instrument of oppression, it is through the law that we must respond.

A JUSTICE SYSTEM EMPTIED OF ITS WOMEN

As women who lead or have led bar associations, we understand what the dismantling of a justice system means. Before 2021, Afghanistan had women judges, prosecutors, lawyers and academics whose work, alongside that of their male counterparts, contributed to building the rule of law and protecting human rights. They have been driven out. Many now live in hiding or in exile, threatened for having applied the law and defended other women.

These measures violate the most fundamental principles of international law: equality before the law, the right to education, the right to work, freedom of movement and freedom from discrimination. Afghanistan remains bound by its international human rights obligations. The Taliban regime violates them every day.

A system that denies half its population equality before the law is anything but the rule of law. It is its very opposite.

THE LAW MUST NAME THE CRIME

UN experts, lawyers and human rights organisations have described this system as gender apartheid. Yet international law does not recognise it as such. Under the auspices of the United Nations, States are preparing the first international convention dedicated to crimes against humanity. This future treaty must be the opportunity to finally name what is happening in Afghanistan in the language of the law.

International justice has begun to respond. The International Criminal Court has issued arrest warrants against the Taliban's supreme leader, the head of their Supreme Court and two ministers responsible for education, for the crime against humanity of gender-based persecution. These warrants must now be enforced.

OUR CONVICTIONS, OUR COMMITMENT

Bâtonnières du Monde affirms that:

gender apartheid must be recognised by international law for what it is: a crime against humanity;

those responsible for this crime must answer for their actions before a court of law;

Afghan women at risk must be able to find protection and refuge.

Bâtonnières du Monde is committed to making the situation of Afghan women heard in every forum in which its members sit, committed to rejecting any normalisation of the regime that persecutes them and committed to supporting those who, from exile, continue to fight for the rights of all women.

Their suffering will never be our silence.