



Plenary sitting

B9-0501/2022

22.11.2022

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on **The Human rights situation in Afghanistan especially the deterioration of women's rights and attacks against educational institutions,**
(2022/2955(RSP))

Marisa Matias, Clare Daly
on behalf of The Left Group

**European Parliament resolution on The Human rights situation in Afghanistan especially the deterioration of women's rights and attacks against educational institutions,
(2022/2955(RSP))**

The European Parliament,

- having regard to its previous resolutions on Afghanistan,
- having regard to the Charter of the United Nations,
- having regard to the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights,
- having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
- having regard to the UN Convention on the Rights of the Child,
- having regard to the UN Refugee Convention,
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- having regard to Rule 144 of its Rules of Procedure,

- A. Whereas the Taliban systematically violate the human rights of women and girls, who continue to be banned from travelling without a male chaperone, restricted from working, excluded from participating in public and political life, and forced to respect increasingly strict guidelines on clothing, having to cover from head to toe;
- B. whereas there are growing restrictions to the human rights of Afghan women and girls; whereas the Taliban have recently decreed that women should not leave their homes unless necessary, banning them from public spaces, including parks, restaurants, gyms, and public hammams; whereas for most women in Afghanistan this translates into a total confinement;
- C. whereas 850,000 girls have been barred from secondary education for over a year; whereas underground schools for girls have formed in various cities, despite the immense threats to students and teachers;
- D. whereas the Taliban's harassment of female students at university, as well as restrictions on students' behaviour, dress and opportunities have created an unsafe environment for female students; whereas the Taliban are restricting the courses women can enrol in at universities, and have expressed their intention to ban women from attending private universities after the fall semester 2022;

- E. whereas in 2021 and 2022, several schools and educational centres have been attacked in the predominantly Hazara district of Dasht-e Barchi, Kabul, notably Sayed ul Shuhada, Abdul Rahman Shahid, Mumtaz and the Kaaj; whereas the attacks left hundreds dead and wounded, most of them Hazara schoolgirls; whereas these attacks and the historical persecution of Hazaras could amount to crimes against humanity and genocide;
- F. whereas even before the Taliban's takeover, Afghanistan had already one of the highest rates of violence against women in the world, with nine out of ten women experiencing intimate partner violence; whereas women and girls are now at a higher risk of violence; whereas child marriage has sharply increased, and some girls are forced to marry members of the Taliban as a safety measure for families;
- G. whereas perpetrators of violence against women were released upon the takeover of the Taliban; whereas the nationwide support system for victims has been dismantled, leaving women and girls at grave risk and without avenues to seek shelter, medical care or legal recourse; whereas victims who were formerly based in shelters are now being detained due to alleged "moral corruption" or for fleeing abuse, they are denied access to legal counsel and subjected to torture as well as inhuman conditions in detention;
- H. whereas Afghanistan ranked last in the Global Gender Gap and the Global Women, Peace and Security Indexes (2021); whereas the Taliban dismantled institutions addressing women's rights, such as Ministry of Women's Affairs; whereas they have re-established the Ministry of Vice and Virtue;
- I. whereas, as a result of the catastrophic situation, suicide rates among women and young girls have skyrocketed;
- J. whereas gross human rights violations perpetuated by the Taliban continue to be reported daily, including arrest, incommunicado detention, abduction, torture, threats, extortion, raids and killings; whereas attacks against journalists, human rights defenders, women activists and protestors and their families are on the increase, with ethnic Hazara and Tajiks also being subject to forced eviction;
- K. whereas peaceful protests for women's rights in Afghanistan are being suppressed with force; whereas the Taliban have recently arrested several women's rights activists, including Parveen Sadaat, Farhat Popalzai, Humaira Yusuf and Zarifa Yaqoobi; whereas their whereabouts remain unknown; whereas restrictions on freedom of movement completely block any safe passage for women activists who need to flee;
- L. whereas there is an absolute lack of accountability and of remedial justice for victims;
- M. whereas there are 24 million people in Afghanistan in need of vital humanitarian relieve, with nearly 100% of Afghan female-headed households facing food insecurity; whereas the situation has worsened due to cuts in international development assistance, freezes of Afghanistan Central Bank assets, challenges in transferring humanitarian aid and severance from international market because of sanctions; whereas the situation is exacerbated by the increasing drought, earthquakes and flash floods due to climate change;

- N. whereas as of 31 December 2021, there were 3.5 million internally displaced persons in Afghanistan, and 2.3 million refugees from Afghanistan in neighbouring countries; whereas Turkish and Iranian security forces have unlawfully returned Afghan refugees, denied Afghans the opportunity to lodge claims for international protection, and used firearms as both a deterrent and a pushback method;
- O. whereas many Afghan asylum-seekers in the EU are in a situation of legal limbo that remains unaddressed by Member States; whereas the systematic non-compliance by Greece with the Asylum Procedures Directive as regards the safe third country concept has led Afghans having their claims dismissed as inadmissible and being ordered to return to Turkey;
- P. whereas 20 years after the illegal US/NATO intervention, the conflict has caused extensive human suffering and serious damage to the economic and social development in Afghanistan, which remains one of the poorest countries in the world and is largely dependent on foreign aid; whereas, for the fifth consecutive year, Afghanistan ranks the least secure country in the world in the Global Peace Index (2022); whereas there has been a complete lack of transitional justice to redress legacies of human rights abuses of the past twenty years;
1. Deplores the wholesale takeover of the country by the Taliban with all its implications for human rights, and reiterates its unwavering solidarity with the people in Afghanistan;
 2. Strongly condemns the severe rollback of women's rights in Afghanistan; calls on the de facto authorities to engage with women to develop and implement concrete action plans to ensure their human rights, including their right to live without violence, to education, to work, to health, including sexual and reproductive health, and to public and political participation, as well as their freedom of movement and of expression, association and peaceful assembly;
 3. In this regard, urges the de facto authorities to revoke the discriminatory policies and directives that restrict the rights of women and girls, including the ban on girls attending secondary schools, ensuring that the educational opportunities provided to women and girls are equal to that of men and boys;
 4. Calls for an independent investigation into the attacks against the educational centres in the Dasht-e Barchi district of Kabul, and to bring those responsible to justice; calls on the de facto authorities to protect schools from future attacks, and to ensure a safe and peaceful environment for all students to learn;
 5. Calls on the de facto authorities to take the necessary measures to combat violence against women and girls, including forced marriage and intimate partner violence, and to criminalise perpetrators without delay; calls on the de facto authorities to reopen the nationwide support system for victims;
 6. Urges the de facto authorities to reopen the Ministry of Women's Affairs, and to reinstate an independent national human rights institution, to protect and promote all human rights, receive complaints from the public;
 7. Deplores all human rights violations, including those perpetrated against human rights defenders, women activists, former government and security personnel, journalists and the

ethnic minorities; strongly condemns the decision of the Taliban Supreme Court to sentence nineteen people to public flogging; strongly condemns the arrest of Parveen Sadaat, Zarifa Yaqoobi, Farhat Popalzai and Humaira Yusuf, and calls for their immediate release; calls for an independent investigation into the cases of attacks against civil society and journalists, and to ensure an enabling environment for them to carry out their work without hindrance and fear of reprisal;

8. Reiterates that a sustainable end to the conflict in Afghanistan can only be achieved through an inclusive, just, Afghan-led and Afghan-owned peace and reconciliation process, with the full participation of all Afghans, in particular women, ethnic and religious communities, civil society and all parties to the conflict; recognises the efforts of the UN and regional partners in facilitating an inclusive peace and reconciliation process; calls on the EU and its Member States to support this process, and to prioritize women's rights in all discussions;
9. Condemns the disastrous legacy of decades of international intervention and illegal occupations, including by NATO, which have led Afghanistan to its present circumstances; calls for an investigation into corruption, money laundering, war crimes, and crimes against humanity on the part of NATO members plus Australia and institutions that carried out and perpetuated the illegal invasion and occupation of Afghanistan; insists that they must be subject to an adequate and effective investigation by an independent body and, where appropriate, be prosecuted;
10. Condemns threats by the US towards those who would cooperate with the ICC investigations into alleged crimes committed on the territory of Afghanistan since 1 May 2003; in this regard, condemns the subsequent decision of the ICC judges to reject the Prosecutor's request to open an investigation into the alleged crimes; regrets that this decision can further weaken its credibility;
11. Calls on for the establishment of an independent investigation and accountability mechanism for Afghanistan by the UN Human Rights Council, to comprehensively investigate and document serious human rights violations committed in the country, including against women and girls and the Hazara minority;
12. Highlights that the UN humanitarian response plan for Afghanistan faces a financing gap of \$3.14 billion; calls on the EU to strengthen its humanitarian assistance, and to follow the UN recommendations to implement the humanitarian exemption to the international sanctions regime to ensure compliance with international human rights and humanitarian law;
13. Calls on the EU Member States to provide humanitarian visas to Afghans seeking international protection in Europe, giving priority to women and girls; calls on the EU and its Member States to ensure that Afghans in their territories are protected, adequately assisted, and allowed to apply for asylum; calls on the EU Member States to make use of the Dublin provisions on family reunification; calls on the EU Member States to support the application of the Temporary Protection Directive for Afghans seeking international protection;
14. Calls on EU Member States to ensure that their authorities respect the principle of non-refoulement and refrain from unlawful practices such as pushbacks; calls on EU Member States to stop forced returns of Afghans to third countries, and to revise their laws deeming Turkey a safe third country for Afghan asylum-seekers; calls on EU Member States to revisit all asylum

rejections affecting Afghans and provide them permanent or temporary legal status, in line with national and EU Law; calls on the EU Member States to agree on a European mechanism of fair, proportional and mandatory distribution;

15. Calls on the EU to help Afghan refugee-hosting countries, notably by providing them with humanitarian, financial and technical assistance; calls on the Commission, in cooperation with UNHCR and Member States, to arrange legalised routes and safe travel for Afghan refugees; calls on EU Member States to step up resettlement opportunities of vulnerable Afghan refugees who are in neighbouring countries;
16. Condemns the decision of the US Administration to freeze \$7 billion of funds from Da Afghanistan Bank; warns that these actions undermine international law; calls for the urgent repatriation to Da Afghanistan Bank of all funds rightfully belonging to the Afghan people under the supervision of the UN;
17. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign and Security Policy, the governments and parliaments of the Member States, the Government and Parliament of Afghanistan, the ICC, the UN and NATO.