



کمیسیون مستقل حقوق بشر افغانستان
د افغانستان د بشر د حقونو خپلواک کمیسیون
AFGHANISTAN INDEPENDENT HUMAN RIGHTS COMMISSION

Afghanistan Independent Human Rights Commission

**Analysis and Assessment of International Human Rights and Humanitarian Law
Situation Following Taliban's Retake of Afghanistan**
(from August 15, 2021 to August 15, 2022)

Published by: Afghanistan Independent Human Rights Commission

Table of Content

INTRODUCTION:	1
PART I.	3
VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW	3
<i>Civilian Casualties:</i>	<i>3</i>
<i>Civilian casualties by gender and age:</i>	<i>3</i>
<i>Perpetrators of International Humanitarian Law Violations in Afghanistan:</i>	<i>4</i>
<i>Civilians Casualties Based on the Type of Incidents:</i>	<i>4</i>
<i>Civilian Casualties Based on Geographical Location:</i>	<i>5</i>
<i>Attack on journalists, civil activists and human rights defenders</i>	<i>6</i>
PART II.	8
CASES OF HUMAN RIGHTS VIOLATIONS	8
<i>Violation of the Right to Life</i>	<i>8</i>
<i>The right to freedom and personal security</i>	<i>8</i>
<i>The Right to Judicial Proceedings</i>	<i>8</i>
<i>The Right to Human Dignity</i>	<i>9</i>
<i>The Right to Housing</i>	<i>10</i>
<i>The Right to Education</i>	<i>11</i>
<i>The Right to Freedom of Marriage and Choosing a Spouse</i>	<i>11</i>
<i>The Right to Freedom of Assembly</i>	<i>12</i>
<i>The Right to Work and a Suitable Job</i>	<i>12</i>
CONCLUSION:	15
SUGGESTIONS AND RECOMMENDATIONS:	15

Introduction:

With the fall of the republic government and the Taliban's takeover of the country on August 15, 2021, the structure and function of Afghanistan's democratic system collapsed, putting the country's 20-year achievements in civil, political, social, economic, and cultural areas in a grave and irreparable danger. Civic institutions that fought for women's and human rights were dissolved.

The Afghanistan Independent Human Rights Commission (AIHRC), the Independent Commission for Overseeing the Implementation of the Constitution, the Afghanistan Independent Bars Association, and a number of other organizations were declared unlawful. The freedoms of speech, the media, and the flow of information are severely restricted. Women basically lost their political, civic, social, economic, and cultural rights, and Afghanistan under the Taliban became a true center of torture for the women in the country.

Over the last year, vulnerable and marginalized Hazara-Shia populations have not only lost their status as citizens in the eyes of ruling authorities, but they have also been subjected to a clear, serious, and terrible genocide. Our Sikh and Hindu countrymen were forced to flee their native homeland. The Achakzai tribe's members have been subjected to a great deal of harm and harassment in the country's southwestern provinces for a variety of reasons.

Thousands of government and non-government employees lost their jobs. The private sector went bankrupt, and poverty and unemployment reached such a high level in just one year that many poor and destitute citizens of the country were forced to sell their children due to extreme poverty. Many senior political, administrative, and military figures were forced to flee the country, while millions of desperate young people proceeded on the perilous and risky path of migration.

During this period, instead of apologizing to the Afghan people for the crimes they committed, the Taliban forgave the people for the crimes they had not committed and declared a general amnesty. The Taliban did not even remain true to their commitments in their so-called general amnesty. The former government's military and civilian personnel, as well as the entire vulnerable population of the country, were subjected to significant suffering and damage by the Taliban, violating the accepted international standards. The announcement of the general amnesty divided the society into two categories: sinners outside the scope of the Taliban's thinking and the innocent who spoke about the Taliban's rule. This fueled political hypocrisy and social hatred in the country.

The Taliban group, with its complete control over the whole country, has not yet been able to define and explain its government system in accordance with the common international standards, and it suffers from many contradictions and paradoxes in this regard. People are wondering how this group can expect worldwide recognition when it lacks the required national legitimacy and has not demonstrated willingness to align with the acknowledged ideals of the international community.

The United Nations member states that are committed to upholding the provisions of international human rights instruments should not recognize the self-proclaimed government of an illegitimate dominant group that continues to commit widespread human rights violations and has a "suicide military squad".

AIHRC, realizing its legal and national responsibility, has monitored and documented the painful human rights situation of the country's citizens in the last one year as much as possible, without any material facilities and with the cooperation of volunteer human rights activists. Through this documentary and analytical report, the Commission is now revealing the human rights situation of the suffering people to the public, the media, international human rights mechanisms, and the world's awakened consciences.

We do not emphasize that our report is complete and comprehensive, since we know that dozens of continuing human rights violations have been left out owing to a lack of facilities.

We can not disclose the sources of information or methods of gathering information used in this report due to security concerns. However, we clearly state that AIHRC, as always, is committed to publishing accurate and documented reports with a wholly non-political approach, and takes the necessary criteria into account while preparing monitoring and analytical reports.

This report has two parts plus an introduction. The international human rights situation is reflected in the first part, while the human rights situation of the country's population is assessed and analyzed in the second section.

Part I

Violations of International Humanitarian Law

In the last one year, the Taliban group has failed to establish even the most fundamental components of a legitimate government and the rule of law in the country. The Taliban's presence in power through coercion and tyranny is an obvious breach of international law. According to political science and international relations, Taliban rule is an imposed political system that lacks the right to monopolize power and impose legitimate coercive force on the Afghan people. Therefore, the Taliban's activities, under any name used with coercive power, or the decrees issued by this group's leadership, are regarded as breaches of the rules of international law.

Despite the fact that this self-proclaimed administration has no regard for democratic norms, international human rights principles, or human rights standards, it calls itself the government and representative of the Afghan people. These contradictions have weakened international support and help to Afghanistan, particularly the urgent assistance provided to the Afghan people. Today, if a man dies of hunger near Kabul Dehberi intersection, or if poor inhabitants of the country sell their children, the Taliban's disorganized leadership bears direct responsibility.

Our findings in the area of international humanitarian law violations in Afghanistan are shown below, demonstrating the extremely oppressive approaches of the Taliban and ISIS groups in the country.

CIVILIAN CASUALTIES:

According to AIHRC data, the Taliban's one-year rule in Afghanistan has been a difficult and painful year for the Afghan people. The Taliban group's refusal to comply to international human rights norms and recognized combat rules has resulted in countless deaths among the people of Afghanistan. According to Commission statistics, 2,626 civilians were killed or injured in Afghanistan between August 15, 2021, and August 15, 2022. (1,520 people were killed and 1,106 others were injured).

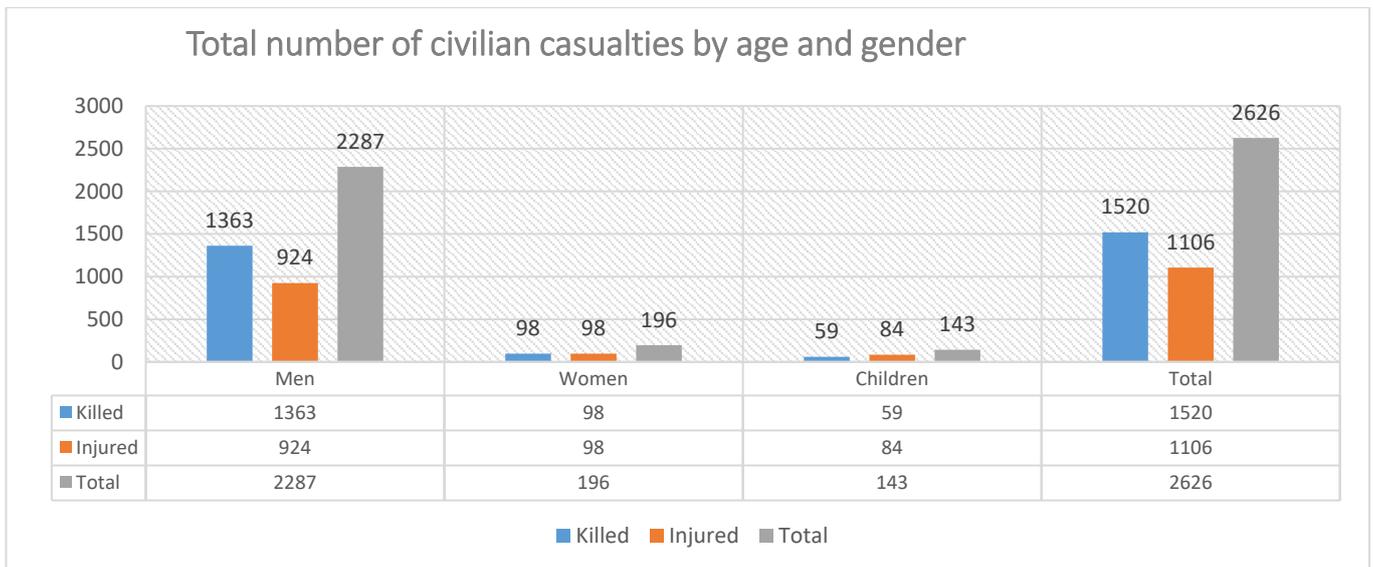
We highlight once again that a number of cases in some rural areas of the country may have gone unreported in this report due to a lack of access by our human rights activists to such places.

CIVILIAN CASUALTIES BY GENDER AND AGE:

The total number of female civilian casualties during the above-mentioned period is 196 people, with 98 dead and 98 injured.

The total number of child casualties in one year of Taliban rule is 143, with 59 dead and 84 wounded.

The total number of male civilian casualties in the mentioned time period reaches 2,287, with 1,363 dead and 924 wounded.



PERPETRATORS OF INTERNATIONAL HUMANITARIAN LAW VIOLATIONS IN AFGHANISTAN:

Although the Independent Human Rights Commission of Afghanistan, human rights NGOs, civil society groups, and the United Nations have consistently urged the Taliban group to follow international humanitarian law and human rights norms, as well as to meet its commitments and responsibilities in terms of ensuring citizens' security. However, the Taliban not only failed to provide civilians with essential security, but also played a major role in violations of human rights and international humanitarian law.

The findings of the AIHRC shows that, on the one hand, the Taliban group has continued to target civilians and war prisoners without any regard for international human rights, and, on the other hand, it has not been able to stop the numerous and specifically targeted killing and suicide attacks carried out by the ISIS group's Khorasan branch, resulting in significant casualties among religious and ethnic minorities.

Although the Taliban group has claimed through statements that they are committed to not harming civilians, there are clear signs and evidence that this group has violated the rules of humanitarian law and killed civilians during operations against their opponents in many parts of the country.

After retaking the country, on August 15, 2021, the Taliban group made all of the security and defense structures of the country ineffective and disorganized. Lacking specialized capacity, they have appointed individuals in these structures who have no knowledge and commitment to the principles of international humanitarian law and no respect for the human values of the citizens.

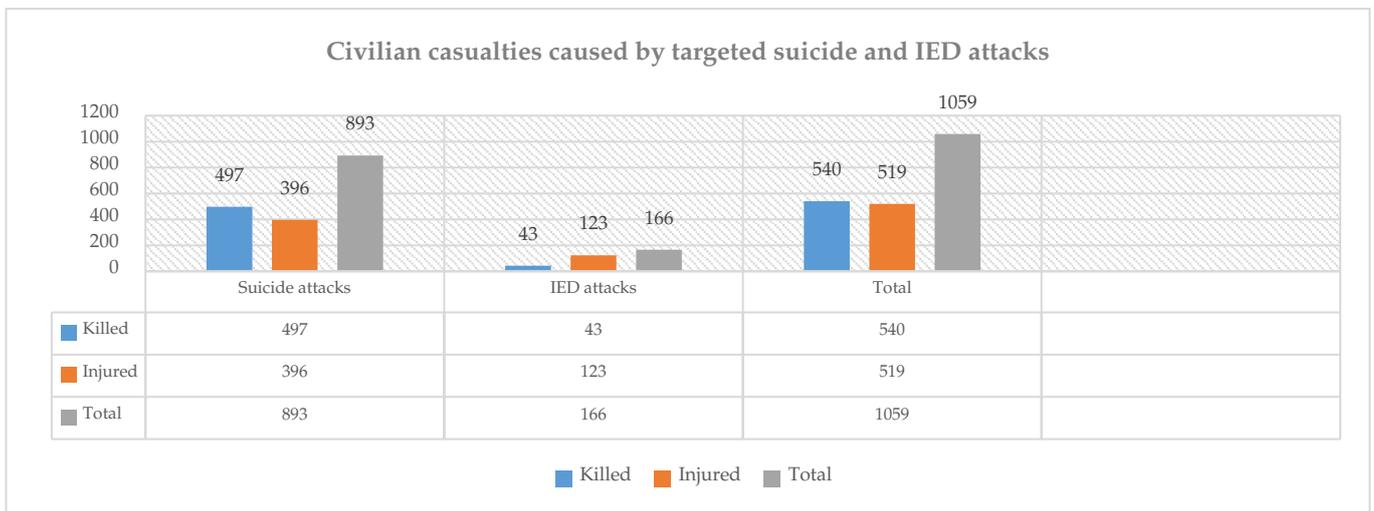
During their first year reign, the Taliban searched civilians' homes, attacked residential areas and even caused deliberated killings, especially in more insecure areas, such as Panjshir, Baghlan, Takhar, Ghazni, Daikundi, Ghor, Badakhshan, Kandahar and Saripul (Balkhab district) provinces. The Taliban has caused forced migration and displacement of thousands of families in several of the aforementioned areas, as well as usurped the possessions of citizens of these provinces.

According to the available data and evidence, the Taliban group is clearly the major and primary cause of the current violations of international humanitarian law in Afghanistan, and the Khorasan branch of ISIS is the second cause of the aforementioned tragedies.

CIVILIANS CASUALTIES BASED ON THE TYPE OF INCIDENTS:

According to the AIHRC's findings, suicide and IED attacks have disrupted Afghanistan's civilian population's peace since the Taliban's takeover of the country. In this reporting period, there have been over 17 large-scale, specifically targeted suicide and IED attacks against civilians and ordinary community members in public spaces such as airports, schools, training facilities, buses, and sports stadiums. As a result of these attacks 1,059 people were killed or injured, including 893 people in suicide attacks, with 497 dead and 396 injured, and 166 people in IED attacks, with 43 dead and 123 injured. The victims of the mentioned incidents were all civilian people, especially the worshippers, students, and people of trades.

The ISIS group has claimed responsibility for a high number of suicide and IED attacks and is often regarded as the primary perpetrator of such incidents.



In addition to the suicide and IED attacks that were previously discussed, the methods and tactics of targeted killings, ground conflicts, shooting war prisoners, and extrajudicial trials, respectively, have resulted in the highest number of civilian casualties in the country during the aforementioned time,

According to our findings, a total of 1,567 people have been victims of these attacks, with 980 killed and 587 injured. Among those killed, 743 people were assassinated and killed in a targeted way.

59 children, 98 women, and 823 men were killed, while 84 children, 93 women, and 410 men were injured as a result of the tactics stated.



← Suicide attack in Shia Imambargah in Kandahar province

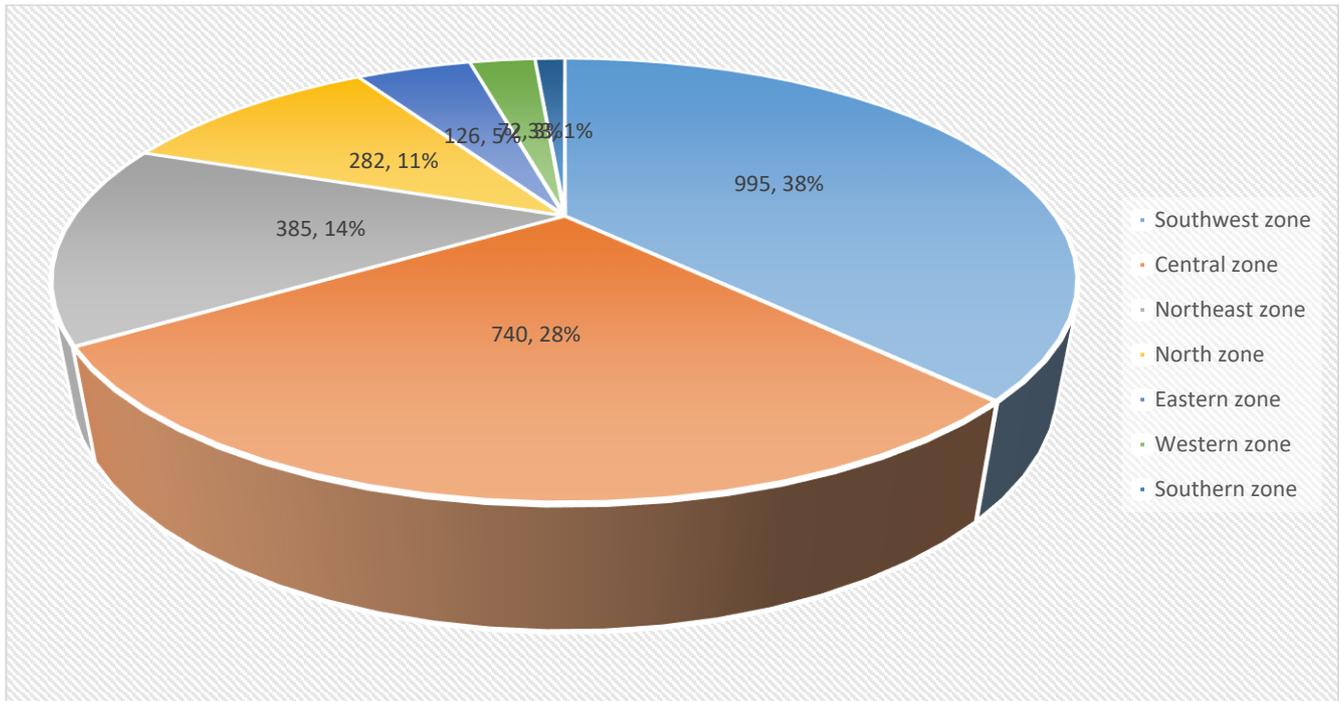
CIVILIAN CASUALTIES BASED ON GEOGRAPHICAL LOCATION:

In this report, the country is divided into seven zones:

- 1 - **Central zone:** including the provinces of Kabul, Panjshir, Parwan, Kapisa, Maidan Wardak, Bamyán, Ghor, Daikundi and Logar;
- 2 - **North zone:** including Balkh, Jawzjan, Samangan, Saripul and Faryab provinces;
- 3 - **Northeast zone:** including Kunduz, Takhar, Baghlan and Badakhshan provinces;
- 4 - **Southwest zone:** including Kandahar, Helmand, Zabul and Uruzgan;
- 5 - **Western zone:** including Herat, Farah, Nimroz and Badghis provinces;
- 6 - **Eastern zone:** including Nangarhar, Kunar, Laghman and Nuristan provinces;
- 7 - **South zone:** including Paktia, Khost, Paktika and Ghazni provinces.

According to the findings of the AIHRC, the highest number of civilian casualties has occurred in the following zones:

- Southwest zone, with 995 victims (38% of total civilian casualties), is in the first place;
- The center zone, with 740 victims (28% of the total civilian casualties), takes the second place;
- Northeast zone, with 385 victims (14% of total civilian casualties), is in the third place;
- North zone, with 282 victims (11% of total civilian casualties), is in the fourth place;
- Eastern zone, with 126 victims (7% of total civilian casualties), is in the fifth place;
- West zone, with 72 civilian victims, is in the sixth place;
- The southern zone, with 33 civilian casualties, is in the seventh place in civilian casualties chart.



ATTACK ON JOURNALISTS, CIVIL ACTIVISTS AND HUMAN RIGHTS DEFENDERS

Citizens rely on news coverage and information on various political, military, economic, social, and cultural events. Because of its coverage and analysis of military conflicts and events, the media has become one of the most important sources of information influencing public opinion.

Under international humanitarian law, journalists, human rights advocates, and members of the civil society shall not be assaulted by the parties to the conflict; but unfortunately, during the rule of the Taliban, they have not been immune from attacks.

According to Reporters Without Borders, before August 15, 2021, 547 media outlets operated in Afghanistan, of which, 219 media outlets have ceased operations, and 76.19% of 11,857 journalists and media activists have lost their jobs.

According to this organization, female journalists have been affected the worst in recent year. According to this research, there were 2,756 female journalists and media professionals working in 11 provinces of Afghanistan a year ago; now, only 656 of them are working.

Freedom of expression has been severely curtailed, censorship has intensified, and many journalists have lost their jobs since the Taliban retaken power. All of this has occurred amid a terrible economic crisis and the repression of press freedom.

The findings of the AIHRC show that at least 40 cases of violence against media workers and civil activists have been registered in the last year, including 22 journalists and 10 civil activists arrested, 2 journalists injured and 4 journalists tortured, and more than 4 news networks were shut down.

For example, the Taliban arrested and tortured two reporters of the Daily Information in Kabul, a cameraman for Rahnavard TV in Mazar-e-Sharif, a female reporter from Enekas TV in Nangarhar, a foreign reporter in Kabul and two civil activists in Kandahar and Helmand provinces for reporting and reflecting people's problems through the media.

Part II

Cases of human rights violations

It is an irrefutable fact that for the past one year, the Taliban have operated in the absence of the Constitution, the rule of law, and law enforcement agencies. The Taliban's strategy is blatantly against both human rights and international law. The Taliban severely damaged the Afghan government's standing in the international system during this time by violating every international human rights criterion that the Afghan government had upheld for the previous 50 years.

This strategy has rendered the people of the country the main victims of the Taliban's numerous violations, making Afghanistan the most vulnerable country in the world in terms of human rights culture and human dignity.

Based on international human rights conventions, the following are the most important incidents of human rights violations

During the Taliban's one-year rule, their atrocities and oppression reached a pinnacle, and shocking and horrible incidents of human rights violations took place. Including, amputation of hands, whipping, beheading, shooting, hanging, burning, defamation, throwing from the mountain, beating, disappearance, kidnapping, hostage taking, assassination and targeted killings, forced migration, forced marriage, looting of public property, usurpation of property, destruction of property, destruction of artistic and ancient works and dozens of other atrocities. The most significant instances of human rights violations are categorized and described below:

VIOLATION OF THE RIGHT TO LIFE

The right to life is one of the most fundamental human rights, and it is recognized and reinforced in all international human rights instruments. Unfortunately, this right is not as well respected in Afghanistan as it should be. The Commission's findings show that 2,626 persons have been killed or injured as a result of violations of international human rights standards since the Taliban's takeover of the country.

Our findings show that during the reporting period, 30 people, including 9 women, were extra-legally tried and another 25 people, including 11 women and young girls, committed suicide.

THE RIGHT TO FREEDOM AND PERSONAL SECURITY

The right to freedom and personal security is one of the most fundamental human rights, which is underlined in the Universal Declaration of Human Rights, Article 9 of the International Covenant on Civil and Political Rights, and other international instruments. The right to freedom and personal security is the second human right, and it indicates that everyone has the right to enjoy freedom and security within the framework of the law and human rights standards.

This human right of citizens has been consistently violated by the Taliban group during its one-year rule and, under a variety of pretexts, they have arrested and detained individuals who criticized the Taliban's unlawful actions, including political opponents of the Taliban, civil and military employees of the previous government, journalists, human rights defenders, women's rights activists and defenders, civil society activists, and experts who are critical of the Taliban's ideas and behavior.

According to the findings of the AIHRC, 336 civil and military employees of the previous government, 171 defense lawyers, particularly lawyers specializing in the defense of human and women's rights, 22 journalists, 10 civil activists, 1 political activist, and 2 foreign citizens and their interpreters were arrested and threatened by the Taliban, and their right to freedom and personal security was revoked.

THE RIGHT TO JUDICIAL PROCEEDINGS

The right to judicial proceedings means the right to receive effective and efficient justice from the government (judiciary), and it is a guarantee for basic and fair justice. On the other hand, judicial proceedings of the suspect or accused case during the trial process is

regarded as a form of a legal obligation, and based on which governments must respect all human and legal rights that belong to a person.

The debatable issue is that the Taliban did not respect the human rights of prisoners in detention facilities, including the right to access a defense lawyer, the right to legal proceedings in a timely manner, and the right to acceptable living conditions, including food, clothing, and treatment.

For example, the Taliban do not give food to the prisoners of Faryab prison. One of the prisoners, who was imprisoned three months ago in the prison of Faryab Province, said: "For preparing three meals a day, the Taliban charge each prisoner 150 Afs..."

The Taliban, on the other hand, dismissed 3,500 expert prosecutors from their duty and replaced them with inexperienced and unprofessional religious school students. The capacity of these non-professional prosecutors is so low that the legal processes in the defendants' cases are delayed for months.

The Taliban dissolved the Afghanistan Independent Bars Association and replaced it with the Defense Lawyers Directorate under the Ministry of Justice, which is not independent in any way. Furthermore, we cannot expect the Supreme Council of Defense Lawyers, which is chaired by the Ministry of Justice and composed of the Deputy Minister of Interior for Security, the Deputy of the Taliban Intelligence Department, the Deputy of the Ministry of Defense, and several other Taliban officials, to ensure justice in the country.

The Taliban Ministry of Justice revoked the authority of the Independent Bars Association of Afghanistan to issue defense lawyers licenses by releasing a decree on November 22, 2021. According to this decree, only defense lawyers who have been approved by the Taliban will be allowed to attend courts and other legal institutions, following this Taliban rule.

THE RIGHT TO HUMAN DIGNITY

Human dignity refers to respect for the unique position of humans as well as the intrinsic value of the human individual. In Islam, according to the Holy Quran, verse (17:70) mankind has been given a special position "we have certainly honored the children of Adam".

The Taliban consistently emphasize the Islamic system and the application of Sharia law, yet they violate Islamic principles, mistreat people, particularly former government employees, and engage in torturing and cruel and inhuman treatment of inmates from the moment they are arrested until the investigation is completed. The stories of the released inmates, the Amnesty International report, and the UNAMA investigation in Afghanistan all demonstrate obvious violations of the right to human dignity and the use of torture in Taliban prisons and detention centers. Until now, the Taliban has refused to allow monitoring institutions to visit detention facilities in order to avoid further disclosure of their abuses.

Our findings show that the Taliban tortured at least 63 detainees, including four journalists, 19 former soldiers, 21 civilians, and two women, and that the faces of 16 suspects and accused were made public through extra-legal trials held in Kabul, Kandahar, Herat, Takhar, Badakhshan, Ghor, and Nimroz provinces. What's more disturbing is that the bodies of the detainees, men and women, were stripped, filmed and aired on social media in a number of extra-legal proceedings.

Property Rights

The right to property is one of the most essential individual rights, and it is enshrined in international human rights instruments.

According to findings of the AIHRC, the Taliban group has frequently disregarded these rights and has engaged in outright violations of the constitutional and human rights of the Afghan citizens in the country.

The Taliban have committed various forms of tyranny and abuse against the Hazara population in Saripul (Balkhab), Ghazni, Daikundi, and Helmand provinces. They have also forcibly removed residents from their homes and seized their possessions.

For instance, in the Faqir Shah area of the Joghato district of Ghazni province, Kochis have taken 900 acres of Hazara people's land with the help of the Taliban group intending to build a residential town there. Additionally, according to local sources in the Balkhab

district of Sarpul province, hundreds of Hazara families from the villages of Qalagag, Takhshar, Chenarak, Hush, and Larkord, which are related to the old and new markets of this district, have left their homes and possessions behind and moved to the mountains out of fear of Taliban fighters, and they are unable to get access their properties.

Similarly, the Taliban has confiscated and usurped the apartments and houses of a huge number of previous government officials and politicians in the country, and the Taliban officials are using them.

IDPs of Balkhab District, Saripul Province



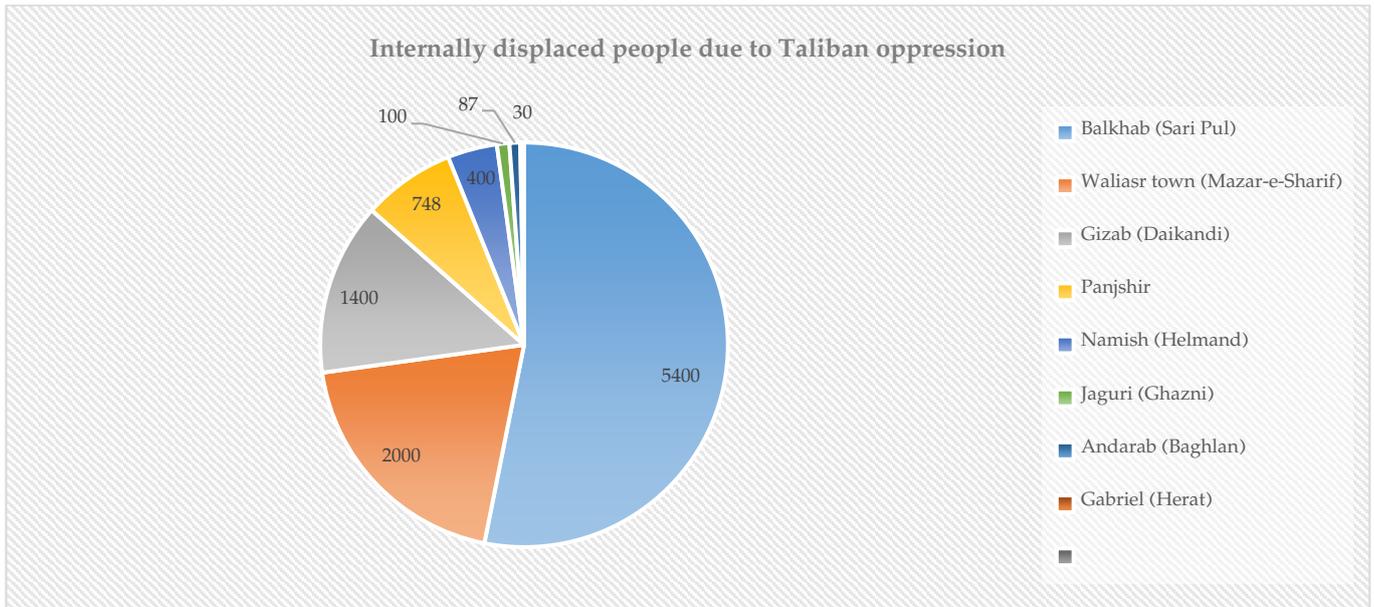
← IDPs of Balkhab District, Saripul Province

THE RIGHT TO HOUSING

This is regarded as one of the most important human rights, and its observance and respect have been stressed in international human rights instruments as well as the country's constitution.

Since taking power in Afghanistan, the Taliban group has repeatedly denied the people this human right, and during the war with their opponents, they have imposed various forms of oppression and pressure on families and civilians in areas such as Balkhab, Panjshir, Andrab, Khost and Farang, Mazar-e-Sharif, Daikundi, Ghazni, Helmand, and ..., and have forced people to leave their homes.

Our findings show that since August 15, 2021, 10,165 families, including 5,400 families from the Balkhab district of Saripul province, 2,000 families from Wali Asr town in Mazar-e-Sharif, and 1,400 families from the Gizab district of Daikundi province, 748 families from Panjshir province, 400 families from Nomish district of Helmand province, 100 families from Ghazni province, 87 families from Andrab district, 30 families from Jibrail region of Herat province have been forced to leave their homes due to insecurity and wars imposed by the Taliban.



THE RIGHT TO EDUCATION

The right to education is one of the most fundamental human rights. Since the Taliban began to regain control of the country, this fundamental right has been faced with significant and serious obstacles. Girls and women, who make up more than half of the population of the Afghan society, are mostly deprived of this right, and the ruling group, contrary to the standards of human rights and the teachings of Islamic Sharia, has practically deprived girls of this right. Although the country's citizens, the international community, and organizations and institutions defending human rights and women's rights have denounced the Taliban's strategy and called for the reopening of schools for girls, the Taliban leadership has given no weight to all these demands, as a result, the future of a significant portion of the population is now shrouded in ambiguity and uncertainty.

On the other hand, the AIHRC, civil society organizations, and other stakeholders interested in education, are concerned about the curriculum's quality and the Taliban group's inappropriate intervention with the country's educational curriculum.

THE RIGHT TO FREEDOM OF MARRIAGE AND CHOOSING A SPOUSE

Marriage is defined in Islamic Sharia, national legislation, and international human rights documents, and it is regarded as one of the most significant and fundamental adult rights (men and women). Unfortunately, due to war conditions and severe economic hardships, the people of Afghanistan have experienced unpleasant events such as selling girls, underage marriages, forced marriages, and the prohibition of legitimate marriages during the last one year.

During the republican government, human rights institutions lowered the possibility of this right being violated, but under the Taliban government, which is largely regulated by tribal customs and traditions, this human right faces considerable challenges.

Our findings show that during this reporting period, at least 15 girls experienced forced marriage because their parents were afraid of sexual assaults by Taliban fighters in Kandahar, Badakhshan, Takhar, and Ghazni provinces, particularly during the fighting in Balkhab district.

In addition, due to economic problems, a number of families in Kandahar, Herat, and Ghor provinces sold their underage daughters. This problem was also widely covered in the media.

Another example: On Monday, August 8, 2022, Taliban armed men battered Golshan, a 37-year-old lady, and broke her hand in Abdullah Khel valley of Panjshir province, when she refused a marriage proposal.

The Right to Freedom of Speech and Media

Freedom of speech is one of the most essential civil-political rights of the citizen, and Afghanistan held a worthy position among countries in the region for the last two decades. The Taliban's rise to power gravely harmed Afghanistan's right to free expression. The Taliban has imposed considerable restrictions on media publications, and media, civic and political activists are barred from expressing their opinions on the Taliban's detrimental activities.

During this reporting period, several politicians, university professors, and media activists were arrested for exercising their right to free expression. According to Reporters Without Borders, before August 15, 2021, 547 media outlets were active in Afghanistan, of which 219 media outlets stopped their activities, and 76.19% of 11,857 journalists lost their jobs.

According to this organization in the last one year, female journalists have been affected the hardest. According to this report, there were 2,756 female journalists and media professionals working in 11 provinces of Afghanistan a year ago; now, only 656 of them are working.

After the Taliban regained control, freedom of expression has been severely restricted, censorship has increased, and many journalists have lost their jobs, and all of this has happened amid a deep economic crisis and suppression of press freedom.

According to our findings, the Taliban detained, beat, and tortured three university professors, one political activist, eleven civic activists, and 22 journalists throughout this time period for sharing their opinions, views, and happening through media.

Mawlawi Mujib al-Rahman Ansari, one of the prominent supporters of the Taliban group, announced at the meeting of Taliban scholars that "if anyone raises his voice against the current government, he should be beheaded." Also, on Thursday, July 22, 2022, in a statement, Molahbatullah Akhundzada, the leader of the Taliban group, announced that criticizing the officials of the Taliban is not permissible in Islam and those who criticize government employees will be punished. Such statements are clearly in conflict with the right to freedom of expression and pave the ground for the brutal suppression of protesters and further violations of the rights and freedoms of citizens.

THE RIGHT TO FREEDOM OF ASSEMBLY

This right is one of the most important human rights of citizens, which is recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. From the time the Taliban regained power until today (from August 15, 2021 to August 15, 2022), there have been 5 marches and gatherings and protests of women and supporters of women's human rights in Kabul, Mazar-e-Sharif, Herat, Takhar and Bamyan, each of these events faced with the violent reactions from Taliban's military and security forces and the participants were subjected to violence.

There are clear papers proving that after Ayman al-Zawahiri was assassinated in Kabul, the Taliban forced residents from around the country to protest and march against America. This is despite the fact that prohibiting meetings, demonstrations, and marches and compelling persons to engage in demonstrations and marches are clearly incompatible with human rights values.

THE RIGHT TO WORK AND A SUITABLE JOB

In the country's legislation and international human rights documents, the right to work and a suitable job is regarded as one of the fundamental rights of people in society, and every person has the right to freely choose his job and earn a fair and appropriate wage. According to a UNDP report, the Taliban's return to power has resulted in the loss of 700,000 employments in the country.

According to our findings, the Taliban have dismissed 250 Kabul University professors, 12 experienced doctors in one of Nangarhar's health centers, as well as all the heads of courts, prosecutors, and professional members of the country's legal and judicial institutions and have replaced them with their own people, the majority of whom are graduated from religious schools. The Independent Bars Association of Afghanistan, one of the country's main legal institutions with over 6,000 members, (30% women), has been dissolved, and all of its members have lost their duties and jobs as a result. Currently, 2,270 of the country's defense lawyers are left in the country. They are required to pass a religious exam in order to renew their lawyer's license, and the Taliban has stated that they

should have their background checked by the Taliban's intelligence department, in order to determine their likely relationships with international organizations and the previous government.

The National Statistics and Information Administration reports that in 2019, women made up 26% of the civil service workforce and that there were 252 female judges and 437 female prosecutors working in judicial institutions. Likewise, according to official statistics, there were 2,549 female professors teaching in the country's universities in 2019. Additionally, there were 70,585 female teachers teaching in public schools in 2019. on women, a considerable number of women As a result of the Taliban's harsh stance in various government organs have lost their jobs and economic income, while many of these women are the only breadwinners for their families and children.

According to Reporters Without Borders, 219 media outlets have ceased operations in one year of Taliban rule, and 76.19 percent of 11,857 journalists have lost their jobs. According to this report, a year ago there were 2,756 female journalists and media workers in 11 provinces of Afghanistan, but now only 656 of them are working in the media.

The Human Rights Situation of Persons with Disabilities

Following the Taliban's takeover of the country, people with disabilities, like the rest of the population, faced severe hardships and were deprived of their many human rights. Afghanistan has a very high disability rate as a result of protracted warfare and pervasive poverty. According to the reports of organizations working in the area of people with disabilities, there are around 1.5 million people with disabilities in Afghanistan.

The law on "Rights and Privileges of Persons with Disabilities" enacted in 1388 (2009) was revoked once the Taliban gained control of the country. Taliban's attitude toward people with disabilities makes it obvious that this group does not respect or adhere to the "Convention on the Rights of Persons with Disabilities." The Taliban, in one year of its rule, checked people with disabilities three times in a completely unprofessional way to determine the degree of disability. Checking is conducted by a Mawlawi by looking at a person's appearance. For example, if a person's body has one leg amputated, he is entitled to 3,000 Afs per month; if two limbs are amputated, he is entitled to 5,000 Afs per month. Previously, the level of disability was determined following a thorough inspection by a Commission comprised of professional and elite experts.

Previously, stalls and carts were provided for a big number of persons with disabilities to start enterprises in various districts of Kabul city. When the Taliban took over Kabul, all of the stalls and carts were taken over and rented out to other people. As a result, a substantial number of people with disabilities joined the ranks of unemployed people. The Taliban group announced the abolition of 105 social institutions for people with disabilities, all of which were registered with the Ministry of Justice, and a large number of institutions that worked in the area of disability in Afghanistan ceased operations. In the past two months, the Taliban shut down the doors of two institutions named "Sarf" and "Social Center for the People with Disabilities".

A number of people with disabilities complain that the Taliban have divided people with disabilities into "Taliban" and "non-Taliban" giving more privileges to "Taliban people with disabilities". According to our findings, every disabled member of the Taliban group receives 15,000 Afs every month (that is, three to five times more than what the others receive). A large number of military people with disabilities of the previous government complain about the mistreatment and insults of the Taliban, and say that they have not benefited from any assistance in last one year. Poverty and destitution are rampant in the community of people with disabilities in Afghanistan, and the Taliban group has no plan to improve the situation of people with disabilities.

The Human Rights Situation of Women in Afghanistan

Since August 15, 2021, Afghan women have been experiencing the worst possible situation in Afghanistan. The single-gender rule of the Taliban is in clear conflict with the call for women's political participation. Taliban do not tolerate the presence of women in

¹ .National Bureau of Statistics and Information, Yearbook 2019, Number 42, Publication Date 1400, Pages 27 and 58

² .Ibid., pp. 59 and 62

political, leadership and management positions. The Taliban leadership has eliminated women from the fields of politics, administration, economy, and culture by passing incredibly repressive decrees, and by promoting anti-feminist beliefs and practices, they are attempting to institutionalize the most severe form of gender discrimination in many aspects of women's lives.

In the first year of the Taliban's rule, women lost their civil, political, economic, social, and cultural rights and freedoms. It seems that the ominous triangle of "agents of political tyranny," "narrators of traditional religious interpretations," and "hegemony of patriarchal tribalism thinking" have made a deal not to allow the women of the country to discover their full potential. They are fully aware that this is where the transformation will begin.

The International Covenant on the Elimination of All Kinds of Discrimination against Women is one of the most important international covenants signed by the Afghan government in 2003. This important international document stipulates that the member states will take all appropriate measures to eliminate discrimination against women in the political and social life of their countries, and they will, in particular, ensure all human rights and freedoms for women on an equal footing with men. The right to life, the right to political participation, the right to education, the right to employment, the right to be free from torture and arbitrary detention, and the right to freedom of movement are the rights and freedom that this convention, in addition to other conventions, has stressed on its compliance and implementation.³

In the last twenty years in Afghanistan, significant progress has been made in the implementation of this convention; According to a report of the National Statistics and Information Administration, in 2019, 26 % of the civil service employees were women, and in judicial institutions, 252 women were working as judges and 437 women were serving as prosecutors. ⁴ Likewise, according to official statistics in the area of education, in 2019, 110,315 female students (28 percent) and 2,549 female professors were teaching in the country's universities, and in the same way, in 2019, 39 percent of 3,561,264 students of public education schools and 36 percent of 70,585 teachers of these schools were women. ⁵ Unfortunately, in the past year, a large number of these working women lost their duties, and female students above the sixth grade have not yet had the opportunity to continue their studies.

³ United Nations General Assembly, International Covenant on the Elimination of All Forms of Discrimination against Women, adopted in 1979, Articles 7 to 16

⁴ National Bureau of Statistics and Information, Statistical Yearbook 2019, Number 42, Publication Date 1400, Pages 27 and 58

⁵ Ibid., pp. 59 and 62

Conclusion:

According to the findings of this report, the human rights situation and observance of the principles of international humanitarian law in Afghanistan have been unprecedentedly alarming from August 15th, 2021 to August 15th, 2022. The Taliban group has widely, systematically, and purposefully violated the human rights of Afghan citizens. Taliban, with widespread violations of human rights and freedoms of women, vulnerable ethnic and religious minorities, former government employees, targeting civilians, engaging in acts of violence and torture, threats, arbitrary arrests, extrajudicial trials, usurping people's property, closing girls' schools, media censorship, violation of the right to freedom of expression and... is regarded as one of the major violators of human rights and international humanitarian law. It's also important to note that the economic situation of the country's citizens is grave and worrying. Poverty and unemployment rate are unprecedentedly high, and people's access to public services is severely restricted.

The ISIS group, on the other hand, despite its limited mobility but increased brutality and hostility, targeted civilians, particularly defenseless religious minorities in the country, committing serious international crimes.

The available evidence and documents indicate that the Taliban and ISIS group have deliberately and systematically continued their anti-human behavior and actions despite protests and reactions on a national and international level. They have also incorporated their disregard for and noncompliance with human rights standards into their official plans and policies.

Suggestions and Recommendations:

- 1 - The Taliban group is urged to respect human rights and international humanitarian law and refrain from violating international human rights and humanitarian law principles and standards
- 2 - The Taliban group is urged to accept the legitimate requests of the people by lifting restrictions on the human rights of women.
- 3 - Closure of girls' schools by Taliban is a big stigma stamped on the forehead of the Taliban. The Taliban must open the doors of girls' schools as soon as possible in order to remove this stigma from their foreheads.
- 4 - Taliban must understand that, as the ruling group, they are responsible for ensuring the security of people as well as ethnic and religious groups, and that they must take immediate and practical steps in this respect.
- 5 - The Taliban group is urged to lift media restrictions and refrain from harassing journalists and media agents.
- 6 - We urge the international community, aid and charity organizations to provide regular and transparent relief programs to the country's needy, disadvantaged, and poor people at this difficult period of time.
- 7 - We call on the representative of UNAMA to provide regular reports on the human rights situation in Afghanistan in order to present a clearer picture of the country's situation to the people and international institutions.
- 8 - The international community is urged to refrain from recognizing the Taliban's self-declared government until the Taliban has not yielded to the citizens' legitimate demands, refrained from violating human rights, and adhered international standards;
- 9 - More sanctions on the Taliban will stop regional and international improper modeling; It is recommended that the United Nations Security Council should put further pressure and sanctions on this group;
- 10 - The UN Human Rights Council is urged to extend the special rapporteur's mission, improve his team's investigative skills and human and financial resources, and upgrade this mission into a fact-finding commission for the upcoming year;
- 11 - The citizens and responsible institutions of the country are urged to help the Afghanistan Independent Human Rights Commission in documenting all cases of violations of human rights and international humanitarian law.

Hoping for ensuring of human rights in Afghanistan